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**EUROPEAN CHARTER FOR REGIONAL OR MINORITY LANGUAGES**

**APPLICATION OF THE CHARTER IN ARMENIA**

**Initial monitoring cycle**

- A. Report of the Committee of Experts on the Charter**
- B. Recommendation of the Committee of Ministers of the Council of Europe on the application of the Charter by Armenia**

The European Charter for Regional or Minority Languages provides for a control mechanism to evaluate how the Charter is applied in a State Party with a view to, where necessary, making Recommendations for improvements in its legislation, policy and practices. The central element of this procedure is the Committee of Experts, established in accordance with Article 17 of the Charter. Its principal purpose is to examine the real situation of the regional or minority languages in the State, to report to the Committee of Ministers on its evaluation of compliance by a Party with its undertakings, and, where appropriate, to encourage the Party to gradually reach a higher level of commitment.

To facilitate this task, the Committee of Ministers has adopted, in accordance with Article 15.1, an outline for the periodical reports that a Party is required to submit to the Secretary General. The report shall be made public by the government concerned. This outline requires the State to give an account of the concrete application of the Charter, the general policy for the languages protected under its Part II and in more precise terms all measures that have been taken in application of the provisions chosen for each language protected under Part III of the Charter. The Committee's first task is therefore to examine the information contained in the periodical report for all the relevant regional or minority languages on the territory of the State concerned.

The Committee's role is to evaluate the existing legal acts, regulations and real practice applied in each State for its regional or minority languages. It has established its working methods accordingly. The Committee gathers information from the respective authorities and from independent sources within the State, with a view to obtaining a just and fair overview of the real language situation. After a preliminary examination of a periodical report, the Committee submits, if necessary, a number of questions to the Party concerned on matters it considers unclear or insufficiently developed in the report itself. This written procedure is usually followed up by an "on-the-spot" visit of a delegation of the Committee to the respective State. During this visit the delegation meets bodies and associations whose work is closely related to the use of the relevant languages, and consults the authorities on matters that have been brought to its attention.

Having concluded this process, the Committee of Experts adopts its own report. This report is submitted to the Committee of Ministers together with suggestions for recommendations that the latter could decide to address to the Party concerned.

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## **A. Report of the Committee of Experts on the application of the Charter in Armenia**

adopted by the Committee of Experts on 25 November 2005  
and presented to the Committee of Ministers of the Council of Europe  
in accordance with Article 16 of the Charter

### **Chapter 1. Background information**

#### **1.1. The Charter's ratification by the Republic of Armenia**

1. The Republic of Armenia signed the European Charter for Regional Languages (hereafter referred to as the Charter) on 11 May 2001 and deposited its instrument of ratification on 25 January 2002. The Charter entered into force for the Republic of Armenia on 1 May 2002.
2. The instrument of ratification is set out in Appendix I of this report.
3. In accordance with Article 15.1 of the Charter, the Republic of Armenia presented its initial periodical report on the application of the Charter to the Secretary General of the Council of Europe on 3 September 2003. National reports are to be made public in accordance with Article 15 paragraph 2 of the Charter. The Committee of Experts was informed during the "on-the-spot" visit to Armenia in September 2004 (see para. 4 below) that the report had been published on the official web site of the government ([www.gov.am](http://www.gov.am)) and also distributed to NGOs representing regional or minority language speakers. However, many NGOs were not aware of the report and received it at an information seminar on the Charter organised by the Council of Europe and Yerevan State Linguistic University prior to the "on-the-spot" visit.

#### **1.2 The work of the Committee of Experts**

4. After the Committee of Experts had made its preliminary examination of the initial periodical report, a questionnaire was drawn up and addressed to the authorities of the Republic of Armenia. The Committee of Experts organised an "on-the-spot" visit to the Republic of Armenia in September 2004. During the "on-the-spot" visit, a delegation of the Committee of Experts visited the villages of Zovuni (Kotayak province, - Yezidis), Ferik (Armavir province - Yezidis), Verin Dvin and Dimitrov (Ararat province - Assyrians). Meetings were also held in Yerevan with representatives of the local authorities, national minorities' associations, and state authorities (Presidential Office, Ministry of Foreign Affairs, Ministry of Justice, Ministry of Education and Science, Ministry of Culture and Youth Affairs, Ministry of Labour and Social Affairs, Governmental Department for National Minorities and Religious Affairs, National Commission on Television and Radio, Office of the Ombudsman).<sup>1</sup>
5. In accordance with Article 16.4 of the Charter, the Committee of Experts has established a list of general proposals for the preparation of recommendations that the Committee of Ministers may wish to address to the Republic of Armenia. The Committee of Experts has also made, where necessary, more detailed observations in the body of the report. It encourages the authorities of the Republic of Armenia to take these observations into consideration when developing their regional or minority language policy.
6. This report is based on the political and legal situation prevailing when the Charter entered into force for the Republic of Armenia in May 2002, on the information presented by the Government in its initial periodical report to the Council of Europe (September 2003), and on additional information received during the "on-the-spot" visit in September 2004. The report was adopted on 25 November 2005.

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<sup>1</sup> The delegation of the Committee had also meetings with NGOs representing the Belorussian, Ukrainian, German, Polish and Jewish minorities.

### **1.3. Presentation of the regional or minority language situation**

7. The official website of the National Statistical Service of the Republic of Armenia provides the following information from the census carried out in October 2001. The total population of the Republic of Armenia is 3.213.011 – of which:

3.139.152 have declared that Armenian is their mother tongue;

31.799 have declared that Yezidi is their mother tongue;

29.563 have declared that Russian is their mother tongue;

818 have declared that Ukrainian is their mother tongue; 11.679 have declared that another language is their mother tongue.

8. This information does not contain specific figures concerning Assyrian, Kurdish and Greek or the other regional or minority languages in the Republic of Armenia. In addition, in their first periodical report the authorities provided information on the number of inhabitants according to their ethnicity. These figures may give some indication of the number of inhabitants whose mother tongue is Assyrian, Kurdish, or Greek.

Assyrians – 3500 – 0,11 % of the total population

Kurds – 1600 – 0,05 % of the total population

Greeks – 1300 – 0,04 % of the total population.

9. According to the Second Report submitted by Armenia pursuant to Article 25 para.1 of the Framework Convention for the Protection of National Minorities, received on 24 November 2004, « the ethnic composition of the population of the Republic of Armenia according to the public census of 2001 is the following :

Total: 3.213.011 of which:

Armenian: 3.145.354

Assyrian: 3.409

Yezidi: 40.620

Greek: 1.176

Russian: 14.660

Ukrainian: 1.633

Kurd: 1.519

Other: 4.640

10. The figures presented in the report on the Framework Convention differ from the figures presented in the report on the Charter. The reason for this is that declared ethnic affiliation does not necessarily coincide with the mother tongue, for example many of the ethnic Greeks declare Russian as their mother tongue.

11. The authorities have provided the following information regarding the background of the languages:

- the Yezidi speakers immigrated into Armenia from Iran and Mesopotamia. They are Zoroastrians. Most of them live in rural areas in the region of Yerevan.

- one group of Russian speakers was deported from Russia during the 19<sup>th</sup> century as they belonged to “sectarian movements” of the Russian Orthodox Church. They live compactly in different parts of the Republic of Armenia. Another group of Russian speakers moved and settled in Armenia during the Soviet time. They mainly live in Yerevan and Gyumri (the second largest city).

- Assyrian speakers immigrated into Armenia from Mesopotamia at the beginning of the 19<sup>th</sup> century. Some groups immigrated during the First World War. Approximately half of the Assyrians living in Armenia belong to the Apostolic Catholic Assyrian Church of the East and the others to the Russian Orthodox Church. They live mainly in Yerevan and the surrounding area, and in two villages in the Ararat province.

- Greek speakers immigrated from Turkey in 1763 and some groups during the First World War. They live in Yerevan and in different parts of Armenia. They are Orthodox.

- Kurdish speakers have immigrated from Iran and Mesopotamia. They are Muslims and Zoroastrians. They live in different parts of Armenia.

12. In the first periodical report, the authorities indicated that in the Republic of Armenia “some individuals know Byelorussian, Ukrainian, Georgian, German, Polish, Jewish”. However, the initial report

contains no information regarding these languages. During the “on-the-spot” visit, the Committee of Experts had meetings with speakers of German, Yiddish, Hebrew, Polish, Ukrainian and Byelorussian. However, the Committee of Experts was unable to acquire sufficient information on these languages and is therefore unable to give a full presentation of them in this report. The Armenian authorities are encouraged to provide additional information in the next periodical report.

#### **1.4 Particular issues arising from the evaluation of the application of the Charter in the Republic of Armenia**

13. Besides Armenian, Russian is the other language which is largely spoken in the Republic of Armenia both by Armenians and by representatives of national minorities. This is due to the fact that Armenia was a part of the Russian Empire and then of the Soviet Union and that Russian at that time was the official language and has been used to a great extent as a language of inter-cultural communication between groups using different languages. In addition, language shifts have occurred from other languages to Russian

14. From 1939 to 1989 the Yezidis were treated together with Kurds, and in all official documents and educational and cultural institutions, only the Kurdish language was mentioned. After independence, ethnic and linguistic affiliation relied upon the declaration of the individual persons. 40620 persons identified themselves as Yezidi and 1519 persons as Kurds. Actually, the two communities speak the same variety of Kurmanji. However, at present the two communities cannot agree on a common name, which is why the Armenian authorities recognised Kurdish and Yezidi as separate languages when they ratified the Charter. The Kurds are in the process of introducing the latin script for the written form of the language, while the Yezidi continue to use the cyrillic script.

15. The Constitution and several laws are relevant to the application of the Charter as regards regional or minority languages in the Republic of Armenia, namely:

- the Constitution;
- the Language Act;
- the TV and Radio Act;
- the Civil Code
- the Civil Procedure Code;
- the Criminal Procedure Code;
- the Law on the Principles of Cultural Legislation;
- the Law on Geographical Names;
- the Law on Regional Division;
- the Education Act;
- the Law on Religious Organisations and Freedom of Conscience;
- the Law on Foundations of Administration and Administrative Procedure.

16. The Government has adopted a “State Programme on Language Policy”, which defines the principles and priorities of the Armenian State pertaining to the Armenian language as well as to regional or minority languages.

17. The instrument of ratification has been drawn up in such a manner as to provide exactly the same level of protection for all the languages under Part III. The Charter, however, is constructed in such a way that the State can adapt the protection of the various languages to the real situation of each language. That is indeed the principal justification for the possibility offered to each State in Article 2.2 to choose among the provisions of Part III. This is clearly stated in paragraph 43 of the explanatory report of the Charter, which specifies that the State in question has to determine which paragraphs of Part III are to be applied to each particular language.

## **Chapter 2. The Committee of Experts' evaluation in respect of Part II and Part III of the Charter.**

18. The text of the Charter, when read in conjunction with the instrument of ratification, indicates the exact undertakings that apply in respect of the different languages covered by the Charter. The Committee of Experts has therefore evaluated how the State has fulfilled each undertaking in Part II (Article 7) and Part III (Articles 8-14), using the paragraphs and sub-paragraphs specified in the instrument of ratification.

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

19. Part II (Article 7) of the Charter sets out a number of general objectives and principles that a Party is obliged to apply to all regional or minority languages on its territory. As previously mentioned, the Armenian authorities have specified in the first periodical report that "within the meaning of the Charter there are no regional or non-territorial languages but minority languages". The Assyrian, Yezidi, Greek, Russian and Kurdish languages will also be dealt with under Part III. Since information regarding the other regional or minority languages in the Republic of Armenia which could be covered by Part II was not included in the initial periodical report, the main source of information regarding these languages is data gathered during the "on-the-spot" visit. The Committee of Experts therefore does not have a comprehensive picture of the situation of these languages and it encourages the authorities to provide more information in the next periodical report.

#### **Article 7 Objectives and principles**

##### ***"Paragraph 1***

***In respect of regional and 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;"***

20. Article 37 of the Constitution reads as follows: "Citizens belonging to national minorities are entitled to the preservation of their traditions and the development of their language and culture".

21. Furthermore, according to Article 1 of the Language Act "the Republic of Armenia guarantees the usage of minority languages on its territory" and the authorities have informed the Committee of Experts that there are also provisions on national minority languages in Article 2 and 4 of the Act. However, the Committee of Experts is not aware of any official text in which individual regional or minority languages are given specific recognition.

22. Finally, according to the information provided by the authorities in their first periodical report, the "State Programme on Language Policy" recognises minority languages as "an inseparable part of Armenia's language and culture" and as being "its value". It is also mentioned in the Programme that "the support of these languages is of great importance for the process of democratisation of (Armenia) and civil society development".

- 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;"***

23. From the information gathered during the "on-the-spot" visit, no information has been received indicating that the existing administrative divisions constitute an obstacle to the promotion of the regional or minority languages. According to the authorities, for the time being there are no plans to change the administrative division of the country. Furthermore, according to the Law on Geographical Names, the administrative divisions will not be changed without prior consultation of the population concerned.

24. The Committee of Experts was informed of an education reform programme called an "optimisation programme" which was initiated after the Republic of Armenia presented its initial report. The "optimisation"

programme might have a negative impact on the protection of regional or minority languages, especially the closing down of classes and schools in small villages. This issue is dealt with under Part III.

***“c. the need for resolute action to promote regional or minority language in order to safeguard them;”***

25. The Committee of Experts has acknowledged that a “Programme on language policy” has been adopted by the Government, aimed at the implementation of several initiatives, namely:

- “ - comprehensive support to the preservation and development of national minority languages;
- support for effective language communication and mutual understanding between national minorities
- ...;
- support in preparing and training national minority language teachers;
- analyses of national minority language textbooks and of the possibility to create and develop a publishing programme”.

26. However, with the exception of teaching, no other concrete instances of actions under this programme have been provided by the authorities and therefore the Committee of Experts would like to receive more information on this issue in the next report.

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

27. Regarding Ukrainian, a bilingual newspaper (Ukrainian/Armenian) is published in Yerevan and funded by the Armenian Government. The newspaper contains news from Ukraine and a section in the newspaper is devoted to the Ukrainian language. A Polish magazine is published in three languages (Polish, Armenian and Russian). There are also publications in Byelorussian and German. A number of festivals, highlighting minority cultures and languages, take place (Georgian, Jewish/Yiddish, Byelorussian, Polish, German, Ukrainian). According to the information provided, these activities receive public funding from the Armenian authorities and/or from their respective kin states. The Committee of Experts encourages the authorities to provide more information regarding this undertaking in the next periodical report.

***“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 language;”***

28. The Coordinating Council of National Minorities was established in 2000 where organisations of all national minorities are represented. It cooperates with the authorities on an advisory basis. It also receives and distributes funds allocated to national minorities. Speakers of German, Yiddish, Byelorussian, Ukrainian, Georgian, and Polish are represented on the Council.

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

29. During the “on-the-spot” visit the Committee of Experts was given the following information regarding education in languages not covered by Part III.

30. German – two schools in Yerevan provide the possibility for studying German, and Sunday schools are organised for children. Textbooks are sent from Germany. German is taught in most of the universities and there are special departments for the teaching and study of the German language at Yerevan State University and Yerevan State Linguistic University.

31. Yiddish – Yiddish is spoken by approximately 50 to 60 persons, belonging to the older generation. The younger generation is more inclined to learn Hebrew and courses in Hebrew are organised for children and adults, despite financial problems. Israel provides textbooks.

32. Ukrainian – a Sunday school for children is organised (2 hours per week) where the Ukrainian language history and literature are taught, using textbooks from Ukraine (in 2002 textbooks were provided by the Ukrainian Ministry of Foreign Affairs). The Ukrainian methodology of teaching is used. Ukrainian is taught at the Yerevan State Linguistic University.



33. Byelorussian – a Sunday school is organised for adults and children (2 hours per week – 1 hour for the language and 1 hour for culture). Cultural events are supported by the Byelorussian Embassy and the latter helps the community with textbooks. In addition, the Ministry of Education of Belarus supports the acquisition of books (there are 800 books in their library). The representatives of the speakers informed the delegation that they would like their language to be taught in separate classes at school or as an optional subject at university.

34. Polish – in school N° 24 in Yerevan Polish is taught. As of the 3<sup>rd</sup> grade it is taught in one class, and Armenian children can also learn Polish. The NGO “Polonia” organises Polish classes twice a week with two teachers from Poland – there are six groups for adults and three groups for children. The same NGO organises a “University of Polish Culture”. At Yerevan Linguistic University there is a Polish Language Department and students are sent to Poland to study. New textbooks, both for basic and higher education are sent from Poland.

**“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;”**

35. According to the information provided, facilities for non-speakers to learn regional or minority languages exist for all Part III languages. Regarding the other languages, no information has been available, and the Committee of Experts of Experts encourages the authorities to provide more information about this in their next periodical report.

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

36. The Committee of Experts was informed during the “on-the-spot” visit that regional and minority languages are studied at universities and equivalent institutions, although the opportunities to study such languages are largely dependent on support from their kinstate. Part III languages will be dealt with in Chapter 2.2 of this report. Regarding the other languages the Committee of Experts encourages the authorities to provide more information in their next periodical report.

**“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.”**

37. The Committee of Experts was informed during the “on-the-spot” visit that transnational exchanges exist for many of the regional or minority languages and encourages the authorities to elaborate on this in their next periodical report.

#### **“Paragraph 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.”***

38. Article 15 of the Constitution contains a general clause of non-discrimination, which complies with the obligation under this paragraph. Furthermore, according to Article 37 of the Constitution “Citizens belonging to national minorities are entitled to the preservation of their traditions and the development of their language and culture.”

39. During the “on-the-spot” visit, representatives of the speakers of regional or minority languages informed the Committee of Experts that they knew of no act of discrimination against their languages.

#### **“Paragraph 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”.***

40. The Committee of Experts is aware of the “State Programme on Language Policy” which might facilitate the work regarding these principles. However, the Committee of Experts would need more information on that issue, especially concrete examples of the implementation of this principle in the next periodical report.

**“Paragraph 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.”***

41. The Coordinating Council of National Minorities is an advisory body to the authorities where policy matters regarding the protection of national minorities are concerned. According to the information received, the Council also deals with language education matters. However, the mandate and the legal status of the decisions of the Council have not been made clear to the Committee of Experts. The Committee of Experts therefore encourages the authorities to clarify these issues in their next periodical report.

**“Paragraph 5**

***The Parties undertake to apply, mutatis mutandis, the principles listed in paragraph 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”.***

42. The authorities have informed the Committee of Experts that there are no non-territorial languages spoken in the Republic of Armenia. With reference to para. 11 above, the Committee of Experts encourages the authorities to provide more information in this respect in their next periodical report.

**2. 2. The evaluation in respect of Part III of the Charter**

43. The Committee of Experts have examined in more detail the existing protection of the languages that have been identified under the protection mechanisms of Part III of the Charter. The languages in question are Assyrian, Yezidi, Greek, Russian and Kurdish.

44. The paragraphs and sub-paragraphs that are quoted in bold are the concrete obligations chosen by the Republic of Armenia.

**Article 8 – Education**

45. The Committee of Experts was informed of an education reform programme called an “optimisation programme” which was initiated after the Republic of Armenia presented its initial report. The “optimisation” programme might have a negative impact on the protection of regional or minority languages, especially the closing down of classes and schools in small villages. The Committee of Experts was informed that there is a list of sixteen “protected” schools which are not included in this programme, among which are schools where regional or minority languages are taught. During the “on-the-spot” visit, representatives of some minorities informed the Committee of Experts that the list does not cover all schools where regional or minority languages are taught, and that Assyrian language education would be especially difficult if the optimisation programme were carried out as envisaged.

***The Committee of Experts urges the authorities to ensure that the execution of the “optimisation” programme does not jeopardise regional or minority language education.***

## **“Paragraph 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:**

### **Pre-school education**

- a.
  - i. *to make available pre-school education in the relevant regional or minority languages; or*
  - ii. *to make available a substantial part of pre-school education in the relevant regional or minority languages; or*
  - iii. *to apply one of the measures provided for under i and ii and above at least to those pupils whose families so request and whose number is considered sufficient; or*
  - iv. ***if the public authorities have no direct competence in the field of pre-school education, to favour and/or encourage the application of the measures referred to under i and iii above;***

46. The Armenian authorities have informed the Committee of Experts that the Government “supports the communities of national minorities to organise pre-school education in regional or minority languages for those children whose families so require and in case the number of pupils is considered to be sufficient”. According to the authorities, there are no requests from parents as to the organisation of pre-school education in Yezidi and Kurdish. However, from the information available, it does not clearly appear in what way the authorities favour and/or encourage the establishment of pre-school education in regional or minority languages.

47. Although there is a pre-school class where **Assyrian** is taught in Verin Dvin, the Committee of Experts has not been informed how pre-school education in Assyrian is favoured and/or encouraged.

48. Although the Committee of Experts is aware of the existence of a kindergarten in Yerevan where **Greek** is taught, the Committee of Experts has not been informed how pre-school education in Greek is favoured and/or encouraged.

49. The authorities have informed the Committee of Experts that pre-school education in **Russian** is available to all children whose parents have expressed the wish for it. Russian is taught in several pre-school centres in Yerevan and Gyumry.

50. The Committee of Experts has not been informed of any measures taken to favour and/or encourage the establishment of pre-school education in **Kurdish** and **Yezidi** and has not been informed of any existing pre-school education.

51. The Committee of Experts considers that the undertaking is fulfilled in relation to Russian. Regarding the other languages the Committee of Experts is not in a position to conclude. It asks for more information with regard to these languages, and to measures taken in order to favour and/or encourage pre-school education in them.

### **Primary education**

- “b.
  - i. *to make available primary education in the relevant regional or minority languages; or*
  - ii. *to make available a substantial part of primary education in the relevant regional or minority languages; or*
  - iii. *to provide, within primary education, for the teaching of the relevant regional or minority languages as an integral part of the curriculum; or*

*iv. to apply one of the measures provided for under i and iii above at least for those pupils whose families so request and whose number is considered sufficient”.*

52. According to data provided to the Committee of Experts all regional or minority languages are taught in primary schools in the Republic of Armenia. However, the situation varies from one language to another. The number which is considered sufficient for establishing primary education in a regional or minority language is set at 7. There is also the possibility for head teachers to accept a lower number in concrete cases. The Committee of Experts commends this practice.

53. Primary school education in **Assyrian** is available for children whose parents so request. According to information received, a request for 5 children is considered sufficient (compared to 7 for other languages). Assyrian is taught as a special course in schools in Verin Dvin, Dimitrov, Arzni, Nor Artaghés and Yerevan Pushkin school N° 8. Nearly 800 pupils attend the classes. In the village of Arzni, the teacher receives additional money from the municipal budget to encourage him to continue to teach Assyrian. In this school Assyrian history is taught from the 4<sup>th</sup> to the 8<sup>th</sup> grade. In Yerevan, Assyrian is taught at elementary level in one school and children take an examination in the language. Assyrian history and culture are also taught in that school. Non-Assyrian children can also attend the classes.

54. The lack of textbooks is a substantial problem for Assyrian language speakers. Books are either imported from Iran or Sweden in insufficient numbers or they have not been updated for a long time. The Committee of Experts regards the funding of textbooks insufficient and encourages the authorities to take a systematic, strengthened approach in the production of textbooks and teaching materials in Assyrian.

55. Primary school education in **Yezidi** is available for children whose parents so request. According to the information received, a request for 7 children is considered sufficient. In most of the 14 Yezidi villages, children are taught Yezidi. In about 10 of the villages, there are teachers who are Yezidis themselves and teach the language. However, there is a lack of teachers. The Yezidi villages are dispersed and there are not enough teachers who are willing to travel from one village to another to teach the language. The schools have old textbooks which need to be updated.

56. Primary school education in **Greek** is available for children whose parents so request. According to information received, a request for 7 children is considered sufficient. The teaching of Greek takes place in schools N° 12 and 74 of Yerevan (in one as an optional subject and in the other as of 1<sup>st</sup> grade) as well as in a school in the city of Vanadzor. The Committee of Experts was informed that the teachers are paid by the Greek Government through its Embassy and teaching materials are sent from Greece.

57. According to the information from the authorities, primary education in **Russian** is available to all Russian children whose parents have expressed the wish to obtain it for their children. In all settlements where the number of children per class is sufficient (5-7 pupils according to the Ministry of Education) primary education is provided in Russian. Schools with Russian as the language of instruction function in the villages of Fioletovo and Lermontovo. In 47 schools there are classes where Russian is the language of instruction (15 of them in Yerevan). It is stated that more than 10.000 children study in these schools. In the Republic of Armenia there are also 3 schools of the Russian Federation army garrison (Yerevan, Gumry and Armavir), as well as the Russian Embassy school where Armenian children study with children of Russian nationality (in these schools Armenian is not taught).

58. According to the information from the authorities, primary education in **Kurdish** is available to all Kurdish children whose parents have expressed the wish to obtain it for their children. In all settlements where the number of children per class is sufficient (5-7 pupils according to the Ministry of Education) primary education is provided in Kurdish. Kurdish is taught for 2 hours per week in the school of Zovuni village. According to the representatives of the speakers, in many other villages, Kurdish is not taught anymore as there are no teachers available. Based on information received during the “on-the-spot” visit, it is unclear to the Committee of Experts whether it is Yezidi or Kurdish that is spoken in these villages. The Committee of Experts observes that the lack of teachers seems to create difficulties for the provision of education in/of Kurdish in practice.

59. The Committee of Experts considers the undertaking fulfilled with regard to Greek and Russian and partly fulfilled with regard to Assyrian, Yezidi and Kurdish.

*The Committee of Experts encourages the authorities to increase their efforts to provide a sufficient number of teachers and update teaching materials for primary education in Assyrian, Yezidi and Kurdish.*

## Secondary education

- “ c. i. to make available secondary education in the relevant regional or minority languages; or
- ii. to make available a substantial part of secondary education in the relevant regional or minority languages; or
- iii. to provide, within secondary education, for the teaching of the relevant regional or minority languages as an integral part of the curriculum; or
- iv. **to apply one of the measures provided for under i to iii above at least to those pupils who, or where appropriate whose families, so wish in a number considered sufficient.”**

60. Secondary education in the Republic of Armenia consists of two levels, lower and upper secondary education. Lower secondary education is part of the basic education system and is obligatory. Upper secondary education is not obligatory. It is sometimes unclear which level of secondary education is covered in the information provided. The Committee of Experts encourages the authorities to clarify the situation of the regional or minority languages in the two different types of secondary education in the next periodical report, especially the possibility for pupils using a regional or minority language to continue doing so when moving from lower to upper secondary education. The number which is considered sufficient for establishing secondary education in a regional or minority language is set at 7. There is also the possibility for head teachers to accept a lower number in concrete cases. The Committee of Experts commends this practice.

61. Secondary school education in **Assyrian** is available for children whose parents so request. According to the information received, requests for 5 children are considered sufficient (compared to 7 for other languages). Assyrian is taught as a special course in schools in Verin Dvin, Dimitrov, Arzni, Nor Artagnes and Yerevan Pushkin school N° 8. In the village of Arzni, the teacher receives additional money from the municipal budget to encourage him to continue to teach Assyrian. In this school Assyrian history is taught from the 4<sup>th</sup> to the 8<sup>th</sup> grade. The lack of textbooks is a substantial problem for Assyrian language speakers. Books are either imported from Iran or Sweden in insufficient numbers or they have not been updated for a long time. The Committee of Experts regards the funding of textbooks insufficient and encourages the authorities to take a systematic, strengthened approach for the production of textbooks and teaching materials in Assyrian.

62. Secondary school education in **Yezidi** is available for children whose parents so request. According to the information received, requests for 7 children are considered sufficient. In most of the 14 Yezidi villages children are taught Yezidi. In about 10 of the villages, there are teachers who are Yezidis themselves and teach the language. However, there is a lack of teachers. The Yezidi villages are dispersed and there are not enough teachers who are willing to travel from one village to another to teach the language. The schools have old textbooks which need to be updated. There seems to be a high percentage of pupils not attending school. The Committee of Experts is concerned about the lack of teachers and the irregular school attendance.

63. Secondary school education in **Greek** is available for children whose parents so request. According to the information received, requests for 7 children are considered sufficient. Greek is taught in schools N° 12 and 74 of Yerevan. The Committee of Experts was informed that the teachers are paid by the Greek Government through its Embassy and teaching materials are sent from Greece.

64. According to the information from the authorities, secondary education in **Russian** is available to all Russian children whose parents have expressed the wish to obtain it for their children. In all settlements where the number of children per class is sufficient (5-7 pupils according to the Ministry of Education) secondary education is provided in Russian. Schools with Russian as the language of instruction function in the villages of Fioletovo and Lermontovo. In 47 schools there are classes where Russian is the language of instruction (15 of them in Yerevan). It is stated that more than 10.000 children study in these schools. In the Republic of Armenia there are also 3 schools of the Russian Federation army garrison (Yerevan, Gumry and

Armavir), as well as the Russian Embassy school where Armenian children study together with children of Russian nationality (in these schools Armenian is not taught). The Committee of Experts is of the impression that the figures relate only to lower secondary education.

65. According to the information from the authorities, secondary education in **Kurdish** is available to all Kurdish children whose parents have expressed the wish to obtain it for their children. In all settlements where the number of children per class is sufficient (5-7 pupils according to the Ministry of Education) secondary education is provided in Kurdish. According to the initial report Kurdish is taught for 2 hours per week in the school of Zovuni village. In 20 other villages, Kurdish is no longer taught as there are no teachers available. Based on information received during the “on-the-spot” visit, it is unclear to the Committee of Experts whether Yezidi or Kurdish is spoken in these villages. The Committee of Experts observes that the lack of teachers seems to make it difficult to provide education in Kurdish in practice.

66. The Committee of Experts considers the undertaking fulfilled with regard to Greek and Russian and partly fulfilled with regard to Assyrian, Yezidi and Kurdish. The Committee of Experts also encourages the authorities to clarify the situation for upper secondary education in relation to all languages.

***The Committee of Experts encourages the authorities to increase their efforts to provide a sufficient number of teachers and update teaching materials for secondary education in Assyrian, Yezidi and Kurdish.***

#### **Technical and vocational education**

- “ d. i. to make available technical and vocational education in the relevant regional or minority languages; or**
- ii. to make available a substantial part of technical and vocational education in the relevant regional or minority languages; or**
- iii. to provide, within technical and vocational education, for the teaching of the relevant regional or minority languages as integral part of the curriculum; or**
- iv. to apply one of the measures provided for under i to iii above at least to those pupils who, or where appropriate whose families, so wish in a number considered sufficient**

67. According to the information from the authorities, technical and professional education is available in the Republic of Armenia in minority or regional languages, provided there is a request. Furthermore, it has been stated that there is no training in Assyrian and Greek as no request has been made; a department of the Yezidi language and another of Kurdish existed several years ago in Yerevan Pedagogical Vocational College but they have been closed due to the lack of applicants. However, according to the understanding of the Committee of Experts this undertaking obliges the authorities to “make available” or “provide” education in or of the languages at least to those pupils who so wish in a number considered sufficient in order for it to be fulfilled. The Committee of Experts has not been informed of any measures taken by the authorities to do so.

68. As for the Russian language, there is a Department of Russian language at Yerevan State College of Humanities. In all other technical and vocational education institutions Russian is taught as a foreign language as part of the curriculum.

69. The Committee of Experts considers that this undertaking is fulfilled with regard to Russian, and not fulfilled with regard to Assyrian and Greek. The Committee of Experts is unable to conclude concerning Kurdish and Yezidi, and it encourages the authorities to provide more information regarding these languages in their next periodical report

***The Committee of Experts encourages the authorities to take measures to ensure that an offer of teaching in or of minority languages is included in technical and vocational education.***

## University and higher education

- “e.** *i. to make available university and other higher education in regional or minority languages; or*
- ii. to provide facilities for the study of these languages as university and higher education subject*
- iii. if, by reason of the role of the State in relation to higher education institutions, sub-paragraphs i and ii cannot be applied, to encourage and/or allow the provision of university or other forms of higher education in regional or minority languages or of facilities for the study of these languages as university or higher education subjects;”**

70. The Committee of Experts has received information that regional or minority languages are taught in universities and higher education institutions.

71. The Committee of Experts has been informed that facilities for the study of old **Assyrian** exist, but that at the moment there are no facilities for the study of modern Assyrian. According to the initial periodical report several universities can organise on demand special courses of modern Assyrian. However, the Committee of Experts has not been informed of any measures taken by the authorities to encourage such courses, or the study of modern Assyrian. The Committee of Experts would welcome information regarding such measures in the next periodical report.

72. According to the initial report several universities can offer special courses of Yezidi upon demand, and Yerevan University of Management offers profession Yezidi studies. The Committee of Experts encourages the authorities to provide more information regarding the profession Yezidi studies and of any measures taken to encourage university or higher education in/of Yezidi at other institutions.

73. The Committee of Experts has been informed that studies of **Kurdish** are being offered by the Department of Oriental studies of Yerevan State University and in certain other higher education institutions.

74. There is a Department of **Greek** language at Yerevan State Linguistic University, and Yerevan State University offers courses in Greek and Hellenic studies. Some private universities also offer courses in Greek.

75. The Russian-Armenian (Slavonic) University in Yerevan provides higher education in a number of areas and **Russian** is the language of instruction. There is a Department of Russian language and literature at most State Universities as well as in a number of private Universities.

76. The Committee of Experts considers that this undertaking is fulfilled with regard to Greek, Russian and Kurdish. Regarding Yezidi and Assyrian, the Committee of Experts is unable to conclude and encourages the authorities to provide more information in their next periodical report.

## Adult and continuing education

- “f. iii. if the public authorities have no direct competence in the field of adult education, to favour and/or encourage the offering of such languages as subjects of adult and continuing education. “**

77. According to the information received from the authorities, possibilities to attend adult and continuing education courses in all regional or minority languages exist in the Republic of Armenia, upon request. The initial report mentions that there is a Sunday course of Assyrian in Arzni for adults, and that in ten settlements inhabited by Greeks there are Sunday schools, supported by the Greek Embassy of the Republic of Armenia. For the other languages, the Committee of Experts has not been informed of any adult or continuing education offered. Furthermore, the Committee of Experts has not been informed of measures taken by the authorities to favour and/or encourage the offering of these languages as subjects of adult and continuing education. The Committee of Experts considers that the undertaking is fulfilled with regard to Greek. For the other languages, the Committee of Experts is unable to conclude and encourages the authorities to provide information in their next periodical report.

## Article 9 – Judicial authorities

### *“Paragraph 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: in criminal proceedings:***

***a. ii. to guarantee the accused the right to use his/her regional or minority language***

78. Article 15 of the Code of Criminal Procedure states that

“ 1. Criminal proceedings shall be conducted in Armenian. Everyone has the right to use, in the course of criminal proceedings, the language he masters, except the body conducting the criminal proceedings.

2. By decision of the body conducting the criminal proceeding, the persons participating in criminal proceedings, who lack sufficient command of the language of criminal proceedings, shall be provided, free of charge, with the possibility to exercise, with the help of an interpreter, all rights belonging to them under the provisions of this Code.

3. Certain persons, who lack sufficient command of the language of criminal proceedings, shall receive a verified copy of those documents which, in accordance with law, should be delivered to them in their native language.

4. Documents in other languages are attached to the case with the translation into the Armenian language.”

79. The Committee of Experts has been informed that translations and interpretation are made available free of charge.

80. The Committee of Experts underlines that this undertaking goes beyond the situation where an accused person does not understand the language of the court. Article 9 paragraph 1. a. ii guarantees the accused person the right to use his/her regional or minority language even if the person is able to express himself/herself in Armenian (see para. 62 of the Committee of Experts' first evaluation report on Croatia (ECRML (2001) 2)).

81. During the “on-the-spot” visit the regional or minority language speakers with whom the Committee of Experts met confirmed that they do not use their native language in the course of criminal proceedings, as all representatives of national minorities have sufficient command of Armenian. According to some of them, an interpreter would be provided for somebody who had no command of Armenian.

82. Based on the information received the Committee of Experts is not in a position to conclude on this undertaking and encourages the authorities to clarify if there is also a legal right for an accused person who masters Armenian to use his/her own regional or minority language at his/her preference. The Committee of Experts also encourages the authorities to provide information regarding measures taken to inform the courts and the public of this right, and of any measures taken to implement this undertaking.

***“a. 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;”***

83. According to the information provided by the authorities in the initial periodical report, inquiries and evidence (written and oral) must not be considered unacceptable solely because they have been formulated in a minority language.

84. Legal regulations seem to be in place and during the “on-the-spot” visit the Committee of Experts did not hear of any incidents where such evidence was denied because it was formulated in a regional or minority language.

85. The Committee of Experts therefore considers the undertaking fulfilled.



**“a. iv. to produce, on request, documents connected with legal proceedings in the relevant regional or minority language.”**

86. The authorities stated in the initial periodical report that persons who request a copy of a document and who do not know the procedural language, are given certified copies of documents in the language they know, provided they have required so.

87. The Committee of Experts underlines that in order for this obligation to be fulfilled copies should also be provided to people who know the procedural language but prefer to have documents in their regional or minority language. The Committee of Experts has not been informed of any systematic approach from the authorities to ensure that this undertaking is implemented in practice.

88. On this basis, the Committee of Experts considers that the undertaking is not fulfilled.

#### ***In civil proceedings***

**“b. ii. to allow, whenever a litigant has to appear in person before a court, that he or she may use his or her regional or minority language without thereby incurring additional expenses.”**

89. According to Article 7 of the Code of Civil Procedure a person involved in civil proceedings who does not know the procedural language (Armenian) is provided with the right to know the case materials, to take part in the procedure and to speak in the court in another language, aided by interpretation.

90. The Committee of Experts has been informed that translations and interpretation are made available free of charge.

91. The Committee of Experts underlines that the undertaking goes beyond the situation where a litigant does not understand the language of the court. Article 9 paragraph 1. a. ii guarantees the litigant the right to use his/her regional or minority language even if the person is able to express himself/herself in Armenian.

92. During the “on-the-spot” visit the regional or minority language speakers with whom the Committee of Experts met confirmed that they do not use their native language before court as all representatives of national minorities have sufficient command of Armenian. According to some of them, an interpreter would be provided for somebody who had no command of Armenian.

93. Based on the information received the Committee of Experts is not in a position to conclude on this undertaking and encourages the authorities to clarify if there is also a legal right for a litigant who masters Armenian to use his/her own regional or minority language at his/her preference. The Committee of Experts also encourages the authorities to provide information regarding measures taken to inform the courts and the public of this right, and of any other measures taken to implement this undertaking.

**“c. In proceedings before courts concerning administrative matters:**

**ii. to allow, whenever a litigant has to appear in person before a court, that he or she may use his or her regional or minority language without thereby incurring additional expenses; and/or**

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

94. The authorities have informed the Committee of Experts that since the legislation guarantees the right to a translation and interpretation in criminal and civil matters, it can be concluded that the same right is applicable in the course of administrative procedure.

95. The Committee of Experts refers to its comments regarding criminal and civil procedure and considers those to be relevant also regarding courts when dealing with administrative matters. The Committee of Experts is aware of the fact that the draft law on Foundations of administration and administrative procedure, mentioned in the initial periodical report, has been adopted and is now in force. As this law has obvious relevance to this undertaking, the Committee of Experts encourages the authorities to provide information regarding its implementation in their next periodical report.

- 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**

96. With reference to the law on Foundations of administration and administrative procedure, mentioned above, the Committee of Experts also encourages the authorities to provide information on its impact on this undertaking.

### **Paragraph 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.**

97. The authorities informed the Committee of Experts that the Laws are also published in Russian and placed on the [National Assembly](#) website. However, during the “on-the-spot” visit, the Committee of Experts was informed by speakers of Russian that not all the important national statutory texts are made available in Russian. The Committee of Experts is on this basis of the understanding that no national statutory texts are made available in the other regional or minority languages covered by Part III. The Committee of Experts considers that the undertaking is not fulfilled with regard to Assyrian, Greek, Yezidi and Kurdish, and partly fulfilled with regard to Russian.

## **Article 10 – Administrative authorities and public services**

### **State authorities**

#### **“Paragraph 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;**
- v. to ensure that users of regional or minority languages may validly submit a document in these languages;”**

98. The authorities have stated in the first periodical report that the legislation does not prohibit the possibility of addressing the authorities (in the written form or orally) in a minority or regional language, the answer being provided in the official language, though it is also possible to reply in the regional or minority language if the applicant so requests. According to the information received by the Committee of Experts during the “on-the-spot” visit, Article 27 of the Law on Foundations of Administration and Administrative Procedure provides that documents may be submitted in a minority language with an Armenian translation paid for by the administrative body.

99. The situation varies between the languages:

100. The speakers of Russian, Kurdish and Yezidi represent a substantial part of the population in their respective territories. Representatives of the speakers of these languages informed the Committee of Experts that they use both their languages and Armenian in communication with local state bodies.

101. The Committee of Experts was informed that most Assyrian speakers do not have a command of written Assyrian. Representatives of the speakers of Assyrian informed the Committee of Experts that they use Assyrian in oral communication to some extent with local state bodies, but that Russian and Armenian are also used both orally and in the written form.

102. Regarding Greek, the Committee of Experts was informed that the knowledge of Greek varies considerably amongst the Greek population, and that most of them prefer to use Russian in communication with local state bodies.

The legal framework allowing the public to use regional or minority languages in oral or written communication with state bodies is in place, and it seems to be fully implemented with regard to Russian, Kurdish and Yezidi. It also seems to work in practice with regard to the oral communication of Assyrian. However, it does not seem to work in practice for Greek.

103. The Committee of Experts considers the undertaking fulfilled with regard to Russian, Kurdish and Yezidi, partly fulfilled with regard to Assyrian, and formally fulfilled with regard to Greek.

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

104. It does not appear that widely used administrative texts are translated into minority or regional languages. The Committee of Experts considers that this undertaking is not fulfilled.

***The Committee of Experts encourages the authorities to ensure the translation into regional or minority languages of widely used administrative texts and forms.***

**“Paragraph 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;***

105. The authorities have stated in the first periodical report that the legislation does not prohibit the possibility of addressing the authorities (in writing or orally) in a minority or regional language, the answer being provided in the official language, though it is also possible to reply in the regional or minority language if the applicant so requests. According to the information received by the Committee of Experts during the “on-the-spot” visit, Article 27 of the Law on Foundations of Administration and Administrative Procedure provides that documents may be submitted in a minority language with an Armenian translation paid for by the administrative body.

The situation varies between the languages:

106. The speakers of Russian, Kurdish and Yezidi represent a substantial part of the population in their respective territories. Representatives of the speakers of these languages informed the Committee of Experts that they use both their languages and Armenian in communication with local and regional authorities.

107. The Committee of Experts was informed that most Assyrian speakers do not master written Assyrian. Representatives of the speakers of Assyrian informed the Committee of Experts that they use Assyrian in oral communication to some extent with local state bodies, but that Russian and Armenian are also used both orally and in the written form.

108. Regarding Greek, the Committee of Experts was informed that the knowledge of Greek varies considerably within the Greek population, and that most of them prefer to use Russian in communication with local and regional authorities.

109. The legal framework allowing the public to use regional or minority languages in oral or written communication with local and regional authorities is in place, and it seems to be fully implemented with regard to Russian, Kurdish and Yezidi. It also seems to work in practice with regard to oral communication of Assyrian. However, it does not seem to work in practice for Greek.

110. The Committee of Experts considers the undertaking fulfilled with regard to Russian, Kurdish and Yezidi, partly fulfilled with regard to Assyrian, and formally fulfilled with regard to Greek.

**“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;”**

111. The Committee of Experts was informed that Kurdish, Assyrian, Yezidi and Russian are to some extent used in debates in local assemblies within their respective territories. As regards the territory where Greek is spoken, the Committee of Experts was informed that Russian or Armenian is used in local assemblies. The Committee of Experts has not been informed of any measures taken by the authorities to encourage the use of Greek in local assemblies.

112. The Committee of Experts considers this undertaking fulfilled with regard to Kurdish, Assyrian, Yezidi and Russian, but not fulfilled with regard to Greek.

***“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.”***

113. According to the law on “Geographical names”, when settlements are named the viewpoint of inhabitants (natives) must be considered (Article 3) and proposals for naming or renaming may be made by both local self-government bodies and by legal and natural persons (Article 6).

114. According to the information received a number of villages, squares, streets, water springs and localities have names in Assyrian, Yezidi, Kurdish, Russian and Greek within their respective territories, although many Greek names are written in latin script.

115. The Committee of Experts considers this undertaking fulfilled.

#### ***“ Paragraph 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.”***

116. According to the authorities, speakers of regional or minority languages are allowed to submit requests in these languages to the administrative authorities or other persons acting on their behalf when providing public services. This statement has been confirmed by speakers of regional or minority languages. The Committee of Experts considers this undertaking fulfilled.

#### ***“ Paragraph 4***

***With a view to putting into effect those provisions of paragraphs 1, 2, and 3 accepted by them, the Parties undertake to take one or more of the following measures:***

***c. compliance as far as possible with requests from public service employees having a knowledge of a regional or minority language to be appointed in the territory in which that language is used.”***

117. The Committee of Experts has not received sufficient information on the implementation of this undertaking. The Committee of Experts is therefore not in a position to conclude on this undertaking and encourages the authorities to provide more information in their next periodical report.

#### ***“Paragraph 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.”***

118. According to the information provided by the authorities, Article 22 of the Civil Code provides that “a physical person acquires rights and duties as well as implements them under his/her name, which includes his/her name and surname, and upon request his/her patronymic name. A physical person may change his/her name following a procedure established by law”. During the “on-the-spot” visit the Committee of Experts was not informed of any problems in this respect.

119. The Committee of Experts considers this undertaking fulfilled.

## **Article 11 - Media**

### ***“Paragraph 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;”***

120. In Armenia, only the channels of National Television and Radio carry out a public service mission. According to Article 28 of the Law on Radio and Television, public television and radio can provide air time for ethnic minorities in their languages. The volume of these programmes should not exceed one hour per week for television and one hour per day for radio.

121. The Committee of Experts has been informed by the authorities that since November 2003, programmes on national minorities living in the Republic of Armenia have been broadcast on the second public TV channel. The Committee of Experts has been informed that there is a daily 10-minute news programme in Russian on public television. However, the Committee of Experts has not received any concrete information regarding how many programmes and how much broadcasting time have been devoted to the other regional or minority languages in the Republic of Armenia.

122. Regarding radio broadcasts, the situation varies from language to language.

123. Radio programmes in Assyrian were broadcast on public radio for many years. In the initial periodical report it was stated that there had been no programmes in Assyrian for two years, since there were no qualified specialists. During the “on-the-spot” visit the Committee of Experts was informed that radio programmes in Assyrian would be reintroduced in 2005.

124. Radio programmes in Kurdish and Yezidi are broadcast thirty minutes per day each. Russian programmes are also broadcast regularly on public radio. The Committee of Experts has not been informed of any programmes in Greek on public radio.

125. It seems that the undertaking is fulfilled in practice for radio programmes in Russian, Kurdish and Yezidi and for television programmes in Russian. However, it is unclear to the Committee of Experts whether the limits on regional or minority language broadcasts for television and radio referred to in para. 120 relate to each language or to all languages put together. The Committee of Experts is therefore not in a position to conclude on this undertaking and asks the authorities to clarify this issue in their next periodical report.

***“b. ii to encourage and/or facilitate the broadcasting of radio programmes in the regional or minority languages”***

126. This undertaking relates to the broadcasting of programmes on private radio in regional or minority languages. The initial report mentions that Russian programmes are broadcast regularly on private radio. However, there is no information with regard to the other languages. During the “on-the-spot” visit the Committee of Experts was informed that there is no specific scheme to encourage applications for radio licenses in regional or minority languages, and that no minorities have applied so far to the competitions for radio licenses. Neither have any applicants for such licenses included programming in regional or minority languages. The Committee of Experts considers that the undertaking is fulfilled with regard to Russian but not fulfilled with regard to Assyrian, Yezidi, Greek and Kurdish.

***The Committee of Experts encourages the authorities to develop schemes which will facilitate the broadcasting of radio programmes in Assyrian, Yezidi, Greek and Kurdish.***

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

127. This undertaking relates to the broadcasting of programmes on private television in regional or minority languages. The law on radio and television recognises the right to broadcasting of programmes in regional or minority languages.

128. The Committee of Experts was informed that private television companies cannot be obliged, but only encouraged to broadcast programmes in regional or minority languages or programmes on issues related to national minorities or regional and minority languages.

129. Television programmes in Russian are broadcast regularly on private television stations. The private television station “Yerevan” broadcasts a daily 15-minute programme which is dedicated to national minorities issues. According to information received during the “on-the-spot” visit, these programmes are mainly broadcast in Russian.

130. During the “on-the-spot” visit the Committee of Experts was informed by a representative of the National Commission on Television and Radio that no national minorities have so far applied for or participated in tenders for private TV frequencies, and that there is no specific scheme with the aim to facilitate the broadcasting of television programmes in Assyrian, Kurdish, Yezidi and Greek. The Committee of Experts considers that the undertaking is fulfilled with regard to Russian but not fulfilled with regard to Assyrian, Kurdish, Yezidi and Greek.

***The Committee of Experts encourages the authorities to develop schemes which will facilitate the broadcasting of television programmes in Assyrian, Yezidi, Greek and Kurdish.***

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

131. In the instrument of ratification there is no indication as to which of the sub-paragraphs e.i or e.ii have been chosen. The two undertakings are alternatives, and the ratification of one excludes the other. The initial report deals with the undertaking e.i. The Committee of Experts will therefore assess the fulfilment of this undertaking.

132. On this issue, the situation varies greatly from one language to another. There is no newspaper in Assyrian or in Greek, although the publication of a Greek newsletter is planned. A newspaper in Yezidi is published and partially funded by the government. However, it is unclear to the Committee of Experts how often this newspaper is published. The newspaper in Kurdish is partially funded by the Government. However, during the “on-the-spot” visit the Committee of Experts was informed that this newspaper had economic difficulties and had to reduce the publication of the newspaper from twice a week to once a month. Even if the Kurdish newspaper in terms of content and format appears to be a newspaper, it is only published every 4 weeks, and therefore does not qualify as a newspaper for the purpose of this undertaking. There are also newspapers published in Russian, at least one of which is financed by the Government, and there is a Russian-language newspaper “Byzantine inheritance” which is published by an NGO of Russian-speaking Greeks. There seems to be no specific support scheme directed towards newspapers in regional or minority languages. According to the information received, the public funding of newspapers is made available through the general funding of the minority groups by the Coordinating Council of National Minorities.

133. The Committee of Experts considers this undertaking fulfilled with regard to Russian and not fulfilled with regard to Assyrian and Greek. The Committee of Experts is not in a position to conclude on the fulfilment of the undertaking with regard to Yezidi and Kurdish and encourages the authorities to provide more information in their next periodical report.

**“e. ii. to encourage and/or facilitate the publication of newspaper articles in the regional or minority languages on a regular basis;”**

134. The Committee of Experts has not made any assessment of this undertaking, see above under e.i.

**“Paragraph 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 and 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.”***

135. The Committee of Experts has been informed by the Armenian authorities that according to Article 10 of the Radio and Television Act, programmes of foreign television and radio broadcasting companies can be rebroadcast on the territory of the Republic of Armenia, based on an interstate agreement or a license granted to the re-broadcaster by the National Commission, using no more than one fifth of the existing frequency for each range (VHF, UHF, FM, etc.). The procedure for granting a license for re-broadcasting is defined by the National Commission.

136. The Committee of Experts considers this undertaking fulfilled.

**“Paragraph 3**

***The Parties undertake to ensure that the interests of the users of regional or minority languages are represented or taken into account within such bodies as may be established in accordance with the law with responsibility for guaranteeing the freedom and pluralism of the media.”***

137. The information received by the Committee of Experts is not sufficient for it to conclude on the undertaking and it therefore invites the authorities to provide additional information in their next report.

**Article 12 – Cultural activities and facilities**

**“Paragraph 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 expression, festivals and the cultural 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 initiatives specific to regional or minority languages and foster the different means of access to works produced in these languages;”***

138. The authorities have presented a large number of cultural events involving representatives of national minorities as well as institutions devoted to their respective history, culture etc (Post-graduate studies in Assyrian, the Armenian-Assyrian scientific cultural centre in the village of Verin Dvin, the Assyrian youth centre “Ashur” in Yerevan, a Committee of Experts for Assyrian teaching methodology and Assyrian language teacher training and qualification in the National Academy of Sciences, books in regional or minority languages in the National library or in libraries of the villages inhabited by speakers of regional or minority languages, Greek cultural centres in villages inhabited by Greeks etc.) The Ministry of Culture organises cultural events which include representatives of national minorities – art exhibitions, festivals etc. A yearly festival of national minorities in Yerevan is also funded by the Ministry of Culture and organised by representatives of the national minorities groups. The Committee of Experts was furthermore informed that cultural events with the participation of minority groups are also funded by local and regional authorities. A Russian professional theatre is also funded by the Government as well as a special Russian group within the Institute of the Theatre and Cinema.

139. The Committee of Experts was informed that the State allocates each year a total of approximately ten million drams (about 16.000 Euros) to cultural NGOs of national minorities. This sum is divided between eleven national communities, with the purpose of supporting educational and cultural activities. During the “on-the-spot” visit, minority language representatives informed the Committee of Experts that the total amount of money allocated was too small and that the method of distribution of these funds was disputed. The Committee of Experts was further informed that the authorities were reviewing the allocation of support through the Co-ordinating Council.

140. The Committee of Experts awaits further information with regard to the allocation and amount of funds in the next periodical report. It nevertheless considers this undertaking fulfilled.

***“d. to ensure that the bodies responsible for organising or supporting cultural activities of various kinds make appropriate allowance for incorporating the knowledge and use of regional or minority languages and cultures in the undertakings which they initiate or for which they provide backing.”***

141. According to the information received, the Coordinating Council for National Minorities distributes funds to the national minorities with the purpose to support educational and cultural activities. The Committee of Experts has also been informed that a number of cultural activities are organised in cooperation with public bodies and representatives of minority groups.

142. However, the Committee of Experts has not received any information as to how representatives of minority languages organisations are involved in cultural activities supported or organised by the Ministry of Culture. The Committee of Experts is therefore not in a position to conclude on this undertaking and encourages the authorities to provide more information in their next periodical report.

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

143. The Committee of Experts has not received sufficient information regarding this undertaking and is therefore unable to conclude. It encourages the authorities to provide more information in their next periodical report.

***“Paragraph 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 regional or minority languages justifies it, to allow, encourage and/or provide appropriate cultural activities and facilities in accordance with the preceding paragraph.”***

144. The Committee of Experts has not received sufficient information to conclude on this undertaking and is looking forward to receiving information from the authorities in their next periodical report.

***“Paragraph 3***

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

145. The Committee of Experts has been informed that the Armenian-Russian Theatre has been included in the presentation of the Armenian culture in Russia and would welcome additional examples of such activities. The Committee of Experts considers that the undertaking is fulfilled with regard to Russian. Regarding the other languages, the Committee of Experts has not received sufficient information to conclude on this undertaking and is looking forward to receiving information from the authorities in their next periodical report.



## Article 13 – Economic and social life

### *“Paragraph 1*

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

- b. to prohibit the insertion in internal regulations of companies and private documents of any clauses excluding or restricting the use of regional or minority languages, at least between users of the same language;*

146. According to the information provided by the authorities, national legislation prohibits the inclusion of any provisions which refuse or limit the use of national minority languages in any document, regulation or private documents of companies. It has also been stated that the authorities of the Republic of Armenia counteract practices aimed at preventing minority language use in economic and social activities. During the “on-the-spot” visit the NGOs informed the Committee of Experts that they did not experience any discrimination against their languages. The Committee of Experts considers this undertaking fulfilled.

- c. to oppose practices designed to discourage the use of regional or minority languages in connection with economic and social activities;”*

147. The Committee of Experts has not been informed of any practices designed to discourage the use of regional or minority languages in connection with economic and social activities. However, it seems that many minority language speakers use Russian or Armenian in this field.

148. While acknowledging the information received, the Committee of Experts encourages the authorities to provide more specific information in their next periodical report, especially regarding how the authorities of the Republic of Armenia counteract practices aimed at preventing minority language use in economic and social activities. Nevertheless, in the absence of reports of such practices, the Committee of Experts considers the undertaking fulfilled.

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

149. The authorities have indicated that it is up to the economic actors to decide which language is to be used, but have not provided any information on their approach as to the encouragement and facilitation in this respect.

150. The Committee of Experts notes that this undertaking leaves open a broad range of options of ways in which the use of regional or minority languages can be facilitated and encouraged with regard to economic and social activities. The measures envisaged should be positive, and not only concern the elimination or discouragement of negative practice. The measures envisaged could for example be to facilitate and/or encourage the use of the regional or minority language on buildings, the oral use of the language in public areas, such as in railway stations or airports, use of bilingual brochures in tourism, giving rewards to companies that are actually using the regional or minority language, initiating a campaign of bilingualism etc.

151. The Committee of Experts is therefore not in a position to conclude on this undertaking and encourages the authorities to provide more information on the implementation of this undertaking in their next periodical report.

### *“Paragraph 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;”*

152. The authorities have informed the Committee of Experts that they organise activities stimulating minority language usage in the public sector on the territories where these languages are used. The initial

periodical report indicates where such activities are organised, but there is insufficient information about what is done.

153. The Committee of Experts is therefore not in a position to conclude on this undertaking and encourages the authorities to provide additional information in their next periodical report.

**“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.”**

154. The initial periodical report states that the legislation guarantees that institutions of state maintenance (hospitals, nursing homes and hostels) receive and care for people from national minorities. It is unclear to the Committee of Experts whether this guarantee also includes the use of regional or minority languages. The Committee of Experts asks for clarification on this issue in the next periodical report.

155. During the “on-the-spot” visit, the Committee of Experts was informed by representatives of different groups using regional or minority languages, that apart from Russian, minority languages are not used in hospitals, mainly because of the lack of qualified staff and the lack of sufficient medical terminology in these languages.

156. The Committee of Experts considers the undertaking fulfilled with regard to Russian and not fulfilled with regard to Greek, Yezidi, Assyrian and Kurdish.

#### **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;”**

157. According to the initial national report, the Republic of Armenia is party to bilateral agreements with Greece and the Russian Federation, and to the multilateral agreement establishing the Commonwealth of Independent States (CIS). These agreements include fostering contacts between users of the same language in the states concerned. The Committee of Experts has been given examples of how these contacts are carried out in practice. The Committee of Experts has not received any information of such agreements which could affect the Assyrian, Yezidi and Kurdish languages.

158. The Committee of Experts considers the undertaking fulfilled with regard to Greek and Russian. Regarding Assyrian, Yezidi and Kurdish, the Committee of Experts is not in a position to conclude and would welcome more information in the next periodical report.

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

159. Transfrontier cooperation is carried out with Georgia and Iran, where some districts as well as Yerevan have “twin cities”. Thus two Assyrian villages in the Republic of Armenia are twinned with two Iranian cities. However, representatives of the Assyrian minority informed the Committee of Experts that they have only sporadic contacts with representatives of the Assyrian community in Iran. The Committee of Experts has been informed that Kurdish organisations have relations with Kurds in Irak and Iran. The same applies to Yezidi.

160. The Committee of Experts considers this undertaking fulfilled.

### Chapter 3. Findings

161. The Committee of Experts hereby presents its general findings on the application of the Charter in Armenia.

A. The Committee of Experts welcomes the efforts of the Armenian authorities to implement Armenia's commitments under the Charter, despite difficult economic conditions. The Committee of Experts also commends the Armenian authorities for their contribution to maintaining a positive and constructive atmosphere in their contact with the users of the minority languages. The Republic of Armenia was the first State of the former USSR to ratify the Charter and the Committee of Experts hopes that this will set an example for the other States.

B. The Committee of Experts does not have sufficient information to assess whether other languages than Assyrian, Yezidi, Greek, Russian and Kurdish are covered by the Charter. There is a need for information regarding the status of other regional or minority languages spoken in Armenia.

C. The Committee of Experts recognises and welcomes the fact that the Armenian authorities are favouring the development of education in regional or minority languages especially in primary education. The situation for Russian and Greek is by and large satisfactory. However, for Assyrian, Yezidi and Kurdish, there is a lack of teachers and teaching materials. Teacher training and development of research and studies on these languages are also insufficient, and much remains to be done in pre-school and secondary school education.

D. There is at present no comprehensive legal basis ensuring the use of regional or minority languages in the courts, the main problem being that existing legislation guarantees the right to use one's own language only when one does not understand Armenian. However, this right is not extended to regional or minority language speakers who understand Armenian.

E. Regarding administration, the situation is better. A new Act on Foundations of Administration and Administrative Procedure forms a legal basis for the use of regional or minority languages in relations with state and municipal administration, and there is already in practice a certain degree of use of these languages.

F. In the field of the media, the situation is satisfactory for Russian but not for the other languages. The presence of Assyrian, Greek, Yezidi and Kurdish is unsatisfactory on public television, and there are no programmes in Assyrian and Greek on public radio. Regarding private radio and television, there are no schemes to facilitate programmes in Assyrian, Yezidi, Greek and Kurdish.

The Armenian government was invited to comment on the content of this report in accordance with Article 16.3 of the Charter. The comments received are attached in Appendix II.

On the basis of this report and its findings the Committee of Experts submitted its proposals to the Committee of Ministers for recommendations to be addressed to Armenia. At the same time it emphasised the need for the Armenian authorities to take into account, in addition to these general recommendations, the more detailed observations contained in the body of the report.

At its 967th meeting on 14 June 2006, the Committee of Ministers adopted its Recommendation addressed to Armenia, which is set out in Part B of this document.

## Appendix I: Instrument of ratification



### Armenia :

#### **Declaration contained in the instrument of ratification deposited on 25 January 2002 - Or. Engl.**

In accordance with Article 3, paragraph 1, of the Charter, the Republic of Armenia declares that within the meaning of the European Charter for Regional or Minority Languages, minority languages in the Republic of Armenia are Assyrian, Yezidi, Greek, Russian and Kurdish languages.

**Period covered: 1/5/2002 -**

The preceding statement concerns Article(s) : 3

#### **Declaration contained in the instrument of ratification deposited on 25 January 2002 - Or. Engl.**

According to Article 2, paragraph 3, of the Charter, the Republic of Armenia declares that it shall apply the following provisions of the Charter to the Assyrian, Yezidi, Greek, Russian and Kurdish languages:

##### **Article 8 - Education**

Sub-paragraphs 1.a.iv ; 1.b.iv ; 1.c.iv ; 1.d.iv ; 1.e.iii ; 1.f.iii.

##### **Article 9 - Judicial authorities**

Sub-paragraphs 1.a.ii, iii, iv ; 1.b.ii ; 1.c.ii and iii ; 1.d.  
Paragraph 3.

##### **Article 10 - Administrative authorities and public services**

Sub-paragraphs 1.a.iv and v ; 1.b ; 2.b ; 2.f ; 2.g ; 3.c ; 4.c.  
Paragraph 5.

##### **Article 11 - Media**

Sub-paragraphs 1.a.iii ; 1.b.ii ; 1.c.ii ; 1.e.  
Paragraphs 2 and 3.

##### **Article 12 - Cultural activities and facilities**

Sub-paragraphs 1.a.d.f. (\*)  
Paragraphs 2 and 3.

##### **Article 13 - Economic and social life**

Sub-paragraphs 1.b ; 1.c ; 1.d ; 2.b ; 2.c.

##### **Article 14 - Transfrontier exchanges**

Paragraphs a and b.

**[(\*) Declaration contained in a Note verbale from the Ministry of Foreign Affairs of Armenia, dated 23 March 2004, transmitted by a Note verbale from the Permanent Representation of Armenia, dated 31 March 2004, registered at the Secretariat General on 1 April 2004 - Or. Engl.**

The Ministry of Foreign Affairs of the Republic of Armenia draws the attention of the Secretariat General to a technical error contained in Armenia's instrument of ratification of the Charter.

When depositing the instrument of ratification, an error of translation occurred, namely Armenia made undertakings concerning Article 12 of the Charter, where the subparagraph c) was included. Indeed, by decision N-247-2 of 28 December 2001 of the National Assembly, Armenia is bound by subparagraph d) of Article 12.]

**Period covered: 1/5/2002 -**

The preceding statement concerns Article(s) : 2

## Appendix II: Comments by the Armenian authorities

### Comments of the Government of Armenia on the Report of the Committee of Experts presented to the Committee of Ministers of the Council of Europe in accordance with Article 16 of the European Charter for Regional or Minorities Languages

#### General Comments

Armenian authorities attach a great importance to the opinion of the Expert Committee and find those comments and recommendations useful for the further implementation of the Charter. It is worth to be said that the implementation of the Charter is also strengthened by the process of fulfillment of the obligations undertaken by the Framework Convention of the Protection of National Minorities.

At the same time, some setbacks monitored by the Committee are recorded because of the specificity of the ethnic composition of the Republic of Armenia, and to the facts that non-Armenian ethnic communities are very few, they live diffused in the society, as well as that the process of democratic reforms is still underway. For example, ongoing process of amending the Law on Local Self government bodies and problems with composition of their budgets hampers the resolution of such an important issue as pre-school education. We would like to point out that this is a problem in the Republic as a whole and not only for the national minorities.

The package of the Constitutional amendments was adopted in the referendum on 27 November 2005. The Constitutional reform addressed some issues of the national minorities in Armenia as well. Therefore, some questions and issues that were mentioned in the report of Committee of Experts will be clarified and updated in the forthcoming national report.

Hereby we provide some comments on the Report.

#### Comments on different paragraphs of the report

##### 1. Comments on paragraphs 9 and 11

The following table presents the official data on the population of Armenia.

**Table 1**  
**Distribution of Resident Population of RoA in towns and villages according to the census of 2001**

|         | Armenian | Assyrian | Yezidi | Greek | Russian | Ukrainian | Kurd | Other |
|---------|----------|----------|--------|-------|---------|-----------|------|-------|
| Total   | 3145354  | 3409     | 40620  | 1176  | 14660   | 1633      | 1519 | 4640  |
| Town    | 2041622  | 524      | 7413   | 853   | 10489   | 1386      | 315  | 3551  |
| Village | 1103732  | 2885     | 33207  | 323   | 4171    | 247       | 1204 | 1089  |

In the report is mentioned that *the Yezidi speakers are Zoroastrians*. In reality the Yezidi speakers call themselves (their religion) "sunworshipper", while Zoroastrianism means fire-worshipping. Yezidis take offence in case of calling them Zoroastrian.

## **2. Comments on the Report concerning the implementation of the obligations under Article 8 (Education)**

Concerning 25, 53, 54, 55, 61 and 62 paragraphs of the Report we would like to inform that in 2005 textbooks of Yezidi for the first, second and third grades and “The ABC” of Assyrian were published. The process of up-dating teaching materials is continuing.

We would like to inform also that with the assistance of the Open Society Institute, a manual “Write and Read Assyrian” for preschool and primary school classes was published.

With the support of UNICEF a textbook of Assyrian Language for primary schools was elaborated and will be published before September 2006.

A manual “Classical Assyrian” was published in January 2006.

Based on a fact that new manuals are being published the complete training of Assyrian and Yezidi language teachers is envisaged in 2006.

It is necessary to clarify that the all the schools in the list of sixteen “protected schools” out of total number of 400, which are not included in the “optimisation programme”, are those where regional or minority languages are taught. Attached is the list of those schools (Table 2).

**Table 2**  
**The list of towns with ethnic minorities where schools are funded regardless of the number of students**

|    | Town/school      | Province   | Minority             |
|----|------------------|------------|----------------------|
| 1  | Tellek school    | Aragatsotn | Yezidi               |
| 2  | Shamiram school  | Aragatsotn | Yezidi               |
| 3  | Alagyaz school   | Aragatsotn | Kurds and Yezidi     |
| 4  | Ria-Taza school  | Aragatsotn | Kurds and Yezidi     |
| 5  | Derek school     | Aragatsotn | Yezidi               |
| 6  | Sipan school     | Aragatsotn | Yezidi               |
| 7  | Sangyar school   | Aragatsotn | Yezidi               |
| 8  | Amre-Taza school | Aragatsotn | Yezidi               |
| 9  | Shenkani school  | Aragatsotn | Yezidi               |
| 10 | Jamshlu school   | Aragatsotn | Yezidi               |
| 11 | Getap school     | Aragatsotn | Armenians and Yezidi |
| 12 | Ortachai school  | Aragatsotn | Yezidi               |
| 13 | Gyalto school    | Aragatsotn | Yezidi               |
| 14 | Baysz school     | Aragatsotn | Yezidi               |
| 15 | Barozh school    | Aragatsotn | Yezidi               |
| 16 | Ferik school     | Armavir    | Yezidi               |

Concerning the information which the Committee of Experts has got during the “on-the-spot” visit, and according which representatives of some minorities informed that the list does not cover all schools where regional or minority languages are taught, and that Assyrian language education would be especially difficult if the “optimisation programme” is carried out as envisaged, it is necessary to mention that the problem was presented by those rural Assyrian schools, which insist on keeping the Russian as the educational language for the Assyrians.

The obligation of RoA to organize the teaching Assyrian for Assyrian speakers, as it is their mother tongue, and to guarantee teaching of Armenian, as it is the state language of RoA. Those Assyrians who had education in Russian have problems with either enough knowledge of Assyrian, or enough knowledge of state language – the Armenian. The issue of protection of the Assyrian schools in the framework of current education policy would have been resolved if the Assyrians agree to have education provided on Assyrian and Armenian.

The responsible bodies for the establishment and support of the pre-school education institutions are local self-government authorities. Pre-school education institutions can be established and maintained based on their local budget and for which they will be accountable to the local community. In case of necessity they can apply to the Ministry of Education, or educational departments of the Administrative centers of the regions (marzpetaran) for methodological assistance.

Ministry of Education and Science of the Republic of Armenia approves annually the Exemplary educational plan for the National minorities, according to which necessary timing is provided for teaching of Minority languages and history.

Concerning the anxiety of the Committee of Experts on high percentage of pupils not attending school, lack of teachers and the irregular school attendance the Board on National Minorities and Religion of the Government in 2004 initiated and implemented a research in which particularly were analyzed problems of lack of teachers and irregular school attendance. Now preparation of plan of measures is in process.

Concerning the request of the Committee of Experts to provide information on use of Yezidi and Assyrian languages in technical and professional education, we would like to inform that the Board on National Minorities and Religion of Government is making great efforts to persuade Yezidi parents to allow attendance of their children in classes of their mother tongue. This initiative meets obstacles as Yezidi parents do not see the practical perspectives of education on mother tongue. Concerning Assyrians, it is necessary to mention that they wish to and often insist on getting professional education on the Russian or the Armenian languages.

A research was initiated by the Board on National Minorities and Religion in 2004, to find out problems of school education of Assyrians, Yezidis, Kurds and one part of Russians (Molokans) and to try to solve those problems. The research revealed a number of problems, which are easy solvable and based on the findings proposals/projects are being prepared to be implemented by the country in this field.

### **3. Comments on the Report concerning the implementation of the obligations under Articles 9 (Judicial authorities) and 10 (Administrative authorities and public services)**

In response to the concerns raised in the paragraph 82, we would like to inform that during the court or other proceedings in State bodies it is efficient and favorable to use Armenian as an official language. If a minority representative masters the Armenian, it is expedient to use Armenian while he/she participates in a case, taking into consideration the circumstance, that the interpretation may not be valuable in all cases, e.g. because of absence of an interpreter who masters that language perfectly.

In cases when he/she may master Armenian bad, the usage of his/her minority language is provided for by the law. A minority representative may declare that he/she would like to use his/her minority language, even if he/she masters Armenian. In this case, nobody may oblige him/her to use the official language. Even ethnic Armenians, who declare that they do not master Armenian or master not very well, may use a language more preferable for them. There is no prohibition by the law in this regard.

In the paragraph 98 of the report is mentioned that according to the Article 27 of the Law on Foundations of Administrations and Administrative Procedure the translation is paid for by the administrative body. This formulation needs to be corrected because the mentioned Article of the Law only provides for that in case of submitting document in Minority language an administrative body "may require submitting its translation in Armenian." Consequently, a burden for recovering the expenses of translation shall fall on a person submitting it. In practice such a problem doesn't exist, because representatives of ethnic minorities know the official language and submit their applications and appropriate documents in Armenian.

The above mentioned also concerns the formulation of the paragraph 105.

### **4. Comments on the Report concerning the implementation of the obligations under Article 11 (Media)**

The Public Radio of Armenia broadcasts daily programs in Yezidi, Kurdish 30 minutes each.

Programs called "Our home is Armenia" and "Armenia" are also broadcasted in Russian for 30 minutes each.

The “Our Home Armenia” is broadcasted every Monday and tells about the public and cultural life, problems and concerns of National Minorities of Armenia. The program is prepared by the assistance and active participation of members of Polish, Jewish, Ukrainian and Russian Communities.

The “Armenia” is broadcasted 4 days weekly and comments in general on the political, economic and cultural developments in Armenia, as well as on events taking place in different national communities of Armenia.



## **B. Recommendation of the Committee of Ministers of the Council of Europe on the application of the Charter by Armenia**

### **Recommendation RecChL(2006)2 of the Committee of Ministers on the application of the European Charter for Regional or Minority Languages by Armenia**

*(Adopted by the Committee of Ministers on 14 June 2006  
at the 967th 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 declarations submitted by Armenia on 25 January 2002;

Having taken note of the evaluation made by the Committee of Experts on the Charter with respect to the application of the Charter by Armenia;

Having taken note of the comments made by the Armenian authorities on the contents of the Committee of Experts' report;

Bearing in mind that this evaluation is based on information submitted by Armenia in its national report, supplementary information provided by the Armenian authorities, information submitted by bodies and associations legally established in Armenia and information obtained by the Committee of Experts during its "on-the-spot" visit;

Recommends that the authorities of Armenia take account of all the observations of the Committee of Experts and, as a matter of priority:

1. improve the offer of Assyrian, Yezidi and Kurdish language education at all levels, in particular by ensuring adequate teacher training and up-dating teaching materials;
2. improve the legal basis ensuring the use of regional or minority languages before courts;
3. take measures to improve the presence of Assyrian and Greek on radio, and of Assyrian, Greek, Yezidi and Kurdish on television;
4. clarify whether there are regional or minority languages used in Armenia other than those mentioned in Armenia's instrument of ratification.