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EUROPEAN CHARTER FOR REGIONAL OR MINORITY LANGUAGES

**APPLICATION OF THE CHARTER IN THE
RUSSIAN FEDERATION (ALTAI KRAY)**

1st monitoring cycle (simulation)

- A. Report of the experts on the Charter**
- B. Recommendations of the Committee of Ministers of the Council of Europe on the application of the Charter by the Russian Federation in Altai Kray**

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Chapter 1. Background information

1.1. The Russian Federation and the European Charter for Regional or Minority Languages

1. When acceding to the Council of Europe, the Russian Federation committed itself to signing and ratifying the European Charter for Regional or Minority Languages (hereafter referred to as “the Charter”) by 28 February 1998 (Opinion of the Parliamentary Assembly of the Council of Europe No. 193/1996). The Russian Federation signed the Charter on 10 May 2001 but has not yet ratified it.

1.2. The work of the experts

2. This document summarises the results of a simulation of the application of the Charter in Altai Kray, a subject of the Russian Federation in Siberia. It draws on the information obtained by a team of experts¹ through interviews held with representatives of the German, Kazakh and Kumandin national minorities and from the Russian authorities at preparatory meetings on 25/26 March 2010 in Barnaul and during the actual simulation activity (on-the-spot visit) from 6-8 July 2010 in Halbstadt (German National Rayon) and Baygamut (Kazakh settlement).

3. The present report demonstrates what an evaluation report of the Committee of Experts of the Charter, which monitors the application of the Charter in the States Parties, might look like if the Russian Federation had already ratified the Charter. For practical reasons, the report limits itself to three minority languages used in Altai Kray. It should, however, be borne in mind that a real evaluation report would cover all regional or minority languages in the Russian Federation and the country as a whole. This would imply that the three languages in question would not be covered in such detail as in the present report.

4. As far as the methodology of the simulation is concerned, the report is based on the theoretical assumption that the Charter already applies in Altai Kray. It evaluates the (*de facto*) application by the Russian authorities of certain provisions of the Charter whose substance is already covered through national policy, legislation and practice prior to ratification. The report contains detailed observations and recommendations which the Russian authorities are urged to take into account in order to further develop their policy on minority languages. On the basis of their detailed recommendations, the experts have established a list of general recommendations at the end of the report which simulate the recommendations that the Committee of Experts would usually propose to the Committee of Ministers of the Council of Europe.

5. The report was finalised on 27 July 2010.

1.3. Presentation of the minority language situation in Altai Kray

6. According to the results of the 2002 population census, 126 nationalities (plus a dozen sub-nationalities) live within the territory of Altai Kray, the largest in number (aside from Russians) being:

Germans	(79,502)
Ukrainians	(52,700)
Kazakhs	(9,825)
Tatars	(8,896)
Belarusians	(8,280)
Armenians	(8,105)
Azerbaijani	(5,852)
Mordva	(4,725)
Gypsies/Roma	(3,405) ²
Chuvash	(3,385)
Uzbeks	(1,956)
Altaics	(1,880)
Kumandins	(1,663)
Tajiki	(1,617)
Moldavians	(1,573)
Koreans	(1,309)

¹ Sophie Simon, researcher in minority law, and Tomasz Wicherkiewicz, researcher in minority languages

² plus 12 so-called “Central-Asian Gypsies”

Jews³ (1,096)
Georgians (1,084)

7. The experts have not received any information about which languages other than German, Kazakh and Kumandin have a traditional presence in Altai Kray in conformity with Article 1.a of the Charter and would therefore qualify for protection under Part II of the Charter. Therefore, and because of the selective and exemplifying character of this simulation study, the experts focus on the situation of the German, Kazakh and Kumandin languages which correspond to three diametrically different and region-representative minority language communities.

German

8. According to the 2002 census, approximately 600,000 Germans (*Russlanddeutsche*) live in the Russian Federation, out of which about 350,000 live in Siberia. The Altai Kray population is composed of 3% of ethnic Germans (79,502) that are spread over the territory. Some places, however, are home to a significant proportion of Germans. As an example, in Barnaul, the administrative centre of Altai Kray, approximately 10% of the inhabitants have German roots. In the German National Rayon (district) of Halbstadt, there is a population of about 20,000 of which 59.3% are Russian, 31.8% are German and 5.3% are Ukrainian.

9. Germans from the Volga region, where Germans have been present since the 18th century, founded the villages on the territory of the later rayon as early as 1908. The German National Rayon was set up in 1927 with Halbstadt (Гальбштад) as the administrative centre. In 1938, the district was disbanded and Halbstadt received the Russified name Nekrasovo. German cultural life was forbidden. In 1991, the Soviet authorities decided to restore the rayon and rename Nekrasovo, Halbstadt. The German authorities have since supported the economic growth of the area. Nevertheless, after 1989, many Germans moved to Germany and Germans from Central Asian states came to the district instead. The newcomers no longer speak German, due to their amalgamation with local groups in their previous settlement areas.

Kazakh

10. Kazakh is the official language of the neighbouring Republic of Kazakhstan and can be used in official communication in the neighbouring Republic of Altai (a subject of the Russian Federation). It is spoken by Kazakhs in the region of the Kulunda steppes in the south-western part of the Kray, along the border with Kazakhstan, with two main centres in the isolated villages (*auls*) of Baygamut (Байгамут) and Kirey (Кирей), located administratively in the *rayons* (counties) of Blagoveshchenka and Kulunda respectively (each village inhabited by approximately 200 and 300 people). There is no reliable data on the exact number of speakers of Kazakh in Altai Kray, but the 2002 population census reported 9,825 people altogether of Kazakh nationality (out of the approximately 2.6 million population of the Kray), with the majority (7,285) living in rural areas. In the same census, 563,749 citizens of the Russian Federation as a whole declared knowledge of the Kazakh language. According to the experts' observation and information received on the spot, the language transmission rate is very high within the population of the two villages, as is the degree of Kazakh-Russian bilingualism.

Kumandin

11. Kumandin is a language closely related to Altaic (state language of the Republic of Altai) and officially recognised as a language "of an indigenous small people of the Russian Federation". There are 1,044 registered speakers of this highly endangered language. The Kumandin minority consists of 3,114 people in the whole Russian territory and 1,663 people in Altai Kray. In this region, the minority is spread over three districts: the city of Biysk (around 1,000 Kumandins), Krasnogorsk district (280 Kumandins) and Soltonskiy Rayon – mainly in the village of Shatabal – (370 Kumandins). These districts are neighbouring districts, but it should be noted that there is no compact settlement. The Kumandins are therefore a small minority and only a third of this minority is considered to speak the Kumandin language.

The experts encourage the Russian authorities to clarify which languages other than German, Kazakh and Kumandin correspond to the definition of a regional or minority language contained in Article 1.a and could qualify for protection under Part II of the Charter.

³ understood as Askenazic Jews

Chapter 2. The experts' evaluation in respect of Part II and Part III of the Charter

2.1. The evaluation in respect of Part II of the Charter

Article 7 – Objectives and principles

12. In Altai Kray, Part II of the Charter would apply to the German, Kazakh and Kumandin languages.

1 *In respect of regional or minority languages, within the territories in which such languages are used and according to the situation of each language, the Parties shall base their policies, legislation and practice on the following objectives and principles:*

a *the recognition of the regional or minority languages as an expression of cultural wealth;*

13. According to the 1993 Constitution of the Russian Federation, Russian is the State language of the Russian Federation. In parallel, the Russian Federation has ratified a wide range of relevant international instruments and the existing federal legislation, notably Article 26.2 of the Constitution and Article 2 of the Law on the Languages of the Peoples of the Russian Federation, provide in general the right of persons belonging to national minorities to use their languages.

German

14. The German language has not been formally recognised as an expression of cultural wealth of the Russian Federation or of Altai Kray.

Kazakh

15. In accordance with the Language Law of the *Republic* of Altai, Kazakh may be used in official communication in areas of compact settlement (Article 4). Although Kazakh has not been recognised in Altai Kray, its official status in the Republic of Altai, a subject of the Russian Federation, may be considered a formal recognition of Kazakh as an expression of cultural wealth.

Kumandin

16. While the Kumandin people as such is recognized and protected under the special protection addressed to the “small indigenous peoples of the Russian Federation”, the language is not recognized as such.⁴

b *the respect of the geographical area of each regional or minority language in order to ensure that existing or new administrative divisions do not constitute an obstacle to the promotion of the regional or minority language in question;*

17. Although there are not apparently any explicit mechanisms ensuring the respect of the geographical area of each regional or minority language, there are no indications that any problem has arisen in that regard in recent years.

c *the need for resolute action to promote regional or minority languages in order to safeguard them;*

German

18. Natural transmission of the German language is tending to disappear.

Kazakh

19. The position and maintenance level of the Kazakh language seem much better in that respect (in particular in isolated Kazakh villages such as Baygamut and Kirey).

⁴ E.g. the source *Pismennyye yazyki mira. Yazyki Rossiyskoy Federatsii. Sotsiolingvisticheskaya entsiklopediya* (Moscow 2003: Academia) does not mention Kumandin among the “literary languages”, while the 2009 report by Tishkov et al. (*Status and support for linguistic diversity in the Russian Federation*, table 2) mentions Kumandin among the “Small peoples of the North whose existence was not recognised in Soviet times”.

Kumandin

20. There is almost no natural transmission of the Kumandin language to new generations as the language is hardly spoken among families. As presented in this report, some action is being taken by the Russian authorities. However, “resolute action” requires the development and implementation of a structured policy. Although the particular situation of Kumandin requires such resolute action, no particular policy exists to date. As this language is very endangered, the experts encourage the Russian authorities to elaborate and implement a programme of language revitalisation.

21. For both the German and the Kumandin languages, many parents are under the impression that bilingual teaching would be burdensome and counterproductive for the development of their children. The experts consider that more awareness-raising about the virtues of, and opportunities for, bilingual education is needed. The authorities in municipalities on whose territory these minorities are present could, for example, consistently provide parents of newly-born children with an information pack about the opportunities of mother-tongue or bilingual education in the minority languages concerned.⁵

The experts encourage the Russian authorities to raise awareness about the virtues of bilingualism among the German and Kumandin national minorities as well as the public at large.

d the facilitation and/or encouragement of the use of regional or minority languages, in speech and writing, in public and private life;

German

22. The promotion of German in public life is currently limited to some schools, folklore and contact with German speakers from other countries. This will be dealt with in more detail under Part III.

Kazakh

23. The promotion of Kazakh in public life will be dealt with under Part III.

Kumandin

24. With regard to the field of administration, representatives of the Kumandin minority expressed their desire to have their birth certificates translated in the Kumandin language. They also underlined that having their birth certificate in both languages, Russian and Kumandin, would simplify the relationship the minority has with the administration as it is a document that is used for tax and social benefits. Furthermore, the Kumandin representatives also asked for the use or adoption, in conjunction with the name in the Russian language, of traditional and correct forms of place-names in Kumandin. The experts encourage the Russian authorities to take positive measures in this regard.

25. The experts were able to obtain some information in the field of media. There are no radio or television programmes in Kumandin. A public television channel has offered the Kumandin minority a time slot. This option, although very positive, has not been taken advantage of yet because of the lack of competences of Kumandin people in the broadcasting sphere. Some support in the training for media staff is therefore needed by the Kumandin minority.

26. In the cultural sphere, the experts note that a festival of culture (constituting 70% of folk songs, partly in the Kumandin language) is organized every year by the Kumandin minority and receives support from the authorities of the Kray. The University of Biysk also helped with the creation of a Kumandin museum some years ago (this museum has since closed). Furthermore, the Kumandin minority shows a particular interest in the creation of a cultural centre, part of which would be dedicated to the Kumandin language. The experts welcome this project and encourage the Russian authorities to support the setting up of a Kumandin cultural centre with a view to collecting, keeping a copy of and presenting or publishing works produced in the Kumandin language.

e the maintenance and development of links, in the fields covered by this Charter, between groups using a regional or minority language and other groups in the State employing a language used in identical or similar form, as well as the establishment of cultural relations with other groups in the State using different languages;

⁵ See e.g. 4th Report on the application of the Charter by Hungary, ECRML(2010)2

German and Kazakh

27. Specific explanation of the implementation of this provision is not required as far as the German and Kazakh languages are concerned. There are intense and frequent contacts between the speakers of both languages and speakers in other parts of the Russian Federation as well as with speakers abroad.

Kumandin

28. The Kumandin language used to be considered a dialect of the Altaic language, but some linguists nowadays see it as an independent language. Representatives of the Kumandin minority believe it would be useful to have contact with their co-nationals in the Republic of Altai. As an example, the speakers of Kumandin would benefit from access to media broadcasting in the Republic of Altai, as well as newspapers published there. It is not clear however whether this co-operation in the media sphere would simply be media in the Altai language or whether the Kumandin minority could also benefit from some broadcasting or edited material in the Kumandin language that are already existing in the Republic of Altai. The Kumandin minority representatives also underlined the usefulness of the exchanges with the Republic of Altai in the field of education as developed below (under Article 7.1.f). A summer camp is organized every year by the Kray administration for the Kumandin minority of both Altai Kray and the Republic of Altai. Except for this event the experts do not have information on measures taken in order to maintain and develop these links.

f the provision of appropriate forms and means for the teaching and study of regional or minority languages at all appropriate stages;

General situation

29. The right to free choice of the language of education and the right to receive basic general education in their native language is provided for by Article 9 of the 1991 Law "On the Languages of the Peoples of the Russian Federation", as well as the choice of the language of instruction within the limits offered by the education system. This article further provides that the right of the citizens of the Russian Federation to receive education in their native language is ensured by establishment of the necessary number of corresponding educational establishments, classes, groups, as well as by creating conditions for their functioning. Similar guarantees are contained in Article 6 of the 1996 Law on Education.

30. According to the Administration of Altai Kray for Education and Youth, there are three types of schools and the teaching of languages differs from one type to another.

- National school: the legal name for these schools is "school with teaching in the native language". As the name indicates, in these schools teaching not only corresponds to teaching of the language but also teaching in the language. It can arise from local initiative and the only national school that exists in Altai Kray is the Kazakh School in Baygamut, the Blagoveshchenka Rayon.

- In-depth school: in this type of school, languages are taught as a foreign language (teaching of the language and not in the language) but the school curriculum covers at least 3 hours a week. This type of school is usually found inside the German National Rayon of Halbstadt while some also exist in Barnaul.

- Regular school: this type of school corresponds to the general curriculum that includes at least 2 hours of language teaching a week.

German and Kazakh

31. For the German and Kazakh languages, see the relevant provisions under Part III.

Kumandin

32. The Kumandin schools belong to the regular school type. In practice, however, the experts note that the Kumandin language is not used in pre-school education. There is only one primary school that continues to offer the teaching of the Kumandin language. This school is located in the Rayon of Solton. It is, however, regrettable that this school lacks textbooks and other materials. According to minority representatives, this school will be closed because of its merger with a school from a neighbouring village. The experts hope that the teaching in Kumandin will not be affected by this merger. There are no secondary schools where the Kumandin language is taught. Neither is it taught in technical and vocational education, apart from at school no. 4 in Biysk (a school for disabled pupils) where according to the wishes of the director of the school two-thirds of students are taught Kumandin. There is no higher education or adult and continuing education in Kumandin either.

33. The experts consider that the integration of such language education in the education system is of high importance, as an optional course within the territory where Kumandin is used. This language could be

used for the teaching of the Kumandin language, literature, history and culture, corresponding to 5-10% of the global curriculum. Kumandin representatives believe, however, that science, like Russian literature, should continue to be taught in the Russian language.

The experts encourage the Russian authorities to provide, in co-operation with the speakers, appropriate forms and means for the teaching of the Kumandin language at least in pre-school, primary and secondary education.

34. As for teacher training, the experts are under the impression that training in the Kumandin language is only provided in the Republic of Altai. Only Biysk University provides some facilities and can, for instance, invite professors from the Republic of Altai, although the Kumandin minority has not taken advantage of this facility yet. Representatives of the minority believe that sending their teachers to the Republic of Altai for training corresponds better to their needs.

The experts encourage the Russian authorities to ensure the training of teachers for the Kumandin language according to its situation.

35. Considering that Kumandin is highly endangered, the experts encourage the Russian authorities to take flexible and innovative measures with a view to maintaining this language. For example, elderly speakers could be invited to pre-schools on a regular basis so that they can play with children in Kumandin. The Russian authorities could draw on the experience of other very small linguistic minorities in Europe and other parts of the world in the field of language revitalisation and language planning methods.

36. As for teaching materials in Kumandin, the only ABC book that exists was published in the 1960s. In addition, it is written in one of the dialects Kumandin and is not recognised by other dialect speakers. The experts encourage the Russian authorities to take steps, in close consultation with the speakers, to come to an agreement on the standardization and revitalisation of Kumandin. The example of the North Frisian language in Germany may be consulted in this respect. The experts note the existence of a small dictionary published in 2007 in Krasnogorsk district and a grammar book published at the end of the 1990s.

g the provision of facilities enabling non-speakers of a regional or minority language living in the area where it is used to learn it if they so desire;

37. The experts lack precise information on the implementation of this provision. It seems, however, that any person, speaker or non-speaker of the minority languages, can attend classes, in cases where they exist.

h the promotion of study and research on regional or minority languages at universities or equivalent institutions;

German and Kazakh

38. For the German and Kazakh languages, see the relevant undertakings under Part III.

Kumandin

39. According to the Kumandin representatives, there is no university education in languages other than Russian, but there is a department of Kumandin studies at the University of Biysk. The researcher working in this department has received a grant from the Altai Kray administration to publish a book on ethnographical research on the Kumandin minority. However, there are no translations or terminological research services for the Kumandin language. The experts encourage the authorities to study the possibility of creating such a linguistic department or service, also as a result of the proposed language revitalisation programme.

i the promotion of appropriate types of transnational exchanges, in the fields covered by this Charter, for regional or minority languages used in identical or similar form in two or more States.

40. Concerning the German and Kazakh languages, this issue will be dealt with in the next chapter in respect of the Part III languages. As for the Kumandin language, the experts have not received any information on the application of this provision.

2 The Parties undertake to eliminate, if they have not yet done so, any unjustified distinction, exclusion, restriction or preference relating to the use of a regional or minority language and intended to discourage or endanger the maintenance or development of it. The adoption of special measures in favour of regional or minority languages aimed at promoting equality between the users of these languages and the rest of the population or which take due account of their specific conditions is not considered to be an act of discrimination against the users of more widely-used languages.

41. The experts note that the Constitution of the Russian Federation, as well as the new Criminal Code of the Russian Federation, contains general anti-discrimination provisions. The experts have, however, no information on the existence in the Russian legal system of positive measures that would promote equality between the users of regional or minority languages and the users of the language of the majority. No discriminatory practices were reported by the minority languages speakers.

3 The Parties undertake to promote, by appropriate measures, mutual understanding between all the linguistic groups of the country and in particular the inclusion of respect, understanding and tolerance in relation to regional or minority languages among the objectives of education and training provided within their countries and encouragement of the mass media to pursue the same objective.

42. The experts note that, in the Altai Kray, a spirit of tolerance and inter-ethnic dialogue generally prevails. Both federal and regional authorities have designed a number of initiatives in this sphere, such as the federal inter-agency programme "Shaping of tolerant conscience and prevention of extremism in the Russian society" and the grants accorded by Altai Kray to public organisation initiatives to fight against intolerance.

German and Kazakh

43. For the German and Kazakh languages, see relevant provisions under Part III.

Kumandin

44. As for the teaching of Kumandin history and culture, there is a class called "local studies" in the general curriculum. However, the experts noted that the syllabus for this class is not clearly defined and that it is up to teachers whether to include Kumandin culture or not. As a consequence and according to Kumandin representatives, the history and culture of the Kumandin minority is only taught in Biysk. The experts note the positive existence of some Kumandin fairy tales written in Russian that have been published by the Vocational school n^o4 and of the above-mentioned ethnographical research on the Kumandin minority.

The experts encourage the Russian authorities to develop the teaching of the history and culture of the minorities and to include it in the general curriculum of Russian schools.

4 In determining their policy with regard to regional or minority languages, the Parties shall take into consideration the needs and wishes expressed by the groups which use such languages. They are encouraged to establish bodies, if necessary, for the purpose of advising the authorities on all matters pertaining to regional or minority languages.

45. As for the organisation of events, such as the Kumandin festival, the Kumandin minority representatives ensure that the needs and wishes of the Kumandin people are always taken into account by the Kray administration, which helps in the organisation and financing of the activity.

46. The experts look forward to the activities and results of the new advisory body, the Council on Ethnocultural Development of Altai Kray, established in April 2010 by the local administration and consisting of representatives of ethnic NGOs, including Germans, Kazakhs and Kumandins.

5 The Parties undertake to apply, mutatis mutandis, the principles listed in paragraphs 1 to 4 above to non-territorial languages. However, as far as these languages are concerned, the nature and scope of the measures to be taken to give effect to this Charter shall be determined in a flexible manner, bearing in mind the needs and wishes, and respecting the traditions and characteristics, of the groups which use the languages concerned.

47. The experts have not received any information about languages that would comply with the definition of non-territorial languages contained in Article 1.c of the Charter.

2.2. The evaluation in respect of Part III of the Charter

48. In Altai Kray, Part III of the Charter would apply to the German and Kazakh languages.

2.2.1 German in Altai Kray

A. *German National Rayon of Halbstadt*

Article 8 – Education

General issues

49. The meeting with representatives of the German minority during the on-the-spot visit clearly signaled that education, particularly of young people, was their highest priority. According to them, most of the provisions under Article 8 have only partly been fulfilled up to now regarding the German language in the German National Rayon of Halbstadt. The main reason for this is probably the lack of awareness among parents and teachers about the virtues of bilingualism. The German language is taught as a foreign language and not as a minority language. In addition, it is not a language of instruction. The teachers met do not seem to consider the usefulness of changing this situation. “Muttersprache” (mother tongue) classes existed until the 1990s but the waves of migration to Germany significantly affected schools as most bilingual people left the German National Rayon and these classes came to an end. Some “Muttersprache” books are still available in schools but do not appear to be used by teachers.

50. The main challenges are to further develop the provision of German-language teaching and to create either a national school in German (see the presentation of the school system under Part II, Article 7.1.f), or specific classes in the in-depth schools for German “als Muttersprache” (i.e. teaching in the minority language).

51. In addition to the teaching of/in German in the traditional educational system, opportunities to study German in the Centres of German Culture (“Centres of Encounter”) should be offered. There are 38 such *Begegnungszentren* in the Altai Kray, out of which twelve are in the German National Rayon. According to representatives of the German minority from Podsosnovo (village in the German National Rayon) and of the Kray administration, these centres are funded by both the local administration (that provides electricity, water, heating), the Kray or federal administration (that provides and pays for the building) and Germany through the “Foundation for the Promotion of the Russian Germans ‘Altai’” (that pays the salary of the teachers, the choir and the music band, trips, traditional costumes, etc.). The Russian-German House in Barnaul is, however, a special case in terms of funding as it also receives funding from certain partners such as the General Consulate of Germany in Novosibirsk.

The experts encourage the Russian authorities to raise awareness about the virtues of, and opportunities for, bilingual education among the German minority and the public at large.

1 With regard to education, the Parties undertake, within the territory in which such languages are used, according to the situation of each of these languages, and without prejudice to the teaching of the official language(s) of the State:

a ii to make available a substantial part of pre-school education in the relevant regional or minority languages;

52. The Federal Law no. 74-FZ of 17 June 1996 “On ethno-cultural autonomy” (Articles 10 and 12), the Law of 25 October 1991 “On the languages of the peoples of the Russian Federation” (Article 9.2) and the Law on Education of 11 July 1992 (Article 6.2) provide for the right for national minorities to learn their mother tongues and to be taught in these languages. Pre-school education falls under the competences of both the municipal administration and the district administration (Committee of Education of the German National Rayon).

53. According to the teachers met during the visit of the German National Rayon, around 30% of the pre-school education is dedicated to the German language, through games, fairy tales, songs, etc. The situation varies, however, depending on the area: in the villages, children have some knowledge of German (dialect) before coming to school, whereas in Halbstadt this is not the case, mainly due to the fact that in mixed families German is not used in everyday life. The teachers also underlined the fact that although the teaching of

German is not compulsory, parents have not refused this teaching up to now and 100% of the children of the German minority of pre-school age are having German classes. As for materials used, the teachers met in the German National Rayon feel they lack materials, games and toys that could be basic supports for education in German. At the meeting with the Kray administration of education, the experts were informed that there is no standard curriculum at pre-school level and that it is left to teachers to dedicate part of teaching time to German. It is therefore difficult to define the exact situation of the use of/teaching of German at pre-school level.

54. The experts underline that this provision requires a “substantial part” of pre-school education to be conducted in the minority language. This means that German needs to be used during a substantial part (i.e. about half) of the time children spend in kindergarten (bilingual pre-school education). However, German is used during about one-third of the time. The experts emphasise that language revitalisation takes place, inter alia, in kindergartens and that kindergarten teaching in minority languages can easily be organised (no need for subject teachers). Therefore, they consider that the Russian authorities should adopt a more structured approach that ensures that the use of German in kindergartens is extended to a substantial part and be made available in all kindergartens in the German National Rayon.⁶ Considering that some children still speak German dialects, particular attention should be paid to the use of such dialects in kindergarten. Furthermore, the necessary teaching materials should be made available.

55. The experts consider this undertaking partly fulfilled.

The experts encourage the Russian authorities to extend the use of German in pre-school education and to ensure the availability of the necessary teaching materials.

b ii to make available a substantial part of primary education in the relevant regional or minority languages;

56. The Federal Law no. 74-FZ of 17 June 1996 "On ethno-cultural autonomy" (Articles 10, 11 and 12), the Law of 25 October 1991 "On the languages of the peoples of the Russian Federation" (Article 9.2) and the Law on Education of 11 July 1992 (Article 6.2) provide for the right for national minorities to learn their mother tongues and to be taught in these languages. The educational system was explained above (see under Article 7.1.f).

57. The type of primary education that is offered in the German National Rayon corresponds to the “in-depth school” category. In this type of school, three hours of German are included in the curriculum. According to the teachers met during the on-the-spot visit, education in the German National Rayon includes three to four hours of German out of 20 hours a week. Some extra-curricular activities, such as clubs or groups of special interest, are also organised and increase education time in German by 20-30%. The teaching of German is optional as another language can be chosen by pupils and their parents, but none have refused it to date and according to the teachers met, 100% of the children of primary-school age are attending the German classes. As for materials used, the teachers of the German National Rayon said they use books and manuals published in Russian and recommended by the Ministry of Education. However, some books published by the “Moscow Russian-German society” are also used as additional materials.

58. The experts underline that this provision requires a “substantial part” of primary education to be conducted in the minority language. This means that a substantial part (i.e. about half) of the subjects need to be taught in the minority language (bilingual education). However, German is only taught as a subject. Furthermore, German should be taught as a minority language, taking account of the minority’s history and culture, rather than as a foreign language.⁷

59. The experts consider this undertaking partly fulfilled.

The experts encourage the Russian authorities to increase teaching in German so that a substantial part of primary education is taught in German.

c ii to make available a substantial part of secondary education in the relevant regional or minority languages;

60. The Federal Law no. 74-FZ of 17 June 1996 "On ethno-cultural autonomy" (Articles 10, 11 and 12), the Law of 25 October 1991 "On the languages of the peoples of the Russian Federation" (Article 9.2) and

⁶ See also 3rd evaluation report by the Committee of Experts on the application of the Charter in Hungary, ECRML(2007)5

⁷ See e.g. 1st evaluation report by the Committee of Experts on the application of the Charter in Serbia, ECRML(2009)2

the Law on Education of 11 July 1992 (Article 6.2) provide for the right for national minorities to learn their mother tongues and to be taught in these languages. The educational system was explained above (see under Article 7.1.f).

61. The type of secondary education that is offered in the German National Rayon also corresponds to the “in-depth school” category where at least three hours of German a week is part of the curriculum in accordance with the teaching of a foreign language. A distinction must, however, be made between the first half of secondary school (from the fifth to the ninth grade – from 10/11 to 14/15 years old) with a total of 30 hours teaching a week and the second half of secondary school (from the tenth to the eleventh grade – from 15/16 to 16/17 years old) with a total of 36 hours of teaching a week. According to the teachers met during the on-the-spot visit, three to four hours of German are taught to pupils each week. Extra-curricular activities also take place in German (a German poetry competition, research on family history through a competition called “My ethnic roots”, interest clubs – research into the German language and German literature, etc). Participation in these extra-curriculum activities, although optional, is, according to the teachers, very appealing to pupils since it is taken into consideration when applying to university. As a whole, the activities in German represent according to the teachers 20-30% of the overall education time. However, the experts consider this share to be rather closer to 15-20%. As for materials used, the teachers of the German National Rayon said they use books and manuals published in Russian and recommended by the Ministry of Education. Some German books are used as additional materials.

62. The experts underline that this provision requires a “substantial part” of secondary education to be conducted in the minority language. This means that a substantial part (i.e. about half) of the subjects needs to be taught in the minority language (bilingual education). However, German is only taught as a subject. Furthermore, German should be taught as a minority language, taking account of the minority’s history and culture, rather than as a foreign language.⁸

63. The experts consider this undertaking partly fulfilled.

The experts encourage the Russian authorities to increase teaching in German so that a substantial part of secondary education is taught in German.

d ii to make available a substantial part of technical and vocational education in the relevant regional or minority languages; or

64. The Federal Law no. 74-FZ of 17 June 1996 "On ethno-cultural autonomy" (Articles 10 and 12), the Law of 25 October 1991 "On the languages of the peoples of the Russian Federation" (Article 9.2) and the Law on Education of 11 July 1992 (Article 6.2) provide for the right for national minorities to learn their mother tongues and to be taught in these languages.

65. There are neither technical education in the German language, nor technical schools that offer German teaching. As for vocational schools (vocational training school n°69), it must first of all be mentioned that this school has a wider coverage than the German National Rayon. There is a compulsory foreign language course that forms part of the curriculum and pupils and their parents can choose to study German (for a more detailed explanation of the vocational education system, see under Article 8.1.d.iii for the German language in Altai Kray outside the German National Rayon). According to the teachers met during the on-the-spot visit, extra-curricular activities are also organised in German (social projects and research programmes in German called the “revival of German” – on the tradition and history of the villages). The experts do not have enough information regarding the exact part of the curriculum that is dedicated to German teaching.

66. The experts underline that this provision requires a “substantial part” of technical and vocational education to be conducted in the minority language. This means that a substantial part (i.e. about half) of the subjects need to be taught in the minority language (bilingual education). However, German is only taught as a subject. Furthermore, German should be taught as a minority language, taking account of the minority’s history and culture, rather than as a foreign language.⁹

67. The experts consider this undertaking partly fulfilled.

The experts encourage the Russian authorities to increase teaching in German so that a substantial part of technical and vocational education is taught in German.

⁸ See e.g. 1st evaluation report by the Committee of Experts on the application of the Charter in Serbia, ECRML(2009)2

⁹ See e.g. 1st evaluation report by the Committee of Experts on the application of the Charter in Serbia, ECRML(2009)2

e ii to provide facilities for the study of these languages as university and higher education subjects;

68. German can be studied outside the German National Rayon at the University of Barnaul. The German National Rayon does not have competence in higher education (see also under Article 8.1.e concerning the German language in Altai Kray outside the German National Rayon). According to the teachers met during the on-the-spot visit, there was co-operation some years ago to send some young people from the German National Rayon to Barnaul for them to study there. This programme was financed by the German National Rayon. It stopped, however, because students were not coming back after their studies. The teachers underline the difficulties to find qualified work within the German National Rayon. The only possibility to study German is to go to Barnaul or other university centres, such as Novosibirsk, when parents can afford it.

69. The experts are of the view that the possibility to study German at the University of Barnaul may fulfil the present undertaking if students have an effective possibility to study there.

70. The experts consider this undertaking partly fulfilled. They encourage the Russian authorities to re-establish the grants that were enabling some people belonging to the German minority to study German at university level.

f ii to offer such languages as subjects of adult and continuing education;

71. The Federal Law no. 74-FZ of 17 June 1996 "On ethno-cultural autonomy" (Article 12) provides for the right for national minorities to learn their mother tongues and to be taught in these languages.

72. According to the teachers met during the on-the-spot visit, the Centres of German Culture organise German classes for adults. The experts welcome this and stress the importance of adult and continuing education for the relearning of the mother-tongue.¹⁰

73. The experts consider this undertaking fulfilled.

g to make arrangements to ensure the teaching of the history and the culture which is reflected by the regional or minority language;

74. The possibility to be taught the history and culture of the minority is recognised in the Federal Law no. 74-FZ of 17 June 1996 "On ethno-cultural autonomy" (Articles 11 and 12).

75. The teaching of the history and culture of the German minority can either be part of history classes, or local studies classes. However, the curricula of these two subjects do not officially include the teaching of the history and culture of the German minority. According to the teachers met during the on-the-spot visit, such teaching is integrated into history classes and in extra-curricular activities (see under Article 8.1.b, c and d). Two books on the history of the Russian Germans are used by teachers: *Istoriya rossiyskikh nemtsev* and *Istoriya nemtsev Rossiji*. The experts have no information on whether the history and culture of the German minority is actually taught to non-German pupils.

76. The experts recall that the present undertaking concerns education for pupils using minority languages but also education for non-speakers about the specific history and traditions related to the minority language in question. This entails including elements of the history and culture reflected by the minority language in the national curriculum, or at least in the curriculum for all pupils within the territories concerned.¹¹ Such teaching is relevant in the case of the German language as well, given that historical prejudices vis-à-vis the Germans remain strong in the Russian Federation.

77. As there is no clear requirement in the curriculum, the experts consider this undertaking partly fulfilled.

The experts encourage the Russian authorities to ensure the teaching of the history and culture of the German minority as an integral part of the curriculum to all pupils in the German National Rayon.

¹⁰ See e.g. 4th evaluation report by the Committee of Experts on the application of the Charter in Hungary, ECRML(2010)2

¹¹ See e.g. 2nd evaluation report by the Committee of Experts on the application of the Charter in Slovakia, ECRML(2009)8; 2nd evaluation report by the Committee of Experts on the application of the Charter in Croatia, ECRML(2005)3

h to provide the basic and further training of the teachers required to implement those of paragraphs a to g accepted by the Party;

78. The Federal Law no. 74-FZ of 17 June 1996 "On ethno-cultural autonomy" (Articles 11 and 12), the Law of 25 October 1991 "On the languages of the peoples of the Russian Federation" (Article 7) and the Law on Education of 11 July 1992 (Article 6.7) establish the opportunity for teachers to be trained adequately.

79. The German National Rayon does not have competence in teacher training (see under Article 8.1.h and Article 8.1.d.iii for German in Altai Kray outside the German National Rayon). According to the teachers met during the on-the-spot visit, German teachers graduate in Slavgorod (i.e. in Altai Kray, but outside the German National Rayon). They learn to teach German as a foreign language at kindergarten level, but there is no training on how to teach German bilingually at the various levels of education concerned by provisions a to g. All training is in Russian.

80. The experts consider this undertaking not fulfilled.

The experts encourage the Russian authorities to provide the basic and further training of the teachers with a view to increasing the number of teachers who are able to teach subjects in German.

i to set up a supervisory body or bodies responsible for monitoring the measures taken and progress achieved in establishing or developing the teaching of regional or minority languages and for drawing up periodic reports of their findings, which will be made public.

81. The Federal Law on Education of 11 July 1992 (Article 37) requires supervisory bodies responsible for monitoring teaching to be set up.

82. According to the teachers met during the on-the-spot visit, there is a specialist on the subject, who works for the Committee of Education of the German National Rayon administration. Monitoring of the quality of education is taking place through tests that pupils have to pass at the end of primary school which include questions about German. The Committee of Education also recommends some text books and regularly organises meetings with teachers. However, the experts have not been informed that periodic reports are produced on the findings of the supervision or published.

83. The experts stress that this undertaking goes beyond the inspection of mainstream education. It requires evaluating and analysing the measures taken and the progress achieved with regard to German-language education. In addition, it requires the drawing up of a periodic report that is made public. The report should, among other things, contain information on the extent and availability of German language education together with developments in language proficiency, teacher supply and the provision of teaching materials.¹²

84. In the absence of a periodic report, the experts consider this undertaking not fulfilled. They encourage the Russian authorities to draw up periodic reports and to make them public.

Article 9 – Judicial authorities

1 The Parties undertake, in respect of those judicial districts in which the number of residents using the regional or minority languages justifies the measures specified below, according to the situation of each of these languages and on condition that the use of the facilities afforded by the present paragraph is not considered by the judge to hamper the proper administration of justice:

a in criminal proceedings:

iii to provide that requests and evidence, whether written or oral, shall not be considered inadmissible solely because they are formulated in a regional or minority language; and/or

85. The Code of Criminal Procedure of the Russian Federation no. 174-FZ of 18 December 2001 provides in its Article 18.2 that: "Participants in criminal proceedings with no or insufficient ability to speak the language in which the proceedings are conducted must have explained and guaranteed to them their right to make statements, give explanations and evidence, lodge applications, bring complaints, familiarise

¹² See e.g. 3rd evaluation report by the Committee of Experts on the application of the Charter in Germany, ECRML (2008) 4

themselves with the criminal case material and address the court in their native language or another language spoken by them and also avail themselves of the assistance of a translator free of charge in accordance with the procedure established by the present Code.” As for witnesses, according to Article 56.4 of the Code of Criminal Procedure of the Russian Federation, they shall be entitled to “give evidence in their native language or another language spoken by them”.

86. According to representatives of the judicial authorities met in Barnaul, the practice just requires the parties to claim that they have an insufficient knowledge of Russian to be assigned an interpreter and translations of relevant legal documents.

87. However, the experts underline that this provision applies irrespective of whether or not the person concerned speaks Russian. Furthermore, the fulfilment of this undertaking requires a certain degree of practical implementation. This places a duty on the authorities to make sure that minority language speakers are made aware of their right. The experts consider that judicial staff could provide the relevant information in a general way and encourage the use of German through bi- or multilingual notices and signs in/on court buildings, and information in public announcements or court forms.

88. In the absence of an unambiguous legal basis and practical implementation, the experts consider this undertaking not fulfilled.¹³ They encourage the Russian authorities to provide in the legislation that requests and evidence may be produced in German, and that the use of interpreters and translations where necessary does not involve any extra expense for the person concerned, even if the German-speaker has a command of Russian.

iv to produce, on request, documents connected with legal proceedings in the relevant regional or minority language, if necessary by the use of interpreters and translations involving no extra expense for the persons concerned;

89. As presented already under Article 9.1.a.iii (above), when the parties claim not to have a sufficient knowledge of Russian, they are provided with an interpreter and with all necessary translations. The Code of Criminal Procedure of the Russian Federation no. 174-FZ of 18 December 2001 stipulates in its Article 18.3 that: “investigative and judicial documents are subject to mandatory transmission to the person accused or suspected of the crime or other participants in the criminal proceedings, those documents shall be translated into the native language of the corresponding participant in the criminal proceedings or into a language spoken by them.”

90. According to representatives of the judicial authorities met during the on-the-spot visit, complete translation and interpretation is only provided to parties. Witnesses and third persons will only be provided such translations and interpretation when necessary for the good administration of justice. All the interpretation and translation costs will be covered by the administration.

91. The experts underline that this provision applies irrespective of whether or not the person concerned speaks Russian. In addition, the experts have not received any relevant information on its practical implementation, which is required to fulfil this undertaking.

92. In the absence of an unambiguous legal basis and practical implementation, the experts consider this undertaking not fulfilled. They encourage the Russian authorities to produce, on request, documents connected with legal proceedings in German, if necessary by the use of interpreters and translations involving no extra expense for the persons concerned, and irrespective of whether or not the person speaks Russian.

b in civil proceedings:

iii to allow documents and evidence to be produced in the regional or minority languages, if necessary by the use of interpreters and translations;

93. The Code of Civil Procedure of the Russian Federation no. 138-FZ of 14 November 2002 provides in its Article 9.2 that: “Participants in a case procedure who do not speak the language in which civil judicial proceedings are conducted must have explained and guaranteed to them their right to give explanations, conclusions, address the court, lodge applications and bring complaints in their native language or another language of communication freely chosen by them and also avail themselves of the services of a translator.”

¹³ See e.g. 1st evaluation report by the Committee of Experts on the application of the Charter in Slovakia, ECRML (2007) 1; 4th evaluation report by the Committee of Experts on the application of the Charter in Hungary, ECRML (2010) 2

94. According to representatives of the judicial authorities met in Barnaul, practice just requires parties to claim that they have an insufficient knowledge of Russian to be assigned an interpreter and translations of relevant legal documents.

95. However, the experts underline that this provision applies irrespective of whether or not the person concerned speaks Russian. Furthermore, the fulfilment of this undertaking requires a certain degree of practical implementation. This places a duty on the authorities to make sure that minority language speakers are made aware of their right. The experts consider that judicial staff could provide the relevant information in a general way and encourage the use of German through bi- or multilingual notices and signs in/on court buildings, and information in public announcements or court forms.

96. In the absence of an unambiguous legal basis and practical implementation, the experts consider this undertaking not fulfilled. They encourage the Russian authorities to specifically provide in the legislation that documents and evidence may be produced in German, if necessary by the use of interpreters and translations, even if the German-speaker has a command of Russian.

c in proceedings before courts concerning administrative matters:

iii to allow documents and evidence to be produced in the regional or minority languages, if necessary by the use of interpreters and translations;

97. The Code of Administrative Infringements of the Russian Federation no. 195-FZ of 30 December 2001 provides in its Article 24.2 that: "Persons participating in proceedings in cases concerning administrative infringements who are unable to speak the language in which the case proceedings are conducted shall be guaranteed the right to speak and give explanations, lodge applications and challenges and bring complaints in their native language or another language of communication freely chosen by them and also avail themselves of the services of a translator." As for witnesses, according to Article 25.6 of the Code of Administrative Infringements of the Russian Federation, they shall be entitled to "give evidence in their native language or another language spoken by them".

98. According to representatives of the judicial authorities met in Barnaul, practice just requires parties to claim that they have an insufficient knowledge of Russian to be assigned an interpreter and translations of the relevant legal documents.

99. However, the experts underline that this provision applies irrespective of whether or not the person concerned speaks Russian. Furthermore, the fulfilment of this undertaking requires a certain degree of practical implementation. This places a duty on the authorities to make sure that minority language speakers are made aware of their right. The experts consider that judicial staff could provide the relevant information in a general way and encourage the use of German through bi- or multilingual notices and signs in/on court buildings, and information in public announcements or court forms.

100. In the absence of an unambiguous legal basis and practical implementation, the experts consider this undertaking not fulfilled. They encourage the Russian authorities to specifically provide in the legislation that documents and evidence may be produced in German, if necessary by the use of interpreters and translations, even if the German-speaker has a command of Russian.

d to take steps to ensure that the application of sub-paragraphs i and iii of paragraphs b and c above and any necessary use of interpreters and translations does not involve extra expense for the persons concerned.

101. Both the Code of Administrative Infringements of the Russian Federation no. 195-FZ of 30 December 2001 in its Article 24.2 and the Code of Civil Procedure of the Russian Federation no. 138-FZ of 14 November 2002 in its Article 9.2 stipulate that the services of a translator should be offered to persons who are unable to speak Russian.

102. According to the authorities met, the costs are always covered by the administration, provided that the person concerned does not speak Russian.

103. In light of the conclusions reached regarding Articles 9.1.a.iii/a.iv/b.iii/c.iii above, the experts consider this undertaking not fulfilled.¹⁴

2 The Parties undertake:

b not to deny the validity, as between the parties, of legal documents drawn up within the country solely because they are drafted in a regional or minority language, and to provide that they can be invoked against interested third parties who are not users of these languages on condition that the contents of the document are made known to them by the person(s) who invoke(s) it

104. According to representatives of the judicial authorities, contracts must be written in Russian in order to be valid. If a contract is not written in Russian (and has not been signed abroad), it must be translated at the moment of agreement in order to be valid. Some exceptions exist, however, as would probably be the case for wedding contracts in German in the former Autonomous Republic of the Volga Germans – which existed until 1941, when the German language was official there. The representatives of the judicial authorities mentioned, however, that such a case has not yet arisen.

105. The experts consider this undertaking not fulfilled.

The experts encourage the Russian authorities not to deny the validity, as between the parties, of legal documents drawn up within the country solely because they are drafted in German, and to provide that they can be invoked against interested third parties who are not users of this language on condition that the contents of the document are made known to them by the person(s) who invoke(s) it.

3 The Parties undertake to make available in the regional or minority languages the most important national statutory texts and those relating particularly to users of these languages, unless they are otherwise provided.

106. According to representatives of the administration of the German National Rayon, the most important national statutory texts are not available in German.

107. The experts consider this undertaking not fulfilled. They encourage the Russian authorities to elaborate a translation policy in order to ensure that persons belonging to the German minority have access, in their language, to the most important national statutory texts and those relating particularly to the users of German.

Article 10 – Administrative authorities and public services

1 Within the administrative districts of the State in which the number of residents who are users of regional or minority languages justifies the measures specified below and according to the situation of each language, the Parties undertake, as far as this is reasonably possible:

108. State authorities in Russia within the meaning of Article 10.1 are the federal authorities.

a iii to ensure that users of regional or minority languages may submit oral or written applications and receive a reply in these languages;

109. The right to submit oral or written applications in minority languages is recognised in Article 15.4 of the Russian Federation Law no. 1807-1 of 25 October 1991 "On the languages of the peoples of the Russian Federation". The right to receive a reply in minority languages ("in the language used in the proposals, applications or complaints") is recognised in Article 15.5 of the same law.

110. In light of the information obtained during the on-the-spot visit, it appears that there is a lack of German-speaking civil servants who would be able to process oral or written applications in German. In addition, the experts have not received any information regarding the practical implementation of this undertaking, which is a prerequisite for its fulfilment.

111. The experts consider this undertaking only formally fulfilled. They encourage the Russian authorities to take concrete measures to encourage the use of German by the state administration, inter alia, by

¹⁴ See e.g. 1st evaluation report by the Committee of Experts on the application of the Charter in Slovakia, ECRML (2007) 1

organising language training for civil servants and ensuring that plates and doorplates used in administration offices are, in practice, bilingual.¹⁵

b to make available widely used administrative texts and forms for the population in the regional or minority languages or in bilingual versions.

112. Article 16.2 of the Russian Federation Law no. 1807-1 of 25 October 1991 "On the languages of the peoples of the Russian Federation" only establishes the possibility to have headings, stamps, signatures, etc. translated in the minority language.

113. However, it is not clear to the experts whether the aforementioned provision provides the basis for the provision of administrative texts and forms for the population in German or in bilingual versions. Furthermore, the experts have not received any information about the implementation in practice, which is a prerequisite for the fulfilment of this undertaking.

114. The experts consider this undertaking not fulfilled. They encourage the Russian authorities to clarify in the legislation that widely used administrative texts and forms for the population can be made available in German or in bilingual versions and to define which texts and forms should be translated and be made available in German.

2 In respect of the local and regional authorities on whose territory the number of residents who are users of regional or minority languages is such as to justify the measures specified below, the Parties undertake to allow and/or encourage:

115. The notion "regional authorities" contained in Article 10.2 applies to Altai Kray as a subject of the federation.

a the use of regional or minority languages within the framework of the regional or local authority;

116. The Russian Federation Law no. 1807-1 of 25 October 1991 "On the languages of the peoples of the Russian Federation" stipulates in various articles (Articles 3.4, 11.1, 15 and 16) that the minority language can be used within the framework of the regional or local authority.

117. According to the information obtained from representatives of Altai Kray and the German National Rayon, most of its civil servants speak Russian as a mother tongue and do not use German. There are no indications that German is used in practice by the administrations of Altai Kray, the German National Rayon or municipalities.

118. The experts consider this undertaking not fulfilled. They encourage the Russian authorities to take positive action in order to encourage the use of German within the framework of the regional or local authorities.

b the possibility for users of regional or minority languages to submit oral or written applications in these languages;

119. The right to submit oral or written applications in the minority languages is, as said earlier, recognised in Article 15.4 of the Russian Federation Law no. 1807-1 of 25 October 1991. Article 3.4 of the same law adds that "In the areas of compact residence [...], the language of the population of this territory can be used in the official spheres of communication along with the Russian language [...]."

120. The experts have not received any information as to whether it is possible to submit oral or written applications in German to the administration of Altai Kray. In the German National Rayon, according to its civil servants, the law is applied and people who speak and write letters in German receive oral or written answers in German. However, there is a lack of German-speaking civil servants who would be able to process oral or written applications in German.

121. The experts consider this undertaking fulfilled in the German National Rayon and not fulfilled regarding the administration of Altai Kray. They encourage the Russian authorities to organise German-language training for civil servants, in particular regarding the specific terminology used in administration.

¹⁵ See e.g. 2nd evaluation report by the Committee of Experts on the application of the Charter in Hungary, ECRML(2004)5

c the publication by regional authorities of their official documents also in the relevant regional or minority languages;

122. Regional authorities do not have the legal possibility to publish their official documents also in the relevant regional or minority language. In the application of Article 16.2 of the Russian Federation Law no. 1807-1 of 25 October 1991 "On the languages of the peoples of the Russian Federation" and according to the civil servants of the German National Rayon, only the headings, signatures and stamps of the administrative documents are permitted in German. The rest is published in Russian.

123. The experts consider this undertaking not fulfilled. They encourage the Russian authorities to allow and/or encourage the use of German for official documents of the Altai Kray.

d the publication by local authorities of their official documents also in the relevant regional or minority languages;

124. Local authorities do not have the legal possibility to publish their official documents also in the relevant regional or minority language. In the application of Article 16.2 of the Russian Federation Law no. 1807-1 of 25 October 1991 "On the languages of the peoples of the Russian Federation" and according to the civil servants of the district, only the headings, signatures and stamps of the administrative documents are permitted in German. The rest is published in Russian.

125. The experts consider this undertaking not fulfilled. They encourage the Russian authorities to allow and/or encourage the use of German for official documents by the German National Rayon and its municipalities.

e the use by regional authorities of regional or minority languages in debates in their assemblies, without excluding, however, the use of the official language(s) of the State;

126. The Russian Federation Law no. 1807-1 of 25 October 1991 "On the languages of the peoples of the Russian Federation" recognises the possibility to use the minority languages in the areas of compact residence (Article 3.4) and the use of languages in the work of state authorities (Article 15).

127. According to the available information, it appears that German is not used in debates in the Altai Kray Legislative Council.

128. The experts consider this undertaking only formally fulfilled.¹⁶ They encourage the Russian authorities to promote the use of German in debates in the Altai Kray Legislative Council.

f the use by local authorities of regional or minority languages in debates in their assemblies, without excluding, however, the use of the official language(s) of the State;

129. The Russian Federation Law no. 1807-1 of 25 October 1991 "On the languages of the peoples of the Russian Federation" recognises the possibility to use the minority languages in the areas of compact residence (Article 3.4) and the use of languages in the work of state authorities (Article 15).

130. According to representatives of the administration of the German National Rayon, all the debates in the Council of Deputies of the German National Rayon as well as in the village assemblies are held in Russian.

131. The experts consider this undertaking only formally fulfilled.¹⁷ They encourage the Russian authorities to promote the use of German in debates in the Council of Deputies of the German National Rayon as well as in the village assemblies on its territory.

¹⁶ See e.g. 2nd evaluation report by the Committee of Experts on the application of the Charter in Hungary, ECRML(2010)2

¹⁷ See e.g. 2nd evaluation report by the Committee of Experts on the application of the Charter in Hungary, ECRML(2010)2

g the use or adoption, if necessary in conjunction with the name in the official language(s), of traditional and correct forms of place-names in regional or minority languages.

132. The Russian Federation Law no. 1807-1 of 25 October 1991 "On the languages of the peoples of the Russian Federation" (Article 23.2) and the Federal Law no. 152-FZ of 18 December 1997 "On place-names" (Article 8) recognise the possibility of using place-names not only in the Russian language, but also in minority languages and writing those place-names, road and other signs in the minority language.

133. As stated above (1.3), the traditional name "Halbstadt" was reintroduced in 1991. However, the traditional place-names of the villages of the German National Rayon have so far not been restored (e.g. Schönwiese/Degtjarka, Alexeifeld/Polevoe, Rosenhof/Dvorskoje, Gnadenheim/Redkaja Dubrava, Alexanderfeld/Grishkovka, Alexanderkron/Kusak). Currently, only the Russified names are official and used in signage. The signs on the public buildings are mostly bilingual in Halbstadt and in the villages. According to the administration of the German National Rayon, there is, however, no strict rule on this matter. As to place-name signs, until recently all signs of the villages were bilingual. However, they were old and needed to be changed. As no particular demand for new bilingual signs has been made by the local administration to the Administration of Traffic (centralised administration), the new signs were only in Russian.

134. The experts consider this undertaking fulfilled in Halbstadt and not fulfilled in the villages of the German National Rayon. They encourage the Russian authorities to ensure the adoption and use of the traditional and correct forms of place-names in German of all villages in the German National Rayon.

3 With regard to public services provided by the administrative authorities or other persons acting on their behalf, the Parties undertake, within the territory in which regional or minority languages are used, in accordance with the situation of each language and as far as this is reasonably possible:

b to allow users of regional or minority languages to submit a request and receive a reply in these languages.

135. The Russian Federation Law no. 1807-1 of 25 October 1991 "On the languages of the peoples of the Russian Federation" (Articles 15.4 and 15.5) establishes the possibility for minority language speakers to submit a request to public services and receive an answer in this language.

136. According to representatives of the administration of the German National Rayon, such a case has never occurred. If someone wants to use German in his/her relation with the public services, the administration will help by providing a translator. The experts recall that the fulfilment of this undertaking requires a certain degree of implementation in practice.

137. The experts consider this undertaking formally fulfilled. They encourage the Russian authorities to promote the use of German in relation with public services in practice.

5 The Parties undertake to allow the use or adoption of family names in the regional or minority languages, at the request of those concerned.

138. The Russian Federation Law no. 1807-1 of 25 October 1991 "On the languages of the peoples of the Russian Federation" (Articles 16.4) establishes the possibility for minority language speakers to have his/her name written in the Russian language (i.e. in Cyrillic letters) "taking due account of ethnic naming traditions" of the minority.

139. According to representatives of the administration of the German National Rayon, there is no possibility of having names written in a language other than Russian. The German names are therefore written with Cyrillic letters. The only exception is for Russian international passports, where names are transliterated into Latin letters. As to the documents with Latin letters, such as birth certificates issued in the former Autonomous Republic of the Volga Germans when German was official there, they are valid but they must be provided with official translations.

140. The experts consider this undertaking not fulfilled.

The experts encourage the Russian authorities to allow the use or adoption of family names in German in conformity with the German spelling, at the request of those concerned.

Article 11 – Media

General issues

141. According to representatives of the German minority, people use media in German. Neither in the German National Rayon, nor in Altai Kray as a whole is the production of media in German sufficient for people belonging to the minority to have access to all information in their language. Moreover, access to written media published and audiovisual media broadcast in Germany is difficult. Besides the questions of pluralism and democracy, access to media in German is important for German-speakers to continue practising the language and for the people who want to learn German to have material for learning. The experts encourage the Russian authorities to extend the provision of media in German.

1 The Parties undertake, for the users of the regional or minority languages within the territories in which those languages are spoken, according to the situation of each language, to the extent that the public authorities, directly or indirectly, are competent, have power or play a role in this field, and respecting the principle of the independence and autonomy of the media:

a to the extent that radio and television carry out a public service mission:

ii to encourage and/or facilitate the creation of at least one radio station and one television channel in the regional or minority languages

142. The Russian Federation Law no. 1807-1 of 25 October 1991 "On the languages of the peoples of the Russian Federation" establishes the possibility for the federal authorities to take positive measures in the field of media in order to preserve and develop minority languages (Article 7.1) and recognises the possibility not only to use official languages but also minority languages in the media (Article 20). The Law of 26 April 1990 "On the free national development of citizens of the USSR living outside the borders of their national-administrative entities, or having no such entities on the territory of the USSR", which is still in force, establishes in its Article 10 the right to have information in one's mother tongue.

143. According to representatives of the media met in the German National Rayon, there is no Russia-based radio station in German.

144. As regards television, there is no Russia-based channel in German.

145. The experts consider this undertaking not fulfilled.

The experts encourage the Russian authorities to encourage and/or facilitate the creation of at least one public radio station and one public television channel in German.

b ii to encourage and/or facilitate the broadcasting of radio programmes in the regional or minority languages on a regular basis;

146. The legal framework as presented under Article 11.1.a.ii above applies accordingly.

147. According to representatives of the media met in the German National Rayon and in Barnaul, there are no private radio programmes in German.

148. The experts consider this undertaking not fulfilled.

The experts encourage the Russian authorities to encourage and/or facilitate the broadcasting of private radio programmes in German on a regular basis.

c ii to encourage and/or facilitate the broadcasting of television programmes in the regional or minority languages on a regular basis;

149. The legal framework as presented under Article 11.1.a.ii above applies accordingly.
150. There are no private television programmes in German in Altai Kray.
151. The experts consider this undertaking not fulfilled.

The experts encourage the Russian authorities to encourage and/or facilitate the broadcasting of private television programmes in German on a regular basis.

d to encourage and/or facilitate the production and distribution of audio and audiovisual works in the regional or minority languages;

152. The legal framework as presented under Article 11.1.a.ii above applies accordingly.
153. According to representatives of the media met in the German National Rayon, the Kray authorities support the production and distribution of audio and audiovisual works. However, no information was received as to whether this support also benefits the German language.
154. The experts consider this undertaking not fulfilled. They encourage the Russian authorities to support the production and distribution of audio and audiovisual works in German.

e i to encourage and/or facilitate the creation and/or maintenance of at least one newspaper in the regional or minority languages;

155. The legal framework as presented under Article 11.1.a.ii above applies accordingly. In addition, the Law no. 74-FZ of 17 June 1996 "On ethno-cultural autonomy" specifies that the Russian authorities have to provide support to newspapers in order to support national cultural autonomies.
156. According to representatives of the media, the German National Rayon newspaper "Novoe Vremya" ("Neue Zeit") publishes an A3 column in German once a month. The rest of the newspaper is in Russian. This newspaper is distributed according to subscription and 2,441 copies are circulated in the German National Rayon (corresponding to half of the households). This newspaper, when published in German, deals with the traditions of the German minority, research done by school pupils, holidays, etc. At the Kray level, there is a four-page German A3 monthly supplement to the Russian regional newspaper "Altayskaya pravda". This supplement, called "Zeitung für Dich", is mainly published in Hochdeutsch but some jokes and short stories are sometimes written in Low German and/or other dialects. According to representatives of the media met in Barnaul, this newspaper has 653 copies that circulate all over Altai Kray in schools, in the German National Rayon, and in the Russian German House. The experts note that until 2006 "Zeitung für Dich" was a 16-page weekly A3 edition and its role in maintaining communication within the German minority was significant. According to media representatives met in Halbstadt, newspapers published in Moscow ("Moskauer Deutsche Zeitung") and in Nizhnyi Tagil can also be found in the German National Rayon, but people are not provided with copies on a regular basis. They can therefore only find those newspapers on the internet.

157. The experts underline that a "newspaper" in conformity with the present undertaking must be published at least weekly¹⁸ and be entirely, or at least substantially, in the minority language.

158. The experts consider this undertaking not fulfilled. They encourage the Russian authorities to enable at least one newspaper to be published in German with sufficient frequency.

f i to cover the additional costs of those media which use regional or minority languages, wherever the law provides for financial assistance in general for the media;

159. The Russian Federation Law no. 1807-1 of 25 October 1991 "On the languages of the peoples of the Russian Federation" establishes the possibility for the federal authorities to take positive measures in the field of media in order to preserve and develop minority languages (Article 7.1 and Article 7.2).

¹⁸ See e.g. 2nd evaluation report by the Committee of Experts on the application of the Charter in Slovakia, ECRML(2009)8

160. According to representatives of the media met in Barnaul, the German radio programme "Altaier Weiten" (see paragraph 249) is half financed by Germany through the "Foundation for the Promotion of the Russian Germans 'Altai'" and half by the Russian public television and radio channel VBTRK. According to representatives of the media, the German National Rayon newspaper "Novoe Vremya", when published in German, is financed by Altai Kray. As for the "Zeitung für Dich", the financing is quite complex because of the mixed public and private nature of the Russian regional newspaper "Altayskaya pravda" it is a supplement of. According to representatives of the media met in Barnaul, the German supplement is published with the assistance of Altai Kray through a contract with the host newspaper "Altayskaya pravda" that works as a legal gazette. There is no specific support to finance the German pages, however.

161. The experts consider this undertaking partly fulfilled.

The experts encourage the Russian authorities to establish a structured policy for financial assistance to media using the German language with a view to setting up broadcast media, extending the broadcast time and regularity of existing broadcast media, and extending the volume of written publications in German.

g to support the training of journalists and other staff for media using regional or minority languages.

162. The Russian Federation Law no. 1807-1 of 25 October 1991 "On the languages of the peoples of the Russian Federation" establishes the possibility for the federal authorities to take positive measures in the field of media in order to preserve and develop minority languages (Article 7.1).

163. According to media representatives met in Barnaul, there is no scheme for the training of journalists and other staff for media using German and a lack of demand. However, according to media representatives met in the German National Rayon, there are opportunities to take part in certain seminars taking place in Germany with the financial support of the German authorities.

164. The experts consider this undertaking not fulfilled.¹⁹

The experts encourage the Russian authorities to establish and finance a comprehensive scheme for training journalists and other media staff using German.

2 The Parties undertake to guarantee freedom of direct reception of radio and television broadcasts from neighbouring countries in a language used in identical or similar form to a regional or minority language, and not to oppose the retransmission of radio and television broadcasts from neighbouring countries in such a language. They further undertake to ensure that no restrictions will be placed on the freedom of expression and free circulation of information in the written press in a language used in identical or similar form to a regional or minority language. The exercise of the above-mentioned freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society, in the interests of national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others, for preventing disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary.

165. The legal framework as presented under Article 11.1.a.ii above applies accordingly. Furthermore, Law no. 74-FZ of 17 June 1996 "On ethno-cultural autonomy" (Article 4.1) is relevant.

166. According to information obtained during the on-the-spot visit, satellite television makes it possible to receive German channels in the German National Rayon. In the city of Barnaul it is even possible to access some German channels through cable. The experts note, however, that in the 1990s it was possible to receive the German television channel "Deutsche Welle" on terrestrial television. The only possibility to access newspapers published in Germany is through the internet (all villages of the German National Rayon have high speed internet access). Magazines from Germany were being sent thanks to the support of Germany but they are not being sent any more. In addition, there is no direct reception nor retransmission of radio broadcasts from Germany or Kazakhstan.

¹⁹ See e.g. 4th evaluation report by the Committee of Experts on the application of the Charter in Hungary, ECRML(2010)2

167. The experts consider this undertaking partly fulfilled. They encourage the authorities to take concrete measures so that the German minority has access to radio broadcasts from Germany (through direct reception or retransmission of at least some programmes), effective access to German television broadcasts and not only through cable and satellite, and access to printed versions of German newspaper on a regular basis.

Article 12 – Cultural activities and facilities

General issues

168. According to the information obtained during the on-the-spot visit, the main cultural activities in German and on the German culture are organised through the German Cultural Centres. They are co-supported by both Germany and the Russian authorities. This collaboration leads to very positive results.

1 With regard to cultural activities and facilities – especially libraries, video libraries, cultural centres, museums, archives, academies, theatres and cinemas, as well as literary work and film production, vernacular forms of cultural expression, festivals and the culture industries, including inter alia the use of new technologies – the Parties undertake, within the territory in which such languages are used and to the extent that the public authorities are competent, have power or play a role in this field:

a to encourage types of expression and initiative specific to regional or minority languages and foster the different means of access to works produced in these languages;

169. The Fundamental principles of Russian Federation legislation on culture no. 3612-1 of 9 October 1992 give ethnic minorities the right to establish their own cultural centres (Article 21). Article 22 of the same legal norm recognises the authorities' duty to protect the cultures of the ethnic minorities through incentive measures and cultural programmes and Article 24 recognises the possibility for foreign countries to support some cultural activities and programmes in the Russian Federation. The Russian Federation Law no. 1807-1 of 25 October 1991 "On the languages of the peoples of the Russian Federation" establishes the possibility for federal authorities to take positive measures in order to preserve and develop minority languages (Article 7.1). The Federal Law no. 78-FZ of 29 December 1994 "On library services" offers autonomous districts the possibility to set up ethnic libraries (Article 18.2) and for people belonging to national minorities to have access to books in their own language in municipal libraries (Article 8). The Law no. 74-FZ of 17 June 1996 "On ethno-cultural autonomy" provides that the authorities should encourage the publication of books in minority languages (Article 9.2) and support national minorities' cultures (Article 14).

170. According to representatives of the German National Rayon's cultural administration, the authorities are mainly acting through the Centres of German Culture (also called German Cultural Centres). As mentioned above, there are 38 such centres in Altai Kray and twelve in the German National Rayon. These centres are partly financed by the Kray authorities and work as schools, libraries, museums, etc. According to its administration, Altai Kray also supports publishing activities in general and representatives of the German minority are welcome to participate. Other cultural activities are also supported by the municipalities according to the Federal Law no. 131. In application of this law, authorities of the German National Rayon finance festivals like "Sommerfest" and "Morgenstern" or traditional music concerts (as mentioned by representatives of the German National Rayon's administration). In addition, twelve municipal libraries in the German National Rayon and the larger rayon library are all stocked with German books (the books come from the International Union of German Culture based in Moscow). Certain electronic information and electronic books for children can also be found in the rayon library.

171. The experts consider this undertaking fulfilled.

c to foster access in regional or minority languages to works produced in other languages by aiding and developing translation, dubbing, post-synchronisation and subtitling activities;

172. The Law of 25 October 1991 "On the languages of the peoples of the Russian Federation" (Articles 7.1 and 20.3) and the Law no. 74-FZ of 17 June 1996 "On ethno-cultural autonomy" (Article 9.2) offer this possibility.

173. According to representatives of the authorities met in Barnaul and in the German National Rayon, there is no such public policy and initiative is left to private individuals and companies.

174. The experts consider this undertaking not fulfilled. They encourage the Russian authorities to foster access in German to works produced in other languages by aiding and developing translation, dubbing, post-synchronisation and subtitling activities.

f to encourage direct participation by representatives of the users of a given regional or minority language in providing facilities and planning cultural activities;

175. The Fundamental principles of the Russian Federation legislation on culture no. 3612-1 of 9 October 1992 offer the possibility to minority representatives, NGOs, cultural centres, etc. to hold festivals, exhibitions and other cultural events.

176. At both the German National Rayon and the Kray level, persons belonging to the German minority are the central actors of the festivals and other activities organised. It seems, however, that in the German National Rayon the initiative of cultural activities usually belongs to the rayon administration whereas at the Kray level it belongs to the representatives of the minority as they have to apply to the Kray programmes for culture.

177. The experts consider this undertaking fulfilled.

g to encourage and/or facilitate the creation of a body or bodies responsible for collecting, keeping a copy of and presenting or publishing works produced in the regional or minority languages;

178. The Federal Law no. 78-FZ of 29 December 1994 "On library services" (Article 18.2) and the Law no. 74-FZ of 17 June 1996 "On ethno-cultural autonomy" (Article 14) offer the possibility to establish bodies responsible for collecting and presenting works produced in minority languages.

179. According to representatives of the German National Rayon's administration, there are museums in Halbstadt, Podsosnovo, etc. that are doing this work. Moreover, the Department of Culture of the German National Rayon has collected works and created archives since the 1990s. At the Kray level, the German Cultural Centres are also collecting, keeping and presenting works produced in German.

180. The experts consider this undertaking fulfilled. Nevertheless, they encourage the Russian authorities to establish a global policy in order for works collected in the villages to be copied and also presented in main city libraries and to establish a global database of all the works in libraries and cultural centres.

h if necessary, to create and/or promote and finance translation and terminological research services, particularly with a view to maintaining and developing appropriate administrative, commercial, economic, social, technical or legal terminology in each regional or minority language.

181. The Russian Federation Law no. 1807-1 of 25 October 1991 "On the languages of the peoples of the Russian Federation" offers the possibility to have translation and terminological research financed and promoted by the authorities (Articles 7 and 10.5). Such measures do not, however, seem to be needed in the case of the German language in the Russian Federation.

3 The Parties undertake to make appropriate provision, in pursuing their cultural policy abroad, for regional or minority languages and the cultures they reflect.

182. The Federal Law no. 99-FZ of 24 May 1999 "On Russian Federation state policy in respect of nationals abroad" (Articles 15 and 17) and the Fundamental principles of Russian Federation legislation on culture no. 3612-1 of 9 October 1992 (Articles 23 and 58) require the Russian authorities to support the cultural activities of the Russian nationals outside the Russian Federation.

183. According to representatives of the German National Rayon's administration, the German minority is presented abroad, mainly in Germany. As an example, representatives of the minority took part – thanks to the support of Altai Kray and the "Foundation for the Promotion of the Russian Germans 'Altai'" – in the "Grüner Sonntag" festival that took place in Berlin in April 2010. However, the experts would like to underline that this undertaking concerns not only the kin-state, but aims to ensure the presentation of the multilingual nature of Russia more generally in countries in which the Russian Federation presents itself.²⁰

²⁰ See e.g. 3rd evaluation report by the Committee of Experts on the application of the Charter in Hungary, ECRML(2007)5

184. The experts consider this undertaking fulfilled. Nevertheless, they encourage the Russian authorities to take appropriate measures so that the German minority is not only presented in Germany, but also in other countries.

Article 13 – Economic and social life

1 With regard to economic and social activities, the Parties undertake, within the whole country:

d to facilitate and/or encourage the use of regional or minority languages by means other than those specified in the above sub-paragraphs.

185. The Russian Federation Law no. 1807-1 of 25 October 1991 "On the languages of the peoples of the Russian Federation" establishes a wide range of possibilities to use minority languages in the economic and social spheres.

186. According to the administration of the German National Rayon, German is not promoted in economic and social life.

187. The experts consider this undertaking not fulfilled.

The experts encourage the Russian authorities to facilitate and/or encourage the use of German in economic and social activities in the Russian Federation.

2 With regard to economic and social activities, the Parties undertake, in so far as the public authorities are competent, within the territory in which the regional or minority languages are used, and as far as this is reasonably possible:

b in the economic and social sectors directly under their control (public sector), to organise activities to promote the use of regional or minority languages;

188. The Russian Federation Law no. 1807-1 of 25 October 1991 "On the languages of the peoples of the Russian Federation" establishes a wide range of possibilities to use minority languages in the economic and social spheres.

189. According to the administration of the German National Rayon, no such policies exist.

190. The experts consider this undertaking not fulfilled. They encourage the Russian authorities to organise, on the territory of the German National Rayon, activities to promote the use of German in the economic and social sectors directly under their control (public sector).

c to ensure that social care facilities such as hospitals, retirement homes and hostels offer the possibility of receiving and treating in their own language persons using a regional or minority language who are in need of care on grounds of ill-health, old age or for other reasons.

191. The Fundamental principles of Russian Federation legislation on health protection no. 5487-1 of 22 July 1993 recognise the right not to be discriminated against on the basis of language in the health protection sector (Article 17). The Russian Federation Law no. 3185-1 of 2 July 1992 "On psychiatric assistance and guarantees of the rights of citizens in its provision" also provides that patients in psychiatric facilities should be explained the reasons for their committal and the rules of the institution in a language they understand.

192. According to the administration of the German National Rayon, there are one or two doctors and some nurses who speak German at the hospital. However, as there is no possibility for young professionals to be taught in German, this is tending to decrease.

193. The experts consider this undertaking partly fulfilled.

The experts encourage the Russian authorities to adopt a bilingual human resources policy in the social care facilities such as hospitals, retirement homes and hostels located in the German National Rayon of Halbstadt.

Article 14 – Transfrontier exchanges

The Parties undertake:

a to apply existing bilateral and multilateral agreements which bind them with the States in which the same language is used in identical or similar form, or if necessary to seek to conclude such agreements, in such a way as to foster contacts between the users of the same language in the States concerned in the fields of culture, education, information, vocational training and permanent education;

194. The Law no. 74-FZ of 17 June 1996 "On ethno-cultural autonomy" (Article 9.2) and the Law of 26 April 1990 "On the free national development of citizens of the USSR living outside the borders of their national-administrative entities, or having no such entities on the territory of the USSR", which is still in force, affirm the possibility to conclude agreements in order for national minorities to have access to activities in their mother tongues.

195. The cultural co-operation agreement between the governments of the Federal Republic of Germany and the Russian Federation, which was signed on 16 December 1992, forms a contractual basis for cultural relations between the two countries. Some specific agreements have also been signed, such as the intergovernmental agreement on learning the partner country's language, which was concluded in 2003 and the Joint Declaration on a Strategic Partnership in Education, Research and Innovation, which was signed in April 2005.²¹ As reported already, Germany supports cultural and linguistic activities of Germans in Altai Kray as well as in the rest of the Russian Federation.

196. The experts consider this undertaking fulfilled.

b for the benefit of regional or minority languages, to facilitate and/or promote co-operation across borders, in particular between regional or local authorities in whose territory the same language is used in identical or similar form.

197. The Draft Federal Law no. 66064-5 "On transfrontier co-operation" currently being examined by the State Duma offers the possibility for some cultural and educative co-operation across regional borders of the Russian Federation.

198. The experts have not received any information about co-operation across borders with relevant countries, for example Germany and Kazakhstan (where a German minority lives).

199. The experts consider this undertaking not fulfilled.

²¹ For more information, see: <http://www.auswaertiges-amt.de/diplo/en/Laenderinformationen/01-Laender/RussischeFoederation.html#t5> (web page visited the 20/07/2010)

B. German in Altai Kray (outside the German National Rayon of Halbstadt)

Article 8 – Education

General issues

200. According to representatives of the German minority and teachers, education is a priority. German teaching is mainly provided by normal schools according to the general curriculum (see also under Article 7.1.f). According to the Altai Kray administration on education, there are also various in-depth schools in the German language outside the German National Rayon, but only in Barnaul. In addition to German teaching in the traditional educational system, German can be studied at the German Cultural Centres, spread all over the Altai Kray.

1 With regard to education, the Parties undertake, within the territory in which such languages are used, according to the situation of each of these languages, and without prejudice to the teaching of the official language(s) of the State:

a iii to apply one of the measures provided for under i and ii above at least to those pupils whose families so request and whose number is considered sufficient;

201. The Law no. 74-FZ of 17 June 1996 "On ethno-cultural autonomy" (Articles 10 and 12), the Law of 25 October 1991 "On the languages of the peoples of the Russian Federation" (Article 9.2) and the Law on Education of 11 July 1992 (Article 6.2) provide for the right for national minorities to learn their mother tongues and to be taught in these languages.

202. According to representatives of the German minority met during the on-the-spot visit, there are two kindergartens in Barnaul where German is offered as an extra-subject for about one or two hours a week. In the Russian-German House (Barnaul German Cultural Centre), about 50 pupils follow German as an extra-curricular subject. The experts lack information on opportunities to learn German at pre-school level in the Altai Kray village schools outside Barnaul.

203. The experts consider that one or two hours of German teaching a week are insufficient to comply with this undertaking. Furthermore, they underline that language revitalisation takes place, inter alia, in kindergartens and that kindergarten teaching in minority languages can easily be organised (no need for subject teachers). Therefore, the experts consider that the Russian authorities should adopt a more structured approach that ensures that the use of German in kindergartens is extended.

204. The experts consider this undertaking partly fulfilled in Barnaul and not fulfilled in the other areas inhabited by Germans in Altai Kray. They encourage the Russian authorities to make available at least a substantial part of pre-school education in German to those pupils whose families so request and whose number is considered sufficient, including in areas other than Barnaul.

b iii to provide, within primary education, for the teaching of the relevant regional or minority languages as an integral part of the curriculum;

205. The Federal Law no. 74-FZ of 17 June 1996 "On ethno-cultural autonomy" (Articles 10, 11 and 12), the Law of 25 October 1991 "On the languages of the peoples of the Russian Federation" (Article 9.2) and the Law on Education of 11 July 1992 (Article 6.2) provide for the right for national minorities to learn their mother tongues and to be taught in these languages.

206. As part of the general school curriculum, German is taught for at least two hours per week to pupils who choose this language as their compulsory foreign language. In fact, most pupils choose English. The experts encourage the authorities to give students the possibility to study both languages if they so desire so that the study of the German languages will not suffer as a result of the popularity of English. In the in-depth school of Barnaul, the curriculum provides at least three hours a week of German.

207. With regard to areas of Altai Kray outside Barnaul, the experts consider that two hours of German teaching per week are insufficient to contribute to the transmission of German as a living language. In general, the "in-depth"-model of teaching German (at least three hours a week) appears to be appropriate in

Altai Kray outside the German National Rayon. Furthermore, German should be taught as a minority language, taking account of the minority's history and culture, rather than as a foreign language.²²

208. The experts consider this undertaking fulfilled with regard to the in-depth school of Barnaul and partly fulfilled in areas of Altai Kray outside Barnaul. They encourage the Russian authorities to provide more than two hours per week German teaching in relevant areas of Altai Kray outside Barnaul.

c iii to provide, within secondary education, for the teaching of the relevant regional or minority languages as an integral part of the curriculum;

209. The Federal Law no. 74-FZ of 17 June 1996 "On ethno-cultural autonomy" (Articles 10, 11 and 12), the Law of 25 October 1991 "On the languages of the peoples of the Russian Federation" (Article 9.2) and the Law on Education of 11 July 1992 (Article 6.2) provide for the right for national minorities to learn their mother tongues and to be taught in these languages.

210. As part of the general school curriculum, German is taught for at least two hours per week to pupils who choose this language as their compulsory foreign language. As in primary school, most students choose English. In the in-depth school of Barnaul, the curriculum provides at least three hours a week of German. The experts consider that the Russian authorities should give pupils the possibility to study both languages if they so desire so that the study of the German language will not suffer as a result of the popularity of English.

211. With regard to areas of Altai Kray outside Barnaul, the experts consider that two hours of German teaching per week are insufficient to contribute to the transmission of German as a living language. In general, the "in-depth"-model of teaching German (at least three hours a week) appears to be appropriate in Altai Kray outside the German National Rayon. Furthermore, German should be taught as a minority language, taking account of the minority's history and culture, rather than as a foreign language.²³

212. The experts consider this undertaking fulfilled with regard to the in-depth school of Barnaul and partly fulfilled in areas of Altai Kray outside Barnaul. They encourage the Russian authorities to provide more than two hours per week German teaching in relevant areas of Altai Kray outside Barnaul.

d iii to provide, within technical and vocational education, for the teaching of the relevant regional or minority languages as an integral part of the curriculum;

213. The Federal Law no. 74-FZ of 17 June 1996 "On ethno-cultural autonomy" (Articles 10 and 12), the Law of 25 October 1991 "On the languages of the peoples of the Russian Federation" (Article 9.2) and the Law on Education of 11 July 1992 (Article 6.2) provide for the right for national minorities to learn their mother tongues and to be taught in these languages.

214. There is no technical training in Altai Kray. As for vocational training, it is divided into three levels:

- The first level corresponds to trades and services courses. There is no German teaching at this level.
- The second level corresponds to management courses (service, tourism, teachers of foreign languages, pre-school and primary school teachers, etc.). There are five pedagogical colleges that teach at this level in Altai Kray, and the one that mainly serves German education in the German National Rayon is located in Slavgorod. In these pedagogical colleges, a foreign language class of two hours a week is part of the curriculum. The foreign language taught can be German if students so choose. According to the representative of the Altai Kray administration for education, some pedagogical colleges also organise "national culture" classes that can include the teaching of German dialects.
- The third level corresponds to professional higher education (for secondary school teachers).

215. The experts consider that two hours of German teaching per week are insufficient to contribute to the transmission of German as a living language. In general, the "in-depth"-model of teaching German (at least three hours a week) appears to be appropriate in Altai Kray outside the German National Rayon.

²² See e.g. 1st evaluation report by the Committee of Experts on the application of the Charter in Serbia, ECRML(2009)2

²³ See e.g. 1st evaluation report by the Committee of Experts on the application of the Charter in Serbia, ECRML(2009)2

Furthermore, German should be taught as a minority language, taking account of the minority's history and culture, rather than as a foreign language.²⁴

216. The experts consider this undertaking partly fulfilled. They encourage the Russian authorities to provide more than two hours per week German teaching in relevant areas of Altai Kray outside Barnaul.

The experts encourage the Russian authorities to generally apply the model of in-depth teaching of German as a minority language at the different stages of education in Altai Kray outside the German National Rayon of Halbstadt.

e ii to provide facilities for the study of these languages as university and higher education subjects;

217. The pedagogical academy of Barnaul offers German (but no teaching as a native tongue). The Linguistic Institute also offers studies of dialects (like Plattdeutsch).

218. The experts consider this undertaking fulfilled.

f ii to offer such languages as subjects of adult and continuing education;

219. The Federal Law no. 74-FZ of 17 June 1996 "On ethno-cultural autonomy" (Article 12) provides for the right for national minorities to learn their mother tongues and to be taught in these languages.

220. It should be noted that most of the German courses for adults are offered by the Russian German House or by the Goethe-Institut in Barnaul. The experts lack information on the possibility to have such classes outside Barnaul.

221. The experts consider this undertaking fulfilled.

g to make arrangements to ensure the teaching of the history and the culture which is reflected by the regional or minority language;

222. The possibility to be taught the history and culture of a minority is recognised in Federal Law no. 74-FZ of 17 June 1996 "On ethno-cultural autonomy" (Articles 11 and 12).

223. The teaching of the history and culture of the German minority can either be part of history classes, or local studies classes. However, the curricula of these subjects do not officially include such teaching. The experts have no information on whether the history and culture of the German minority is actually taught to any pupils (German and non-German) in the Altai Kray outside the German National Rayon.

224. The experts recall that the present undertaking concerns education for pupils using minority languages but also education for non-speakers about the specific history and traditions related to the minority language in question. This entails including elements of the history and culture which is reflected by the minority language in the national curriculum, or at least in the curriculum for all pupils within the territories concerned.²⁵ Such teaching is relevant in the case of the German language as well, given that historical prejudices vis-à-vis the Germans remain strong in the Russian Federation.

225. As there is no clear requirement in the curriculum, the experts consider this undertaking not fulfilled. They encourage the Russian authorities to ensure the teaching of the history and culture of the German minority as an integral part of the curriculum to all pupils in Altai Kray.

h to provide the basic and further training of the teachers required to implement those of paragraphs a to g accepted by the Party;

226. The Federal Law no. 74-FZ of 17 June 1996 "On ethno-cultural autonomy" (Articles 11 and 12), the Law of 25 October 1991 "On the languages of the peoples of the Russian Federation" (Article 7) and the Law on Education of 11 July 1992 (Article 6.7) establish the possibility for teachers to be trained adequately.

²⁴ See e.g. 1st evaluation report by the Committee of Experts on the application of the Charter in Serbia, ECRML(2009)2

²⁵ See e.g. 2nd evaluation report by the Committee of Experts on the application of the Charter in Slovakia, ECRML(2009)8; 2nd evaluation report by the Committee of Experts on the application of the Charter in Croatia, ECRML 2005 (3)

227. As to basic training, see under Article 8.1.d.iii and Article 8.1.e.ii. As to further training, according to the representatives of the Altai Kray administration for education and teachers met in Barnaul, such training is possible in a distance-learning form. The experts lack detailed information on this possibility.

228. The experts consider this undertaking partly fulfilled. They encourage the Russian authorities to provide further training of German teachers.

i to set up a supervisory body or bodies responsible for monitoring the measures taken and progress achieved in establishing or developing the teaching of regional or minority languages and for drawing up periodic reports of their findings, which will be made public.

229. The experts lack information on the implementation of this undertaking.

2 With regard to education and in respect of territories other than those in which the regional or minority languages are traditionally used, the Parties undertake, if the number of users of a regional or minority language justifies it, to allow, encourage or provide teaching in or of the regional or minority language at all the appropriate stages of education.

230. In light of the conclusions reached under the provisions 8.1.a-d with regard to areas outside Barnaul, the experts consider this undertaking partly fulfilled. They encourage the Russian authorities to encourage or provide teaching in German or of German (beyond two hours per week) at all the appropriate stages of education.

Article 9 – Judicial authorities

General issues

231. See the comments made under Article 9 for the German language in the German National Rayon of Halbstadt.

2 The Parties undertake:

c not to deny the validity, as between the parties, of legal documents drawn up within the country solely because they are drafted in a regional or minority language.

232. See the comments made under the same article for the German language in the German National Rayon of Halbstadt.

Article 10 – Administrative authorities and public services

General issues

233. See the comments made under Article 10 for the German language in the German National Rayon of Halbstadt.

1 Within the administrative districts of the State in which the number of residents who are users of regional or minority languages justifies the measures specified below and according to the situation of each language, the Parties undertake, as far as this is reasonably possible:

a iv to ensure that users of regional or minority languages may submit oral or written applications in these languages.

234. The right to submit oral or written applications in the minority languages is recognised in Article 15.4 of the Russian Federation Law no. 1807-1 of 25 October 1991 "On the languages of the peoples of the Russian Federation".

235. In light of the information obtained during the on-the-spot visit, it appears that there is a lack of German-speaking civil servants who would be able to process oral or written applications in German. In addition, the experts have not received any information regarding the practical implementation of this undertaking, which is a prerequisite for its fulfilment.

236. The experts consider this undertaking only formally fulfilled. They encourage the Russian authorities to organise training for civil servants who wish to learn the German language.

2 In respect of the local and regional authorities on whose territory the number of residents who are users of regional or minority languages is such as to justify the measures specified below, the Parties undertake to allow and/or encourage:

b the possibility for users of regional or minority languages to submit oral or written applications in these languages;

237. The right to submit oral or written applications in minority languages is recognised in Article 15.4 of the Russian Federation Law no. 1807-1 of 25 October 1991. Article 3.4 of the same law adds that "In the areas of compact residence [...], the language of the population of this territory can be used in the official spheres of communication along with the Russian language [...]."

238. The experts lack information on the implementation of this possibility in Altai Kray. It appears that there is a lack of German-speaking civil servants who would be able to process oral or written applications in German.

239. The experts consider this undertaking only formally fulfilled. They encourage the Russian authorities to organise training for civil servants to learn or refresh their knowledge of German, including specific administrative terminology.

g the use or adoption, if necessary in conjunction with the name in the official language(s), of traditional and correct forms of place-names in regional or minority languages.

240. The Russian Federation Law no. 1807-1 of 25 October 1991 "On the languages of the peoples of the Russian Federation" (Article 23.2) and the Federal Law no. 152-FZ of 18 December 1997 "On place-names" (Article 8) recognise the possibility of using place-names not only in Russian, but also in the minority languages and writing those place-names, road and other signs in the minority languages.

241. The experts lack information on the implementation of this possibility in Altai Kray.

242. The experts consider this undertaking not fulfilled. They encourage the Russian authorities to use or adopt, if necessary in conjunction with the name in the official language, traditional and correct forms of place-names in German.

3 With regard to public services provided by the administrative authorities or other persons acting on their behalf, the Parties undertake, within the territory in which regional or minority languages are used, in accordance with the situation of each language and as far as this is reasonably possible:

c to allow users of regional or minority languages to submit a request in these languages.

243. The Russian Federation Law no. 1807-1 of 25 October 1991 "On the languages of the peoples of the Russian Federation" (Articles 15.4 and 15.5) establishes the possibility for minority language speakers to submit a request to public services.

244. The experts lack information on the implementation of this undertaking.

245. The experts consider this undertaking only formally fulfilled.

5 The Parties undertake to allow the use or adoption of family names in the regional or minority languages, at the request of those concerned.

246. See the comments under Article 10.5 for the German language in the German National Rayon of Halbstadt.

Article 11 – Media

General issues

247. See the comments made under Article 11 for the German language in the German National Rayon of Halbstadt.

1 The Parties undertake, for the users of the regional or minority languages within the territories in which those languages are spoken, according to the situation of each language, to the extent that the public authorities, directly or indirectly, are competent, have power or play a role in this field, and respecting the principle of the independence and autonomy of the media:

a to the extent that radio and television carry out a public service mission:

iii to make adequate provision so that broadcasters offer programmes in the regional or minority languages;

248. The Russian Federation Law no. 1807-1 of 25 October 1991 "On the languages of the peoples of the Russian Federation" establishes the possibility for the federal authorities to take positive measures in the field of media in order to preserve and develop minority languages (Article 7.1) and recognises the possibility not only to use official languages, but also minority languages in the media (Article 20). The Law of 26 April 1990 "On the free national development of citizens of the USSR living outside the borders of their national-administrative entities, or having no such entities on the territory of the USSR", which is still in force, establishes in its Article 10 the right to have information in one's mother tongue.

249. A radio station in Barnaul broadcasts a programme in German. This programme, "Altaier Weiten", started in 1965 and ran every week for 40 minutes. In 2005, the programme was terminated, but thanks to the support of Germany it opened again. Nowadays, the programme is broadcast once a week (every Thursday at 6pm according to the representatives met in Barnaul and every Saturday according to the representatives met in Halbstadt) and lasts for 15 minutes. This programme is broadcast throughout Altai Kray. The experts consider the broadcasting time of 15 minutes per week as too short in light of the size of the German minority in Altai Kray.²⁶ In addition, the radio programme should be broadcast on a more regular basis (several days per week). As regards television, there was a Kray programme on public television (VBTRK), but it ended around 1994.

250. The experts consider this undertaking partly fulfilled regarding radio and not fulfilled regarding television.

The experts encourage the Russian authorities to extend the broadcast time and regularity of the programme "Altaier Weiten" and to make adequate provision so that public broadcasters offer television programmes in German.

b ii to encourage and/or facilitate the broadcasting of radio programmes in the regional or minority languages on a regular basis;

251. See the comments under Article 11.1.b.ii for the German language in the German National Rayon of Halbstadt.

c ii to encourage and/or facilitate the broadcasting of television programmes in the regional or minority languages on a regular basis;

252. See the comments under Article 11.1.c.ii for the German language in the German National Rayon of Halbstadt.

d to encourage and/or facilitate the production and distribution of audio and audiovisual works in the regional or minority languages;

253. See the comments under Article 11.1.d for the German language in the German National Rayon of Halbstadt.

²⁶ See e.g. 2nd evaluation report by the Committee of Experts on the application of the Charter in Denmark, ECRML(2007)6

e i to encourage and/or facilitate the creation and/or maintenance of at least one newspaper in the regional or minority languages;

254. See the comments under Article 11.1.e.i for the German language in the German National Rayon of Halbstadt.

f i to cover the additional costs of those media which use regional or minority languages, wherever the law provides for financial assistance in general for the media;

255. See the comments under Article 11.1.f.i for the German language in the German National Rayon of Halbstadt.

g to support the training of journalists and other staff for media using regional or minority languages.

256. See the comments under Article 11.1.g for the German language in the German National Rayon of Halbstadt.

2 The Parties undertake to guarantee freedom of direct reception of radio and television broadcasts from neighbouring countries in a language used in identical or similar form to a regional or minority language, and not to oppose the retransmission of radio and television broadcasts from neighbouring countries in such a language. They further undertake to ensure that no restrictions will be placed on the freedom of expression and free circulation of information in the written press in a language used in identical or similar form to a regional or minority language. The exercise of the above-mentioned freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society, in the interests of national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others, for preventing disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary.

257. See the comments under Article 11.2 for the German language in the German National Rayon of Halbstadt.

Article 12 – Cultural activities and facilities

General issues

258. See the comments made under Article 12 for the German language in the German National Rayon of Halbstadt.

1 With regard to cultural activities and facilities – especially libraries, video libraries, cultural centres, museums, archives, academies, theatres and cinemas, as well as literary work and film production, vernacular forms of cultural expression, festivals and the culture industries, including inter alia the use of new technologies – the Parties undertake, within the territory in which such languages are used and to the extent that the public authorities are competent, have power or play a role in this field:

a to encourage types of expression and initiative specific to regional or minority languages and foster the different means of access to works produced in these languages;

259. See the comments under Article 12.1.a for the German language in the German National Rayon of Halbstadt.

c to foster access in regional or minority languages to works produced in other languages by aiding and developing translation, dubbing, post-synchronisation and subtitling activities;

260. See the comments under Article 12.1.c for the German language in the German National Rayon of Halbstadt.

f to encourage direct participation by representatives of the users of a given regional or minority language in providing facilities and planning cultural activities;

261. See the comments under Article 12.1.f for the German language in the German National Rayon of Halbstadt.

g to encourage and/or facilitate the creation of a body or bodies responsible for collecting, keeping a copy of and presenting or publishing works produced in the regional or minority languages;

262. See the comments under Article 12.1.g for the German language in the German National Rayon of Halbstadt.

h if necessary, to create and/or promote and finance translation and terminological research services, particularly with a view to maintaining and developing appropriate administrative, commercial, economic, social, technical or legal terminology in each regional or minority language.

263. See the comments under Article 12.1.h for the German language in the German National Rayon of Halbstadt.

2 In respect of territories other than those in which the regional or minority languages are traditionally used, the Parties undertake, if the number of users of a regional or minority language justifies it, to allow, encourage and/or provide appropriate cultural activities and facilities in accordance with the preceding paragraph.

264. The Fundamental principles of Russian Federation legislation on culture no. 3612-1 of 9 October 1992 give the right to ethnic minorities to establish their own cultural centres (Article 21).

265. There are 26 German Cultural Centres in the Altai Kray outside the German National Rayon. These centres are partly financed by the Kray authorities and represent the main providers of cultural activities and facilities in the German language such as German language classes, libraries, museums, etc.

266. The experts consider this undertaking fulfilled.

3 The Parties undertake to make appropriate provision, in pursuing their cultural policy abroad, for regional or minority languages and the cultures they reflect.

267. See the comments under Article 12.3 for the German language in the German National Rayon of Halbstadt.

Article 13 – Economic and social life

General issues

268. German does not appear to be used in economic and social life.

1 With regard to economic and social activities, the Parties undertake, within the whole country:

d to facilitate and/or encourage the use of regional or minority languages by means other than those specified in the above sub-paragraphs.

269. The Russian Federation Law no. 1807-1 of 25 October 1991 "On the languages of the peoples of the Russian Federation" establishes a wide range of possibilities to use minority languages in the economic and social spheres.

270. The experts lack specific information on the subject in order to come to a conclusion.

2 With regard to economic and social activities, the Parties undertake, in so far as the public authorities are competent, within the territory in which the regional or minority languages are used, and as far as this is reasonably possible:

b in the economic and social sectors directly under their control (public sector), to organise activities to promote the use of regional or minority languages;

271. The Russian Federation Law no. 1807-1 of 25 October 1991 "On the languages of the peoples of the Russian Federation" establishes a wide range of possibilities to use minority languages in the economic and social spheres.

272. The experts lack specific information on the subject in order to come to a conclusion.

c to ensure that social care facilities such as hospitals, retirement homes and hostels offer the possibility of receiving and treating in their own language persons using a regional or minority language who are in need of care on grounds of ill-health, old age or for other reasons.

273. The Fundamental principles of Russian Federation legislation on health protection no. 5487-1 of 22 July 1993 recognise the right not to be discriminated against on the basis of language in the health protection sector (Article 17). The Russian Federation Law no. 3185-1 of 2 July 1992 "On psychiatric assistance and guarantees of the rights of citizens in its provision" also provides that patients in psychiatric facilities should be explained the reasons for their committal and the rules of the institution in a language they understand.

274. The experts lack specific information on the subject in order to come to a conclusion.

Article 14 – Transfrontier exchanges

The Parties undertake:

a to apply existing bilateral and multilateral agreements which bind them with the States in which the same language is used in identical or similar form, or if necessary to seek to conclude such agreements, in such a way as to foster contacts between the users of the same language in the States concerned in the fields of culture, education, information, vocational training and permanent education;

275. Some of the Germans living in Altai Kray are (descendants of) deportees from the former Volga German Autonomous Soviet Socialist Republic. The dissolution of this republic in 1941 created obstacles to the promotion of the German language in Russia as a whole. On 10 July 1992, however, the "Protocol about the Co-operation of the Government of the Russian Federation and the Government of the Federal Republic of Germany concerning the Gradual Restoration of the Statehood of the Russian Germans" was concluded. The protocol foresees, inter alia, co-operation in the field of education (Articles 2.2 and 4). Its objectives clearly contribute to the promotion of the language and culture of the Russian Germans.²⁷

276. The experts consider this undertaking fulfilled.

b for the benefit of regional or minority languages, to facilitate and/or promote co-operation across borders, in particular between regional or local authorities in whose territory the same language is used in identical or similar form.

277. See the comments under Article 14.b for the German language in the German National Rayon of Halbstadt.

²⁷ Cf. the preamble (3rd paragraph), Bjulleten' mezhdunarodnykh dogovorov 1993 No. 3, p. 67-70 (in force since 23 March 1993)

2.2.2 Kazakh in Altai Kray

Article 8 – Education

General issues

278. The experts' meeting with representatives of the Kazakh language community took place on July 7th, 2010 in the village of Baygamut, where one of two schools providing education in the Kazakh language in Altai Kray is located. The exact name of the school is "Baygamut Municipal National Kazakh Comprehensive School of General Education": "comprehensive" (*средняя школа*) meaning a school comprising 3 levels of obligatory education: elementary (grades 1-4), primary (grades 5-9) and senior (grades 10-11) – the most representative of the Russian educational system. The school in Baygamut has 23 pupils altogether (a few in each grade but seventh) and employs 13 teachers. It is worth adding that actually the school is the only employing establishment in the settlement, and the main – if not the only cultural and social centre of/in the community, its headmaster is in fact the *aul* chief. From reports heard, the situation in Kirey, the other Kazakh school centre in Altai Kray, appears to be similar. As a matter of fact, all the school subjects (20 to 36 hours a week), except for Russian language classes, Russian literature (4 to 8 hours a week) and German (as a foreign language; 1 to 3 hours a week) are taught in Kazakh.

279. The first language of most (if not all) school-children in Baygamut (as well as in Kirey, seemingly) is Kazakh. The school headmaster, as well as many teachers and informants acknowledged the satisfying level of knowledge and usage of the mother tongue (Kazakh) both in school situations and in everyday life, and stressed the need to master Russian among pupils and village dwellers. Therefore, the sociolinguistic situation in the village(s) can be described as a dynamic bilingualism – from the predominant role of Kazakh at the pre-school age to symmetric bilingualism in Kazakh (in family and intra-community situations) and Russian (in external and official contexts).

280. Even if organized (and founded) on slightly different rules, both schools (in Baygamut and Kirey – allegedly the only "national" Kazakh schools in the Russian Federation) follow the curricula established directly from (the Republic of) Kazakhstan. The same pertains to the teaching programmes and textbooks/schoolbooks adopted in and imported directly from neighbouring Kazakhstan, or donated by the Kazakhstani authorities.

281. While this chapter looks into the situation of Kazakh in Altai Kray as a whole, the experts note that the situation of Kazakh in Baygamut and Kirey is better than in the rest of the Kray. This concerns in particular the field of education, where more ambitious undertakings from the Charter could be applied (bilingual education, i.e. options a/b/c/d.ii of Article 8) than to Kazakh in other parts of the Kray. The experts encourage the Russian authorities to clarify, in co-operation with the Kazakh minority, whether Baygamut and Kirey could adopt the status of "national settlement" or "national village council"²⁸ and be covered by the same Charter provisions as the German National Rayon of Halbstadt.

1 With regard to education, the Parties undertake, within the territory in which such languages are used, according to the situation of each of these languages, and without prejudice to the teaching of the official language(s) of the State:

a iii to apply one of the measures provided for under i and ii above at least to those pupils whose families so request and whose number is considered sufficient;

282. The Federal Law no. 74-FZ of 17 June 1996 "On ethno-cultural autonomy" (Articles 10 and 12), the Law of 25 October 1991 "On the languages of the peoples of the Russian Federation" (Article 9.2) and the Law on Education of 11 July 1992 (Article 6.2) provide for the right for national minorities to learn their mother tongues and to be taught in these languages.

283. Pre-school education belongs to the competences of both the municipal administration and the district administration (Committee of Education of the *rayon*). According to the on-the-spot information, both in Baygamut and in Kerey there are so-called groups of short-term stay (up to 4 hours a day) for pre-school children (the former for two children only), where children use and play both in Kazakh and Russian. The teacher was trained in Kazakhstan; while all instructional materials and teaching aids originate from Kazakhstan as well. The main obstacle in developing all levels of institutional education is the decreasing number of Kazakh children in the settlements under discussion. Therefore, a special strategy of further support

²⁸ In conformity with Article 7.1 of the Law of 26 April 1990 "On the free national development of citizens of the USSR living outside the borders of their national-administrative entities, or having no such entities on the territory of the USSR"

for and development of the Kazakh language teaching, in co-operation with the relevant organisations of the Kazakh minority is recommendable.

284. The experts consider this undertaking fulfilled.

b iii to provide, within primary education for the teaching of the relevant regional or minority languages as an integral part of the curriculum;

285. The Federal Law no. 74-FZ of 17 June 1996 "On ethno-cultural autonomy" (Articles 10, 11 and 12), the Law of 25 October 1991 "on the languages of the peoples of the Russian Federation" (Article 9.2) and the Law on Education of 11 July 1992 (Article 6.2) provide for the right for national minorities to learn their mother tongues and to be taught in these languages.

286. The educational system was explained earlier and the type of schools in Kazakh village(s) described. The same regulations apply for all 11 grades of comprehensive school. The school timetables include 20, 30 or 36 hours a week (in elementary, primary and senior grades respectively), including 2 hours of Kazakh language and 2 hours of Kazakh literature, 4 hours of history and social sciences, 1 hour of geography, as well as lessons of mathematics, physics, chemistry, music, arts (all taught in Kazakh), plus 4 to 8 hours of Russian (language and literature) and 1 to 3 hours of German (as foreign language – the three latter taught evidently in Russian and German respectively.) It is the Kazakh language that is the regular language of communication among the children and teaching staff, as well as between the pupils and teachers. As to the teaching materials, all of them are brought from or donated by (the authorities of) the Republic of Kazakhstan. The procedure is unreservedly accepted by the Russian educational authorities. There are no materials in Kazakh published recently in the Russian Federation. The experts consider the current school provisions in Kazakh for Kazakh children as sufficient.

287. The experts consider this undertaking fulfilled. They encourage the Russian authorities to further support, if possible with increased financial resources, the existing educational infrastructure.

c iii to provide, within secondary education, for the teaching of the relevant regional or minority languages as an integral part of the curriculum;

288. The Federal Law no. 74-FZ of 17 June 1996 "On ethno-cultural autonomy" (Articles 10, 11 and 12), the Law of 25 October 1991 "on the languages of the peoples of the Russian Federation" (Article 9.2) and the Law on Education of 11 July 1992 (Article 6.2) provide for the right for national minorities to learn their mother tongues and to be taught in these languages.

289. The educational system was explained earlier and the type of schools in Kazakh village(s) described. The same regulations apply for all 11 grades of comprehensive school. The school timetables include 20, 30 or 36 hours a week (in elementary, primary and senior grades respectively), including 2 hours of Kazakh language and 2 hours of Kazakh literature, 4 hours of history and social sciences, 1 hour of geography, as well as lessons of mathematics, physics, chemistry, music, arts (all taught in Kazakh), plus 4 to 8 hours of Russian (language and literature) and 1 to 3 hours of German (as foreign language – the three latter taught evidently in Russian and German respectively.) It is the Kazakh language that is the regular language of communication among the children and teaching staff, as well as between the pupils and teachers. As to the teaching materials, all of them are brought from or donated by (the authorities of) the Republic of Kazakhstan. The procedure is unreservedly accepted by the Russian educational authorities. There are no materials in Kazakh published recently in the Russian Federation. The school authorities of the *rayon* stressed the highest rate (100%) of the final examinations passed by the Baygamut school graduates (with 75% obtaining high marks). The experts consider the current school provisions in Kazakh for Kazakh pupils as sufficient.

290. The experts consider this undertaking fulfilled.

d iii to provide, within technical and vocational education, for the teaching of the relevant regional or minority languages as an integral part of the curriculum;

291. The Federal Law no. 74-FZ of 17 June 1996 "On ethno-cultural autonomy" (Articles 10 and 12), the Law of 25 October 1991 "on the languages of the peoples of the Russian Federation" (Article 9.2) and the Law on Education of 11 July 1992 (Article 6.2) provide for the right for national minorities to learn their mother tongues and to be taught in these languages.

292. There is no technical/vocational education in the Kazakh language in the Russian Federation, no technical/vocational school offers the teaching of Kazakh. All graduates who want to continue their vocational career in the Kazakh language use the schooling system in Kazakhstan (predominantly in the neighbouring Pavlodar *oblast'*).

293. The experts consider this undertaking not fulfilled. They encourage the Russian authorities to consider creating some opportunities to include teaching of Kazakh for those pupils in technical/vocational schools in Altai Kray, who request so.

e ii to provide facilities for the study of these languages as university and higher education subjects;

294. The *rayon* does not have competence in higher education. There is no university/higher education in the Kazakh language in the Russian Federation. All graduates who want to continue their university/higher education career in the Kazakh language, use the schooling system in Kazakhstan (predominantly in the neighbouring Pavlodar and Karaganda *oblasts*).

295. The experts consider this undertaking not fulfilled. They encourage the Russian authorities to consider creating some facilities to study Kazakh also at the universities in Altai Kray.

f ii to offer such languages as subjects of adult and continuing education;

296. The Federal Law no. 74-FZ of 17 June 1996 "On ethno-cultural autonomy" (Article 12) provides for the right for national minorities to learn their mother tongues and to be taught in these languages.

297. There is no form of teaching of or in the Kazakh language for adults or as continuing education in the Russian Federation. Anybody who wishes to follow such form of education can use the educational system in Kazakhstan (although such cases have not been reported in the village of Baygamut).

298. The experts consider this undertaking not fulfilled. They encourage the Russian authorities to consider creating some opportunities to include the teaching of Kazakh for those adults in Altai Kray who would wish to continue their education.

g to make arrangements to ensure the teaching of the history and the culture which is reflected by the regional or minority language;

299. The possibility to be taught the minority history and culture is recognised in the Federal Law no. 74-FZ of 17 June 1996 "On ethno-cultural autonomy" (Articles 11 and 12).

300. The teaching of the Kazakh community in Altai's history and culture forms part of the following subjects: history of Kazakhstan (in Kazakh; grades 5-9); history of Russia (in Kazakh; grades 10-11); geography of Altai Kray (1 hour weekly in Kazakh, grade 9) and irregular "regional classes" in Kazakh in various grades. All the teaching materials come from Kazakhstan, except for Russian history textbooks, the latter being printed in Russia and in Russian, and used during classes with teacher's explanations in Kazakh. In 2008 a school project was launched in Baygamut: *Kazakh national customs, tradition and culture in teaching curriculum*.

301. The experts consider this undertaking fulfilled.

h to provide the basic and further training of the teachers required to implement those of paragraphs a to g accepted by the Party;

302. The Federal Law no. 74-FZ of 17 June 1996 "On ethno-cultural autonomy" (Articles 11 and 12), the Law of 25 October 1991 "on the languages of the peoples of the Russian Federation" (Article 7) and the Law on Education of 11 July 1992 (Article 6.7) establish the possibility for teachers to be trained adequately.

303. The *rayon* has partial competence in matters of teacher training. There is no (language) training for teachers, who teach Kazakh or in Kazakh in the national schools in Altai Kray. According to the educational authorities, teachers are encouraged to and offered opportunities to upgrade their teaching skills in general. Those who wish to improve their language (teaching) qualifications can use the schooling system in the Republic of Kazakhstan. As a matter of fact, all the teachers (12 altogether, with one exception of the Russian teacher) in the school in Baygamut have graduated from higher education institutions in (Soviet or

independent) Kazakhstan. Their degrees, diplomas and all certificates are mutually recognised by the Russian Federation and Republic of Kazakhstan.

304. The experts consider this undertaking partly fulfilled, taking into account the fact of mutual formal recognition of educational achievements in/by the Russian Federation. They encourage the Russian authorities to consider developing adequate teacher training for those who teach (in) the Kazakh language.

i to set up a supervisory body or bodies responsible for monitoring the measures taken and progress achieved in establishing or developing the teaching of regional or minority languages and for drawing up periodic reports of their findings, which will be made public.

305. The Federal Law on Education of 11 July 1992 (Article 37) requires supervisory bodies responsible for monitoring teaching to be set up.

306. According to the educational authorities and teachers met in Baygamut, there is no specialist in the teaching in/of the Kazakh language. Therefore, the Committee of Education of the *rayon* administration is only able to supervise the general methodology of teaching in subordinate schools. The experts have not received any information as to whether periodic public reports are drawn up and made public.

307. The experts consider this undertaking not fulfilled. They encourage the Russian authorities to set up a supervisory body or bodies responsible for monitoring the measures taken and progress achieved in establishing or developing the teaching of Kazakh and for drawing up periodic reports of their findings, to be made public.

2 With regard to education and in respect of territories other than those in which the regional or minority languages are traditionally used, the Parties undertake, if the number of users of a regional or minority language justifies it, to allow, encourage or provide teaching in or of the regional or minority language at all the appropriate stages of education.

308. The Kazakh minority live more or less compactly in 5 *rayons* of Altai Kray (the 2002 population census reported altogether 9,825 people of Kazakh nationality), including the already mentioned settlements in the *rayons* of Kulunda and Blagoveshchenka. In December 2007, the National-Cultural Autonomy of Kazakhs was established as an NGO in Altai Kray, in accordance with the Federal Law no. 74-FZ of 17 June 1996 "On ethno-cultural autonomy". The NGO focuses on "cultural, spiritual and moral education of Kazakhs, preservation of traditions and customs, propagation of sound lifestyles, preservation of traditional as well as exercising new moral and ethnic norms of living". The organisation has also undertaken activities aiming at establishing some forms of language teaching for Kazakhs living in other areas than the districts served by the schools in Baygamut and Kirey. The most urgent seems to be the case of the village school in Prityka (Притыка) in Burla *rayon*, the latter inhabited by approximately 1500 ethnic Kazakhs (it is where the Autonomy plans to establish a Kazakh Cultural Centre). The local Kazakh population uses Ukrainian as the language of everyday communication. In spite of some administrative problems, Kazakh has been introduced as a subject at the school in Prityka (40 hours a month). The aim is to expand the teaching of Kazakh to 140 hours a month and to introduce language classes to other schools (e.g. in the villages of Burla or Novosel'skoe). In order to facilitate the development of Kazakh language teaching in Altai Kray, a teacher training programme is to be launched in co-operation with the University of Pavlodar (in Kazakhstan).

309. The experts consider this undertaking partly fulfilled. They encourage the Russian authorities to cooperate and support the endeavours of Kazakh NGOs in Altai Kray to develop the system of teaching Kazakh as a mother tongue and/or native language in territories other than those in which Kazakh is traditionally used, if the number of users of Kazakh justifies it.

Article 9 – Judicial authorities

General issues

310. See the comments made under Article 9 for the German language inside the German National Rayon. The legislation guarantees the right to use the mother tongue in the criminal, civil and administrative proceedings; however, in practice this right is not applied. The court procedure is under the competence of the Federation.

2 The Parties undertake:

c not to deny the validity, as between the parties, of legal documents drawn up within the country solely because they are drafted in a regional or minority language.

311. According to representatives of judicial authorities, in order to be valid, all legal documents must be written in Russian. If they have not been written or issued originally in Russian they must be translated into Russian in order to become legally valid. According to local informants, there are hardly any documents issued only in Kazakh without a parallel Russian-language translation. During the Soviet times, Kazakh was the republican language of the Kazakh SSR, but most of the official documents were issued in bilingual form – in Russian and Kazakh. Also the documents (e.g. school diplomas or certificates) issued in the Republic of Kazakhstan are provided with Russian translation.

312. The experts consider this undertaking not fulfilled. They encourage the Russian authorities not to deny the validity, as between the parties, of legal documents drawn up within the country solely because they are drafted in Kazakh.

Article 10 – Administrative authorities and public services

General issues

313. According to the participants (both representatives of local authorities and citizens from the Kazakh community) at the meeting in Baygamut, Kazakh is used actively at various meetings (including official meetings – e.g. village meetings or teaching staff meetings), wherever all the participants speak Kazakh as a mother tongue. In all other situations (administrative and public) the language of services would be Russian.

1 Within the administrative districts of the State in which the number of residents who are users of regional or minority languages justifies the measures specified below and according to the situation of each language, the Parties undertake, as far as this is reasonably possible:

a iv to ensure that users of regional or minority languages may submit oral or written applications in these languages.

314. The right to submit oral or written applications in the minority languages is recognised in Article 15.4 of the Russian Federation Law no. 1807-1 of 25 October 1991 "On the languages of the peoples of the Russian Federation".

315. As most speakers of Kazakh also know Russian, there have been no cases reported of using Kazakh in contacts with administrative authorities or public services.

316. In the absence of implementation in practice, the experts consider this undertaking only formally fulfilled.

2 In respect of the local and regional authorities on whose territory the number of residents who are users of regional or minority languages is such as to justify the measures specified below, the Parties undertake to allow and/or encourage:

b the possibility for users of regional or minority languages to submit oral or written applications in these languages;

317. The right to submit oral or written applications in the minority languages is, as mentioned earlier, recognised in Article 15.4 of the Russian Federation Law no. 1807-1 of 25 October 1991. Article 3.4 of the same law adds that "In the areas of compact residence [...], the language of the population of this territory can be used in the official spheres of communication along with the Russian language [...]."

318. In the two Kazakh villages, it is Kazakh that is practically and actually used in all aspects of intra-community contacts, including administrative situations and local public services. All written documents, however, must be drafted and delivered to administrative authorities in Russian.

319. The experts consider this undertaking fulfilled for oral applications and not fulfilled for written applications.

g the use or adoption, if necessary in conjunction with the name in the official language(s), of traditional and correct forms of place-names in regional or minority languages.

320. The Russian Federation Law no. 1807-1 of 25 October 1991 "On the languages of the peoples of the Russian Federation" (Article 23.2) and the Federal Law no. 152-FZ of 18 December 1997 "On place-names" (Article 8) recognise the possibility of using place-names not only in Russian but also in minority languages and writing those place-names, road and other signs in the minority language.

321. The place names (e.g. names of villages of Baygamut and Kerey, being of Turkic=Kazakh origin anyway) are used predominantly in their official forms – i.e. in Russian, although adding a Kazakh version would not implicate significant modifications (both Russian and Kazakh use Cyrillic script, Kazakh alphabet using just a few more letters or diacritics).

322. The experts consider this undertaking not fulfilled. They encourage the Russian authorities to use or adopt, if necessary in conjunction with the name in the official language, traditional and correct forms of place-names in Kazakh.

5 The Parties undertake to allow the use or adoption of family names in the regional or minority languages, at the request of those concerned.

323. The Russian Federation Law no. 1807-1 of 25 October 1991 "On the languages of the peoples of the Russian Federation" (Articles 16.4) establishes the possibility for minority language speakers to have their name written in Russian (i.e. in Cyrillic letters) "taking due account of ethnic naming traditions" of the minority.

324. Both Russian and Kazakh use the Cyrillic script, therefore most of the names have identical versions in both languages. As far as the naming traditions in Russian and Kazakh are concerned, the different traditions/forms of patronymics (second part of person's name, used in all official and familiar situations) are worth mentioning. The traditional Turkic forms of family names do not end with typically Russian family name suffixes, such as *-ev/-ov/-in* (male) or *-eva/-ova/-ina* (female) – although no cases of cutting (or a wish to cut) the suffixes have been reported among the Kazakh informants in Altai Kray.

325. The experts consider this undertaking not fulfilled. They encourage the Russian authorities to enable the adoption of typical Kazakh name forms (first names, patronyms and family names) also in official use, if a request from those concerned should arise.

Article 11 – Media

General issues

326. According to the information gathered during the meetings in Altai Kray, there is no media produced in the Kazakh language in Altai Kray (in the Russian Federation as a whole in fact) – all Kazakh-language media originates from the Republic of Kazakhstan.

327. The Russian Federation Law no. 1807-1 of 25 October 1991 "On the languages of the peoples of the Russian Federation" establishes the possibility for the federal authorities to take positive measures in the field of media in order to preserve and develop minority languages (Article 7.1) and recognises the possibility not only to use official languages but also minority languages in the media (Article 20). The Law of 26 April 1990 "On the free national development of citizens of the USSR living outside the borders of their national-administrative entities, or having no such entities on the territory of the USSR" establishes in its Article 10 the right to have information in one's mother tongue.

1 The Parties undertake, for the users of the regional or minority languages within the territories in which those languages are spoken, according to the situation of each language, to the extent that the public authorities, directly or indirectly, are competent, have power or play a role in this field, and respecting the principle of the independence and autonomy of the media:

a to the extent that radio and television carry out a public service mission:

iii to make adequate provision so that broadcasters offer programmes in the regional or minority languages;

328. The Russian Federation Law no. 1807-1 of 25 October 1991 "On the languages of the peoples of the Russian Federation" establishes the possibility for the federal authorities to take positive measures in the field of media in order to preserve and develop minority languages (Article 7.1) and recognises the possibility not only to use official languages but also minority languages in the media (Article 20). The Law of 26 April 1990 "On the free national development of citizens of the USSR living outside the borders of their national-administrative entities, or having no such entities on the territory of the USSR" establishes in its Article 10 the right to have information in one's mother tongue.

329. There are no TV or radio programmes in the Kazakh language broadcast in the Russian Federation.

330. The experts consider this undertaking not fulfilled.

The experts encourage the Russian authorities to make adequate provision so that broadcasters offer programmes in Kazakh.

b ii to encourage and/or facilitate the broadcasting of radio programmes in the regional or minority languages on a regular basis;

331. The legal framework as presented under Article 11.1.a.ii above applies accordingly.

332. There are no radio programmes in the Kazakh language broadcast in the Russian Federation.

333. The experts consider this undertaking not fulfilled. They encourage the Russian authorities to facilitate the establishing of a local radio programme in Kazakh, broadcast locally in/for the settlements inhabited by the Kazakh community in Altai Kray.

c ii to encourage and/or facilitate the broadcasting of television programmes in the regional or minority languages on a regular basis;

334. The legal framework as presented under Article 11.1.a.ii above applies accordingly.

335. There are no TV programmes in the Kazakh language broadcast in the Russian Federation.

336. The experts consider this undertaking not fulfilled. They encourage the Russian authorities to encourage and/or facilitate the broadcasting of television programmes in Kazakh on a regular basis.

d to encourage and/or facilitate the production and distribution of audio and audiovisual works in the regional or minority languages;

337. The legal framework as presented under Article 11.1.a.ii above applies accordingly.

338. According to the representatives of the media met on the spot, the Kray and Rayon authorities support the production and distribution of audio and audiovisual works.

339. The experts consider this undertaking fulfilled.

e i to encourage and/or facilitate the creation and/or maintenance of at least one newspaper in the regional or minority languages;

340. The legal framework as presented under Article 11.1.a.ii above applies accordingly. The Law no. 74-FZ of 17 June 1996 "On ethno-cultural autonomy" is even more precise on the newspaper support that has to be provided by the Russian authorities in order to support national cultural autonomies.

341. There are no newspapers in the Kazakh language published in the Russian Federation.

342. The experts consider this undertaking not fulfilled.

The experts encourage the Russian authorities to facilitate establishing a newspaper (supplement/insert) in Kazakh.

f i to cover the additional costs of those media which use regional or minority languages, wherever the law provides for financial assistance in general for the media;

343. The Russian Federation Law no. 1807-1 of 25 October 1991 "On the languages of the peoples of the Russian Federation" establishes the possibility for the federal authorities to take positive measures in the field of media in order to preserve and develop minority languages (Article 7.1 and Article 7.2).

344. No media in the Russian Federation use the Kazakh language.

345. The experts consider this undertaking not fulfilled.

g to support the training of journalists and other staff for media using regional or minority languages.

346. The Russian Federation Law no. 1807-1 of 25 October 1991 "On the languages of the peoples of the Russian Federation" establishes the possibility for the federal authorities to take positive measures in the field of media in order to preserve and develop minority languages (Article 7.1).

347. There is no training for journalists or media professionals using Kazakh. During the meeting with a representative of local media in the *rayon* of Blagoveshchenka, no needs/demands for such training were reported.

348. The experts consider this undertaking not fulfilled. They encourage the Russian authorities to establish and finance a comprehensive scheme for the training of journalists and other media staff using minority languages.

2 The Parties undertake to guarantee freedom of direct reception of radio and television broadcasts from neighbouring countries in a language used in identical or similar form to a regional or minority language, and not to oppose the retransmission of radio and television broadcasts from neighbouring countries in such a language. They further undertake to ensure that no restrictions will be placed on the freedom of expression and free circulation of information in the written press in a language used in identical or similar form to a regional or minority language. The exercise of the above-mentioned freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society, in the interests of national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others, for preventing disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary.

349. The legal framework as presented under Article 11.1.a.ii above applies accordingly. The same right is also recognised in the Law no. 74-FZ of 17 June 1996 "On ethno-cultural autonomy" (Article 4.1).

350. Reportedly, Kazakh-language TV programmes (3 channels) are freely received from Kazakhstan through satellite antennas. The informants in the village of Baygamut stressed the low cost of such retransmission. Radio programmes from Kazakhstan are available only on the internet.

351. The experts consider this undertaking partly fulfilled.

The experts encourage the Russian authorities to facilitate the retransmission of radio programmes from Kazakhstan, especially in the light of a lack of such programmes in Altai Kray.
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Article 12 – Cultural activities and facilities

General issues

352. During all the meetings, the informants stressed the importance of cultural activities for the preservation of the national identity of the Kazakh community (as well as other minorities). The Kazakh culture is present and supported on various levels: local, regional and international. Again it is worth stressing here the role of the National-Cultural Autonomy of Kazakhs established in December 2007 as NGO in Altai Kray, in accordance with the Federal Law no. 74-FZ of 17 June 1996 "On ethno-cultural autonomy". The NGO focuses on "cultural, spiritual and moral education of Kazakhs, preservation of traditions and customs, propagation of

sound lifestyles, preservation of traditional as well as exercising new moral and ethnic norms of living". One of the main objectives is re-establishing the custom of celebrating the traditional Kazakh festival *Naryz* ('wreath of friendship').

1 With regard to cultural activities and facilities – especially libraries, video libraries, cultural centres, museums, archives, academies, theatres and cinemas, as well as literary work and film production, vernacular forms of cultural expression, festivals and the culture industries, including inter alia the use of new technologies – the Parties undertake, within the territory in which such languages are used and to the extent that the public authorities are competent, have power or play a role in this field:

a to encourage types of expression and initiative specific to regional or minority languages and foster the different means of access to works produced in these languages;

353. The Fundamental principles of Russian Federation legislation on culture no. 3612-1 of 9 October 1992 give the right to everyone to cultural activities (Article 8) and to ethnic minorities to establish their own cultural centres (Article 21). Article 22 of the same legal norm recognises authorities' duty to protect the cultures of the ethnic minorities through incentive measures and cultural programmes and Article 24 recognises the possibility for foreign countries to support some cultural activities and programmes in the Russian Federation. The Russian Federation Law no. 1807-1 of 25 October 1991 "On the languages of the peoples of the Russian Federation" establishes the possibility for federal authorities to take positive measures in order to preserve and develop minority languages (Article 7.1). The Federal Law no. 78-FZ of 29 December 1994 "On library services" offers autonomous districts the possibility for competence to set up ethnic libraries (Article 18.2) and for people belonging to national minorities to have access to books in their own language in municipal libraries (Article 8). The Law no. 74-FZ of 17 June 1996 "On ethno-cultural autonomy" provides that the authorities should encourage the publication of books in minority languages (Article 9.2) and support national minorities' cultures (Article 14).

354. There are no specific cultural institutions dealing with the preservation and promotion of the Kazakh culture in Altai Kray. Actually, in the two villages under discussion, that role is being performed by local schools and community leaders. The schools house small libraries, settlement museums and folklore ensembles. Most books (both classics and specialist language materials) are donated by the Kazakhstani authorities. Individual (mostly bilingual Russian-Kazakh) publications edited and published in Altai Kray include mainly poetry collections. In Kerey some cultural activities of a religious character take place as well (in 1916, a mosque was built in the village). At the Kray level, the all-Kazakh festival of *Naryz* has entered into practice since 2009. There are plans to found a Kazakh Cultural Centre in the *rayon* of Burla.

355. The experts consider this undertaking partly fulfilled. They encourage the Russian authorities at various levels to develop a system of supporting various types of expression in the Kazakh language as well as fostering different means of access to cultural works produced in the language.

c to foster access in regional or minority languages to works produced in other languages by aiding and developing translation, dubbing, post-synchronisation and subtitling activities;

356. The Law of 25 October 1991 "On the languages of the peoples of the Russian Federation" (Articles 7.1 and 20.3) and the Law no. 74-FZ of 17 June 1996 "On ethno-cultural autonomy" (Article 9.2) offer this possibility.

357. According to the experts' informants, there are no such public policy or private initiatives. Individual cases include publication of bilingual volumes of poetry.

358. The experts consider this undertaking not fulfilled. They encourage the Russian authorities to take particular measures to aid and develop translations, dubbing, post-synchronisation and subtitling activities.

f to encourage direct participation by representatives of the users of a given regional or minority language in providing facilities and planning cultural activities;

359. The Fundamental principles of Russian Federation legislation on culture no. 3612-1 of 9 October 1992 offer the possibility to minority representatives, NGOs, cultural centres, etc. to run festivals, exhibitions and other cultural events. It is the members of the Kazakh minority community who are the main actors,

producers and audience of the cultural events organised at various levels (local, provincial and international). The main form of activities in that respect include festivals and folklore ensemble presentations.

360. The experts consider this undertaking fulfilled.

g to encourage and/or facilitate the creation of a body or bodies responsible for collecting, keeping a copy of and presenting or publishing works produced in the regional or minority languages;

361. The Federal Law no. 78-FZ of 29 December 1994 "On library services" (Article 18.2) and the Law no. 74-FZ of 17 June 1996 "On ethno-cultural autonomy" (Article 14) offer the possibility to establish bodies responsible for collecting and presenting works produced in minority languages.

362. According to various instances consulted by the experts, there are no institutional forms of collecting, archiving, copying or publishing regularly works produced in the Kazakh language. There are only some forms of collecting the cultural events reported by the *rayon* authorities in Blagoveshchenka.

363. The experts consider this undertaking not fulfilled. They encourage the authorities to create or facilitate the creation of a body responsible for the recording, archiving, copying and publishing works produced in the Kazakh language.

h if necessary, to create and/or promote and finance translation and terminological research services, particularly with a view to maintaining and developing appropriate administrative, commercial, economic, social, technical or legal terminology in each regional or minority language.

364. The Russian Federation Law no. 1807-1 of 25 October 1991 "On the languages of the peoples of the Russian Federation" offers the possibility to have translation and terminological researches financed and promoted by the authorities (Articles 7 and 10.5).

365. As the Kazakh corpus language planning is actively exercised and applied by the Republic of Kazakhstan, there is no direct need to develop Kazakh terminology in the Russian Federation in most of the domains mentioned. On the other hand, during the Soviet period, the Kazakh and Russian languages shared most language planning and language engineering methods.

2 In respect of territories other than those in which the regional or minority languages are traditionally used, the Parties undertake, if the number of users of a regional or minority language justifies it, to allow, encourage and/or provide appropriate cultural activities and facilities in accordance with the preceding paragraph.

366. The Fundamental principles of Russian Federation legislation on culture no. 3612-1 of 9 October 1992 give the right to everyone to cultural activities (Article 8) and to ethnic minorities to establish their own cultural centres (Article 21).

367. According to the information obtained, all activities of the relevant authorities and NGOs focus on the areas (5 *rayons*) with a Kazakh population. Some of the initiatives, however, also take place at the Kray level (such as the promotion of the all-Kazakh festival *Naryz*.)

368. The experts consider this undertaking partly fulfilled. They encourage the Russian authorities to adopt a structured approach with a view to supporting cultural initiatives and facilities for Kazakh also in territories other than those in which Kazakh is traditionally used, if the number of users of Kazakh justifies it.

3 The Parties undertake to make appropriate provision, in pursuing their cultural policy abroad, for regional or minority languages and the cultures they reflect.

369. The Federal Law no. 99-FZ of 24 May 1999 "On Russian Federation state policy in respect of nationals abroad" (Articles 15 and 17) and the Fundamental principles of Russian Federation legislation on culture no. 3612-1 of 9 October 1992 (Articles 23 and 58) require the Russian authorities to support the cultural activities of the Russian nationals outside the Russian Federation.

370. According to the information obtained, the Kazakh culture of Altai Kray is adequately presented at the international level, especially in the context of international relations with the Republic of Kazakhstan. No other facts were made available.

371. The experts consider this undertaking fulfilled.

Article 13 – Economic and social life

General issues

372. The economic situation of the Kazakh minority is crucial for the presence of the Kazakh language. During their on-the-spot visit, the experts witnessed the very poor economic conditions in which the Kazakh community of Baygamut subsists. As mentioned before, the local school (and a tiny shop) are the only employing establishments in the village. There are no basic public services, apart from a nurse and a paramedic/veterinary assistant. The local collective farm was shut down many years ago. Most households are barely self-sustaining.

1 With regard to economic and social activities, the Parties undertake, within the whole country:

d to facilitate and/or encourage the use of regional or minority languages by means other than those specified in the above sub-paragraphs.

373. The Russian Federation Law no. 1807-1 of 25 October 1991 "On the languages of the peoples of the Russian Federation" establishes a wide range of possibilities to use minority languages in the economic and social spheres.

374. The Kazakh language is used in the economic and social spheres only at the most local level, i.e. in the villages with compact Kazakh-speaking populace. There are, however, no measures undertaken by the state, regional or local administration to encourage its use in these domains.

375. The experts consider this undertaking not fulfilled. They encourage the Russian authorities to consider introducing a programme of promotion of the use of Kazakh (and other minority languages under discussion) in the economic and social sphere of public activities.

2 With regard to economic and social activities, the Parties undertake, in so far as the public authorities are competent, within the territory in which the regional or minority languages are used, and as far as this is reasonably possible:

b in the economic and social sectors directly under their control (public sector), to organise activities to promote the use of regional or minority languages;

376. The Russian Federation Law no. 1807-1 of 25 October 1991 "On the languages of the peoples of the Russian Federation" establishes a wide range of possibilities to use minority languages in the economic and social spheres.

377. According to all the information gathered there are no such activities.

378. The experts consider this undertaking not fulfilled. They encourage the Russian authorities to consider introducing a programme of promotion of the use of Kazakh (and other minority languages under discussion) in the economic and social sphere of public activities.

c to ensure that social care facilities such as hospitals, retirement homes and hostels offer the possibility of receiving and treating in their own language persons using a regional or minority language who are in need of care on grounds of ill-health, old age or for other reasons.

379. The Fundamental principles of Russian Federation legislation on health protection no. 5487-1 of 22 July 1993 recognise the right not to be discriminated against on the basis of language in the health protection sector (Article 17). The Russian Federation Law no. 3185-1 of 2 July 1992 "On psychiatric assistance and guarantees of the rights of citizens in its provision" also provides that patients in psychiatric facilities should be explained the reasons for their committal and the rules of the institution in a language they understand.

380. According to information obtained during the visit in Baygamut, the medical staff in the village includes a nurse and a paramedic/veterinary assistant – both native speakers of Kazakh. There are no other social care facilities available in the Kazakh language – either at the local or regional level.

381. The experts consider this undertaking fulfilled in Baygamut and not fulfilled in other relevant areas of Altai Kray. They encourage the Russian authorities to provide at least basic social care services in Kazakh – not only at the village level, but possibly also in the *rayons* inhabited by considerable groups of Kazakh-speaking population.

Article 14 – Transfrontier exchanges

General issues

382. The Russian Federation and the Republic of Kazakhstan are members of the Commonwealth of Independent States (formerly republics of the Soviet Union), as well as many other international organisations, and have bi- and multilateral agreements, including the customs union that entered into force on July 1st, 2010. According to all informants, mutual relations are very good, and the existing minor troubles in transborder co-operation are expected to disappear completely in the very near future.

The Parties undertake:

a to apply existing bilateral and multilateral agreements which bind them with the States in which the same language is used in identical or similar form, or if necessary to seek to conclude such agreements, in such a way as to foster contacts between the users of the same language in the States concerned in the fields of culture, education, information, vocational training and permanent education;

383. The base for the multidimensional co-operation between the governments of the Russian Federation and the Republic of Kazakhstan is the Joint Operating Plan of Kazakhstan and Russia 2009-2010, which was signed in December 2008, as well as the 1999 intergovernmental agreement. Special treaties and meetings have been devoted to cultural co-operation and co-operation in the frontier regions of the two states. Since 2007 a special programme entered into force with the focus on the realisation of concrete actions in the education sphere, the humanities, culture, mass-media, tourism and sports, public health services, youth organisation activity etc. According to the information obtained, there are no obstacles in developing very close contacts with the Republic of Kazakhstan. Such co-operation, fostered by bilateral and multilateral agreements (including the recent customs union), enables contacts and developments in the field of education, culture, media and information. Of crucial importance are the educational opportunities created in Kazakhstan for Kazakh graduates from Russia, as well as the assistance of the Kazakhstani authorities in providing the Kazakh communities in Altai Kray with necessary publications, teaching materials, information and technical equipment.

384. The experts consider this undertaking fulfilled.

b for the benefit of regional or minority languages, to facilitate and/or promote co-operation across borders, in particular between regional or local authorities in whose territory the same language is used in identical or similar form.

385. The Draft Federal Law no. 66064-5 "On transfrontier co-operation" currently being examined by the State Duma offers the possibility for some cultural and educative co-operation across regional borders of the Russian Federation.

386. According to the information obtained by the experts, such co-operation is already taking place and actively developing.

387. The experts consider this undertaking fulfilled.

Chapter 3. Findings and proposals for recommendations

3.1. Findings of the experts during the simulation

A. The experts express their gratitude to the Russian authorities for their exemplary and smooth cooperation during the simulation. All of the representatives of the authorities whom the experts met provided detailed and clear information, which is particularly noteworthy when one considers that it concerned a simulation only.

B. It is clear that formally there is already a high level of protection of the minority languages in the Russian Federation. For this reason, ratifying the Charter will not drastically change the situation for the speakers of minority languages, neither will it require the authorities to introduce many more policies than the ones already in place.

C. The three languages studied in this report are closely linked with the history of Altai Kray: Kumandin and Kazakh as languages spoken by local indigenous people, and German due to the long presence of Germans there and their significant involvement in the economical and social life of the Kray, as well as their number – as the largest non-Russian national group in the region. However, and particularly true for Kumandin and to a smaller extent for German, the use of these languages is tending to disappear. The question that arises here is not only linked to the desire to satisfy the expectations of these minorities, but to support part of the local history by not letting these languages disappear. It should be stressed here again that the status and level of maintenance of Kazakh seems much better in that respect (in particular in isolated Kazakh villages).

D. The very difficult situation of the Kumandin minority and the weakness of the Kumandin language can be explained to some extent by the Kumandin minority's situation, but if strong measures are not taken quickly the language will very soon be added to the list of the disappeared languages. As to the German minority of the German National Rayon, the fact that they live in a historical place of settlement and that they are still a majority in this place permits them to easily take measures that would help the language to develop from a language spoken inside the house by elderly people to a language used in all spheres of everyday life.

E. The experts noted the advanced equipment of the school of Halbstadt, its computing and audio laboratories. These advanced technologies should be used in order to increase the proportion of the curriculum dedicated to German.

F. The experts consider the village of Baygamut a perfect example of what the Charter promotes: a living minority language and a perfect bilingualism of official and minority languages. On the other hand, the experts were surprised by the socially and culturally active role played by the Kazakh school(s) within the Kazakh settlement(s). It is also worth stressing the high degree of actual bilingualism and retention of Kazakh as a native language.

3.2. Proposals for recommendations on the basis of the results of the simulation

Draft Recommendation CM/RecChL(2010)... of the Committee of Ministers on the application of the European Charter for Regional or Minority Languages by the Russian Federation (Altai Kray)

*(adopted by the Committee of Ministers on 2010
at the ... meeting of the Ministers' Deputies)*

The Committee of Ministers,

In accordance with Article 16 of the European Charter for Regional or Minority Languages;

Having regard to the instrument of ratification submitted by the Russian Federation on ...;

Having taken note of the evaluation made by the experts with respect to the application of the Charter by the Russian Federation;

Bearing in mind that this evaluation is based on information submitted by the Russian Federation, information submitted by bodies and associations legally established in the Russian Federation and the information obtained by the experts during their on-the-spot visit,

Recommends that the Russian authorities take account of all the observations and recommendations of the experts and, as a matter of priority:

1. raise awareness about the virtues of bilingualism among the national minorities and the public at large²⁹
2. move from the model of only teaching German as a subject to bilingual education in German, and increase accordingly the number of teachers able to teach subjects in German³⁰
3. facilitate the creation of at least one television channel in German and increase the presence of German on radio and in the print media
4. provide, in co-operation with the speakers, appropriate forms and means for the teaching of the Kumandin language at least in pre-school, primary and secondary education
5. increase financial support for the Kazakh educational institutions
6. take the necessary legal and practical measures to ensure that personal names and place names in the minority languages can be used officially in conformity with the tradition and orthography of the languages concerned³¹.

²⁹ See e.g. 4th Report by the Committee of Experts on the application of the Charter in Hungary, ECRML(2010)2

³⁰ See e.g. Recommendation RecChL(2010)3 by the Committee of Ministers of the Council of Europe

³¹ See e.g. Recommendation RecChL(2009)2 by the Committee of Ministers of the Council of Europe