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EUROPEAN CHARTER FOR REGIONAL OR MINORITY LANGUAGES

**Second periodical report
presented to the Secretary General of the Council of Europe
in accordance with Article 15 of the Charter**

ARMENIA



**Second Report of the Republic of Armenia
under Article 15, paragraph 1, of
the European Charter for Regional or Minority Languages**

Yerevan, 2007

Introduction	
Part 1	Analysis of the situation – some issues
Part 2	Practical measures taken at national level to summarise the results of the first monitoring cycle in respect of the implementation of the European Charter for Regional or Minority Languages
Part 3	Measures to implement the European Charter for Regional or Minority Languages taken after the submission of the First Report by the Republic of Armenia - programmes implemented but not referred to in the First Report
Part 4	Measures taken, article by article
Part 5	Implementation of the Recommendation of the Committee of Ministers of the Council of Europe on the application of the Charter by Armenia
Addendum	
Table 1	Breakdown of the Armenian permanent population into towns and villages
Table 2	List of rural settlements with several nationalities or inhabited predominantly by national minorities
Table 3	List of settlements where Yezidi/Kurdish is currently taught in Armenian general education schools
Table 4	List of classes currently providing instruction in Assyrian in Armenian general education schools
Table 5	List of classes providing instruction in Russian in Armenian general education schools
Table 6	List of government-protected places of worship and historical monuments belonging to existing or former religious and ethnic communities in the territory of Armenia

Introduction

1. The Republic of Armenia hereby submits, in accordance with Article 15, paragraph 1, of the European Charter for Regional or Minority Languages, its second report on the practical measures taken to apply the Charter, the state of implementation of legislative and other measures designed to apply its principles and provisions, and the steps taken at national level to summarise the results of the first monitoring cycle.

2. This report takes account of the First Report of the Committee of Experts in respect of Armenia (CM(2006)85) and Recommendation RecChL(2006)2¹ on the application of the European Charter for Regional or Minority Languages by Armenia, adopted by the Committee of Ministers of the Council of Europe at the 967th meeting of the Ministers' Deputies, on 14 June 2006.

3. The report addresses only issues related to national minority languages since Armenia does not have the problem of regional languages and, accordingly, when ratifying the Charter for Regional or Minority Languages, the Republic of Armenia undertook to devise a policy and define a plan of action for the protection and development of the national minority languages alone (Russian, Greek, Yezidi, Kurdish and Assyrian). Nevertheless, the report also contains some information on a number of other languages used in Armenia.

4. The report is based on the information provided by relevant ministries and agencies of the Republic of Armenia, the programmes and proposals drawn up and implemented by the Armenian Government Department for National Minorities and Religious Affairs, various studies (the Armenian "Hazarashen" Centre for Ethnic Studies carried out research in 2005 on "The school education situation in respect of national minorities in Armenia (Yezidi, Kurds, Russians/Molokans, Assyrians)", discussions with leaders of national minorities and their non-governmental organisations, surveys conducted by experts, meetings and discussions that took place in the communities and educational institutions of national minorities with the participation of staff members of the Armenian Government Department for National Minorities and Religious Affairs, and an analysis of measures and proposals submitted to the aforementioned Department by members of national minorities. The text of this report was also made available to the Co-ordinating Council for Non-Governmental Organisations representing National Minorities, which is responsible to the Adviser to the President of the Republic of Armenia, and the goals of the above-mentioned bodies were reviewed and taken into account prior to the submission of this report.

5. The report consists of an introduction and five parts, as well as an addendum containing six tables. It was prepared by the Armenian Government Department for National Minorities and Religious Affairs. The report does not provide an analysis of the social and economic situation in the Republic of Armenia, though it makes the point that the programmes for the five national minority languages protected by the Republic of Armenia in compliance with the European Charter for Regional or Minority Languages, namely Russian, Greek, Yezidi, Kurdish and Assyrian, could have received greater support from the government if the country's most urgent social and economic problems had been solved.

Part 1

Analysis of the situation - some issues

6. The measures taken in the Republic of Armenia in pursuance of the European Charter for Regional or Minority Languages revealed a number of problems, some of which were not known when the First Report was submitted by the Republic of Armenia and were not, therefore, covered by it. There are also problems that are objectively obvious and need time to be solved. Some of these problems are of a legal nature, while others are the consequence of social and economic conditions in Armenia. The latter include, for instance, physical conditions and staffing levels in schools. For financial reasons, schools have not yet been fully renovated in the Republic of Armenia: they have no proper heating in winter and lack adequate technical facilities; the teachers do not have sufficient printed teaching aids, there are no definitive regulations on how teachers are to be trained, and progress is slow. The local authorities are slow to act and ineffective, particularly in rural settlements. In view of the measures to be taken in pursuance of the European Charter for Regional or National Minority Languages, the activities of the local authorities are becoming increasingly important, as they are the bodies largely responsible for pre-school education. These are common problems in the Republic of Armenia, though they naturally have an impact on the progress of action taken in pursuance of the European Charter for Regional or Minority Languages.

¹ *Translator's note:* the Armenian report refers to Committee of Ministers Resolution (2001)6, adopted by the Ministers' Deputies on 14 June 2006. This reference is clearly incorrect as the resolution in question has nothing to do with Armenia and was adopted in 2001, not 2006. I can only assume that the reference is to Recommendation RecChL(2006)2.

7. Some institutional and legal issues can usefully be highlighted here. Prior to 2004 there was no separate body in the Republic of Armenia in charge of national minority issues, nor any clear co-ordination of action undertaken in pursuance of the Charter. It was not until January 2004 that the Armenian Government Department for National Minorities and Religious Affairs was established and began, inter alia, analysing and co-ordinating action programmes in pursuance of the Charter. And it was not until 2007 that the regional administrative bodies responsible for safeguarding the rights of national minorities were set up. The process of informing national minorities of their rights is almost over, but seminars concerning safeguards for the rights of national minorities still need to be organised by the administrative authorities. There is also a need for conferences on the implementation of the programmes drawn up.

8. Firstly, it was discovered that the measures taken in compliance with the European Charter for Regional or Minority Languages caused feelings to run high in some ethnic communities. As the Council of Europe experts are aware, during the period from 1939 to 1989 the Yezidi were regarded as Kurds in all official documents, and provision was therefore made solely for Kurdish in educational and cultural institutions. Since independence, these institutions have started determining people's ethnic and linguistic identity on the basis of statements made by the people themselves. 40,620 persons considered themselves as Yezidi, and 1,519 said that they were Kurds. Both these communities in fact speak the same version of the Kurmanji language. Nevertheless, the two communities refuse to go by the same name, and therefore insisted that the Armenian authorities recognise Yezidi and Kurdish as separate languages when they ratified the Charter. The Kurds are in the process of introducing the Latin script, while the Yezidi continue to use Cyrillic script². This state of affairs, which was ascertained by the Council of Europe experts, should be further elaborated on by mentioning that the leaders of those who consider themselves to be Kurds are boycotting the use of textbooks in schools which include pupils whose parents consider themselves to be Kurds. They insist that it is impossible to provide education in two different languages under the same name. As the majority of those who consider themselves to be Kurds and Yezidi live in the same settlements and their children attend the same schools, it is not practical to teach the same language under two different names in separate classes, especially as the total number of pupils per class is often no more than five or six because of the small population in these villages. This is an emotional issue and the authorities are making patient efforts to solve the problem.

9. Secondly, some of the terms used in the European Charter need additional interpretation as they give rise to differing interpretations in Armenia. Armenia's instrument of ratification of the Charter states: "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." When the Government of the Republic of Armenia undertook, in particular, to include Assyrian in its education system as a minority language, some leaders of the Assyrian ethnic community made a statement to the effect that they did not recognise the expression "minority language" and preferred instead to use the terms "mother tongue" and "national language". They also consider Russian to be their mother tongue. By contrast, other Assyrians regard Assyrian as the mother tongue of the Assyrian ethnic community. The European Charter does not contain any general definition stating whether a regional or minority language is a mother tongue or an ethnic or national language. Moreover, there is no definition whatsoever specifying whether the mother tongue is the ethnic or the national language³. Thus, our task is to distinguish clearly three terms: "minority language",

² Committee of Experts' First Report on Armenia, para.14.

³ When this report was discussed with national minorities, it emerged that a number of Assyrians continue to insist that Assyrian is not their minority language but rather their national language. Thus, they make a distinction between the terms "minority language" and "national language". This issue becomes problematic as the State's obligations under the Framework Convention for the Protection of National Minorities and the European Charter for Regional or Minority Languages apply to "minority languages". In accordance, in particular, with Article 14 of the Framework Convention for the Protection of National Minorities, "1. The Parties undertake to recognise that every person belonging to a national minority has the right to learn his or her minority language. 2. In areas inhabited by persons belonging to national minorities traditionally or in substantial numbers, if there is sufficient demand, the Parties shall endeavour to ensure, as far as possible and within the framework of their education systems, that persons belonging to those minorities have adequate opportunities for being taught the minority language or for receiving instruction in this language." The phrase "in this language" in paragraph 2 must be clearly understood as meaning "in the minority language". The question arises as to what language constitutes the "minority language" - the language that is their "national language" or the language in which they express themselves more easily and which is sometimes called the "mother tongue", in accordance with the linguistic tradition established during the Soviet period? This contradiction was exacerbated as a result of some points made in the Second Opinion on Armenia of the Advisory Committee on the Framework Convention for National Minorities, adopted on 12 May 2006. Paragraph 151 of the opinion states that "concerns are raised with regard to the increasing emphasis on education in Armenian by many persons belonging to national minorities, including of ethnic origin other than Russian, who favour education in Russian for their children." In paragraph 155 of the opinion, the parties are invited to "ensure that the increased emphasis on Armenian language teaching does not undermine the opportunities for persons belonging to national minorities to opt for Russian language education". On the one hand, Article 14 (3) of the Framework Convention states that the

"mother tongue", and "ethnic language" or "national language". Both Russian, which is used by some Assyrians, and Assyrian, which is used by all Assyrians, comply with the definition of "regional or minority languages" in the Charter, which states that a minority language is a language that is "traditionally used within a given territory of a State by nationals of that State who form a group numerically smaller than the rest of the State's population", is "different from the official language(s) of that State" and "does not include either dialects of the official language(s) of the State or the languages of migrants". But this does not solve the problem, as it is too complicated, in the circumstances, to preserve two different languages for the same ethnic community, especially in the sphere of education, and particularly in view of the fact that Assyrians claiming different languages live in the same rural communities, where there is only one school. Some are demanding school instruction in Russian for their children, and yet the same people are asking the authorities to train teachers of Assyrian and publish textbooks in Assyrian, in other words, to promote the preservation and development of the Assyrian language. In our opinion, it is the Assyrian minority itself that must choose its "minority language". For those Assyrians who choose Russian as their "minority language", the country will fulfil its obligations in the sphere of education in Russian, and it will do so in Assyrian for those who opt for Assyrian. In addition to its commitment to protecting minority languages, the Republic of Armenia has an obligation to teach its nationals the Armenian language to a proper level: it is the official language of the country and nationals need to master it if they are to become genuinely integrated in society. It should be added that it is compulsory to teach a foreign language, mostly a European language such as Russian, as part of the school curriculum.

10. Thirdly, people, who speak the languages protected by the Republic of Armenia under the European Charter for Regional or Minority Languages or who consider these languages as their mother tongue have different expectations of the arrangements made for the languages spoken by them or for their mother tongue. The Greek language is not, for instance, used in practice in Armenia in the small Greek ethnic community, which numbers 1,176. A significant number of Greeks are old people and it is, therefore, very difficult to envisage the prospect of developing Greek as a minority language in Armenia. According to the population census of 2001, out of 323 Greeks living in villages, 119, that is, over one third of them, were over the age of 60. All our efforts to persuade the Greeks to publish at least one page of their periodical in Greek were in vain, for the simple reason that there is in fact no one who can read Greek. They prefer either Russian or Armenian. It is not clear who the recipients of the social, health and other services to be provided in Greek under the Charter would be if there is absolutely no demand for them.

11. The First Report contains information on the languages spoken in the ethnic communities of the Republic of Armenia. It is difficult to give accurate figures for knowledge of the mother tongue or a minority language among people belonging to national minorities or ethnic communities. When providing data for the census, some representatives of national minorities or ethnic communities called their ethnic language their mother tongue, though this by no means signifies that they have a command of that language. The others stated as their mother tongue the language they knew best. In particular, a significant proportion of Ukrainians, Germans, Poles, Jews and Belarusians and some Greeks and Assyrians have a better command of Russian, and some of them indicated Russian as their mother tongue. There are few people in Armenia of other nationalities who consider Armenian to be their first language, although there are some who do among the Yezidi, Greeks and Assyrians. A significant proportion of the Armenians living in mixed settlements with nationals of other ethnic origins have some command of the national minority language. Some Armenians living, for instance, in the Assyrian villages of Dimitrov and Verin Dvin can speak Assyrian, and the Armenians who live in the villages of Amre Taza/Sadunts, Alagyaz, Derek, Jamshlu, Avshen, Yeraskhahun and Zovuni, inhabited by Yezidi, can speak Yezidi after a fashion. We must, therefore, be cautious when trying to establish a link between users of a minority language and their ethnic community.

12. All persons of other nationalities who live in the Republic of Armenia, in isolation or as members of an ethnic community, are entitled to the rights provided for in respect of ethnic minorities, though the fact that, in some cases, they are few in number and scattered throughout the country makes it difficult for the government to uphold their national minority rights.

creation of adequate opportunities for persons belonging to national minorities to be taught the minority language or receive instruction in that language must take place "without prejudice to the learning of the official language or the teaching in this language" (and the official language of Armenia is Armenian). On the other hand, Armenia is invited to take steps to "ensure that the increased emphasis on Armenian language teaching does not undermine the opportunities for persons belonging to national minorities to opt for Russian language education". If a particular national minority chooses Russian as the "minority language", then it is clear that the problem will be solved. However, if a national minority requires that Russian be defined as the "mother tongue" and another language, Assyrian in this case, be defined as the "national language", and that general education be organised in the "mother tongue", i.e. Russian, and that the "national language" be protected in accordance with the principles of the Framework Convention, then it remains unclear how all this could be done "without prejudice to the learning of the official language or the teaching in this language."

Part 2

Practical measures taken at national level to summarise the results of the first monitoring cycle in respect of the implementation of the European Charter for Regional or Minority Languages

13. As has been mentioned, the First Report on Armenia (CM(2006)85) and Recommendation RecChL(2006)2⁴ 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, were translated and passed on to all the relevant government bodies for examination, so that they could submit their comments and proposals. A summary of these comments was presented to the Council of Europe. The text of the First Report on Armenia and the summary of the comments of the Armenian Government were posted on the Armenian Government website.

14. The First Report on Armenia (CM(2006)85) and Recommendation RecChL(2006)2⁴ on the application of the European Charter for Regional or Minority Languages by Armenia were analysed in 2007 by the Ministry of Territorial Administration of the Republic of Armenia in collaboration with those responsible for national minority affairs in the territorial administrative authorities of Armenia, the regional authorities and Yerevan Municipal Council. Arrangements were made to introduce practical measures to overcome the existing shortcomings, particularly in the field of pre-school and school education.

15. The texts of the First Report on Armenia (CM(2006)85) and Recommendation RecChL(2006)2⁴ on the application of the European Charter for Regional or Minority Languages by Armenia were circulated to all non-governmental organisations operating in the territory of the Republic of Armenia, along with Armenian and Russian translations. They were also issued to other people in positions of responsibility, the media, the Yerevan offices of the Council of Europe and the OSCE and the Office of the Human Rights Ombudsperson. These documents were then discussed over a period of two days.

16. A preliminary agreement was reached with the Ministry of Justice of Armenia and the Public Radio and Television Corporation to table an amendment in the Armenian Parliament in 2007 with a view to repealing the provision in Section 28 of the Radio and Television Act limiting the duration of radio and television programmes in national minority languages.

17. Arrangements were made with the Ministry of Education and Science of the Republic of Armenia to take more active steps to implement the schemes for training teachers in the languages, history and culture of national minorities, as well as new specialists in this field.

18. Arrangements were made with the territorial administrative authorities to improve the efficiency of the arrangements for teaching children belonging to national minorities, in particular, those who are members of the ethnic Yezidi and Kurdish communities, and to take more active measures to organise pre-school education in their languages.

19. An Assyrian primary school textbook was published.

20. A Yezidi textbook for the middle years of secondary school is in the process of being published.

Part 3

Measures to implement the European Charter for Regional or Minority Languages taken after the submission of the First Report by the Republic of Armenia - programmes implemented but not referred to in the First Report

21. Considerable changes have taken place in the Republic of Armenia since Armenia's First Report in 2003 in respect of regional or minority languages and ethnic communities protected by the European Charter. Inter alia, amendments have been introduced in order to improve the law and ensure that the administrative authorities operate more efficiently.

22. Amendments have been made to the chapters of the Constitution of the Republic of Armenia concerning human rights and defining the rights of national minorities. In particular, Article 14.1 has been worded more precisely in respect of equality for all before the law. It now reads: "Any discrimination based on any ground

⁴ *Translator's note:* the Armenian report refers to Committee of Ministers Resolution (2001)6, adopted by the Ministers' Deputies on 14 June 2006. This reference is clearly incorrect as the resolution in question has nothing to do with Armenia and was adopted in 2001, not 2006. I can only assume that the reference is to Recommendation RecChL(2006)2.

such as sex, race, colour, ethnic or social origin, genetic make-up, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age or other personal or social circumstances shall be prohibited." A clearer definition of the language rights of national minorities has also been introduced. In contrast to Article 37 of the previous Constitution, which specified that "Nationals belonging to national minorities have the right to preserve and develop their language and culture", in the amended Constitution this right is not confined to citizens. The following wording of the same right appears in Article 41 of the Constitution: "Everyone shall have the right to preserve his or her national and ethnic identity. Persons belonging to national minorities shall have the right to preserve and develop their traditions, religion, language and culture". Thus, under the Constitution, national minorities have the right to "preserve and develop their ... language".

23. The Armenian Human Rights Ombudsperson Act, establishing the Ombudsperson as an institution, was passed on 21 October 2003. Some of the experts working in the Office of the Human Rights Ombudsperson are of Greek and Kurdish nationality.

24. The Armenian Government Department for National Minorities and Religious Affairs was set up in January 2004. The department helps to devise the programme of government measures, makes recommendations in respect of its implementation, introduces the necessary changes and carries out the procedures incumbent on it as the government body responsible for "ensuring the preservation and development of the traditions, languages and cultures of nationals belonging to national minorities". One of the department's staff members is Yezidi.

25. The Armenian draft law on national minorities was prepared with the help of representatives of national minorities and discussed with them. The draft law also contains a number of proposals on how to organise the teaching of national minority languages.

26. A building was set aside by Armenian Government Decision No.565-A of 22 April 2004 to provide a cultural centre for national minorities. The building was renovated in 2006 and is now ready to serve as an office for organising courses in, inter alia, the teaching of national minority languages.

27. The new Armenian Criminal Code came into force on 1 August 2003. Articles 143, 160, 226 and 392 of the Code concern violations of national, racial, religious and linguistic rights and incitement to hatred. Article 143 (Breach of citizens' statutory equality) provides for the punishment of discrimination on the ground of language. The punishment is much harsher if the offence is committed by virtue of the abuse of official status: "1. Direct or indirect breaches of citizens' human rights and freedoms on grounds of nationality, race, sex, language, religion, political or other views, social origin, property or other status which are detrimental to the citizen's legal interests shall be punishable by a fine equivalent to 200 to 400 times the minimum wage, or by imprisonment for up to two years. 2. When perpetrated by virtue of the abuse of official status, the same offence shall be punishable by a fine equivalent to 300 to 500 times the minimum wage, or by deprivation of the right to hold certain posts or to practise certain activities for two to five years, or by imprisonment for up to three years." Article 226 of the Code also indirectly concerns the protection of linguistic rights, as it condemns action insulting to national dignity. This Article reads: "1. Action that is designed to incite national, racial or religious hatred or encourage racial superiority or is insulting to national dignity shall be punishable by a fine equivalent to 200 to 500 times the minimum wage or by forced labour for up to two years or by two to four years' imprisonment. 2. The action referred to in paragraph 1 of this Article shall, if committed (1) publicly or through the media, with violence or threat of violence, (2) by virtue of abuse of official status or (3) by an organised group, be punishable by three to six years' imprisonment."

28. The Republic of Armenia has passed a new Media Act (which entered into force on 8 February 2004), in place of the law on the press and other media of 8 October 1991. The new Act does not make State registration of the media compulsory, nor does it contain requirements in respect of the language used by a particular medium. It therefore offers more opportunity for the media to disseminate information in the language or languages of their choice.

29. In February 2004 the Armenian Parliament passed a law governing administration and administrative proceedings, which allows applications to the Armenian administrative authorities to be submitted in national minority languages.

30. Newspapers and other periodicals for national minorities continue to be subsidised from the State budget. As some national minorities prefer to publish their press in Russian or Armenian, the Government has been forced to take some strict measures in this respect. In particular, the minorities have reached an agreement with the Ministry of Culture, which provides the subsidies, whereby every effort will be made to include, in their periodicals, a section published in their mother tongue.

31. Financial assistance continues to be provided from the State budget for educational and cultural activities carried out by non-governmental organisations. It has been proposed that, as from 2008, funding be increased, in particular for activities of non-governmental organisations representing national minorities that are designed to meet the requirements of the European Charter for Regional or Minority Languages.

Part 4 Measures taken, article by article

Objectives and principles pursued in accordance with Article 2, paragraph 1

Article 7 - Objectives and principles

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

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

32. Article 41 of the Armenian Constitution reaffirms the linguistic rights of national minorities. Section 1 of the Languages Act guarantees the freedom to use national minority languages in the territory of the Republic of Armenia. Section 4 of the Act provides: " Organisations of national minorities residing in the territory of the Republic of Armenia shall design their documents, letterheads and seals in the Armenian language with a parallel translation in their language". The Government's Linguistic Policy Programme states that respect for linguistic and cultural diversity and the promotion of the development of national minority languages and cultures in the field of international relations is essential to the reputation of the Republic of Armenia. Section 7 of the Linguistic Policy Programme is entitled "Protection of National Minority Rights in the field of Languages". It is affirmed at the outset, in paragraph 1, that "*national minority languages constitute an inalienable part of, and enrich, the linguistic culture of the Republic of Armenia. It is vitally important for the further democratisation of our country and the development of civil society that the Government should cater for these languages*". It is specified that the programme's activities are designed to preserve and promote national minorities and foster effective linguistic communication between them, mutual understanding and the training and retraining of specialists in the linguistic needs of national minorities.

33. Attention is drawn to the fact that a number of sections of the Armenian Cultural Legislation Act concern, inter alia, the linguistic rights of national minorities. Thus, Section 8 reads: "*The Republic of Armenia shall promote the preservation and development of the cultural identity of national minorities residing in its territory, and shall foster, by means of government programmes, conditions conducive to the preservation, dissemination and development of their religion, traditions, **languages**, cultural heritage and culture.*" Section 9 safeguards the right of every individual "*to participate in the cultural life of the Republic of Armenia and to engage in cultural activities, irrespective of nationality, race, sex, **language**, belief, convictions, social origin, property or other status.*" Section 6 considers **languages**, national traditions and place-names to be a **cultural asset**.

34. A number of other laws, discussed below, include special safeguards for the protection of the right to use national minority languages, as well as provisions condemning bias against these languages. This shows that national minority languages enjoy special recognition and are protected by the State.

"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;"

35. The national minority communities are dispersed in the Republic of Armenia, so it is now impossible to define the geographical area of each language. The various Armenian ethnic communities are scattered predominantly in towns, mainly in the towns of Yerevan, Gyumri, Vanadzor and Abovyan. With the exception of the Assyrians, Yezidi and Kurds, most of whom reside in rural areas, the overwhelming majority of members of national minorities live in towns. Thus, out of 40,620 Yezidi, only 7,413 live in towns; out of 1,519 Kurds, only 315 live in towns, and out of 3,409 Assyrians, only 524 live in towns, but the number of

Greeks living in towns is 853 out of 1,176, and the number of Russians is 10,489 out of 14,660. The appended Table 1 presents the data collected in 2001 on the dispersion of Armenia's permanent population by nationality in towns and villages. There are no other sizeable ethnic communities in any settlement in Armenia, and it is therefore difficult to determine their dispersion by settlement. Compact settlements are mostly inhabited by Yezidi, Kurds, Assyrians and some Russians (in two rural settlements). Table 2 lists the rural settlements that are mostly inhabited by national minorities or in which they live together with Armenians. The Yezidi live predominantly in the villages of Rya-Taza, Amre-Taza/Sadunts, Mirak, Sangyar/Kaniashir, Shenkani, Alagyaz, Jamshlu, Ortachya/Mijnatun, Derek/Tsardzakis and Avshen, and the people of ethnic Kurdish identity live in other villages. The Kurdish and Yezidi settlements are mostly located in the regions of Aragatsotn, Armavir, Ararat and Kotayk, the Assyrians are dispersed in the regions of Ararat, Armavir and Kotayk, and the two neighbouring Russian settlements are in the Lori region. When the Republic of Armenia was divided, very recently, into administrative and territorial units, every effort was made to include settlements of ethnic communities using the same language in the same region. In particular, the former districts of Aragats, Talin and Ashtarak, where there are Yezidi and Kurdish settlements, were united within the boundaries of the Aragatsotn region. The existing administrative and territorial division does not, by and large, hinder the development of minority languages.

36. As for place-names, under Section 16, paragraph 21, of the Armenian Local Self-Government Act, the local council has the power to decide on and change names. Under Section 82, paragraph 1, the local council names and renames streets, avenues, squares, parks, educational, cultural and other amenities, and organisations and other bodies responsible to the local authority. Section 5 of another Armenian law, the Territorial and Administrative Division Act, stipulates that a community comprising one settlement must have the name of that settlement, while one including two or more settlements should be given the name of the settlement that has the biggest population. Settlements inhabited by language minorities are thus able to choose their place-names.

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

37. With a view to promoting regional or minority languages, in addition to preparing curricula, publishing textbooks and providing teacher training, as referred to below in connection with the issues raised in Part 3 of this report, the State earmarks funds from its budget for encouraging the activities of non-governmental organisations representing ethnic communities and subsidising the minority press and radio programmes broadcast in a number of languages (Russian, Assyrian, Kurdish, Yezidi and Georgian). The majority of the country's laws have been translated, and legislation continues to be translated. An attempt has been made to translate the new Armenian Constitution into Yezidi, but the Republic of Armenia is encountering some problems here. Although the Government is implementing the policies intended to encourage the use of national minority languages, some of the language users themselves do not make full use of the opportunities offered. For instance, the newspapers "Magen Davit" ("David's Shield"), published by the Jewish community, and "Kohélet", published by the religious Jewish community of Armenia, are published in Russian in Armenia. The Ukrainian "Dniepro" newspaper is bilingual (Ukrainian and Armenian). The Polish periodical "Puki mi zhiviem" is published in three languages (Polish, Armenian and Russian). The Georgian periodical "Iveria" is published in two languages (Georgian and Russian).

38. Many more books have been published of late. In 2003 the German ethnic community published (in German and Russian) a book entitled "The Swabes of the Black Sea Basin and the Caucasus"), and another (in Russian), entitled "Destiny: the Russian German", was printed in 2007. There are numerous books published in Russian. In particular, the Russian ethnic community published "The History of the Molokans, the Dukhabors of the South Caucasus" in 2001 (in Russian) and, on the initiative of the NGO "Russia", books entitled "S.S.Griboedov - Armenia", "Russia - Armenia: the 19th Century" and "Together for Ever: Russian and Armenian Historical, Cultural and Literary Relations" were published in 2002. "We are Yezidi" and "Beliefs of the Yezidi Kurds" by Amine Avdali were published in Armenian by the Yezidi in 2003 and 2007 respectively. The "Mijaget" publishing house published "The Role and Importance of the Yezidi in Kurdistan" in Armenian. A collection of six short stories by the Kurd publicist Amirike, two of which had been translated into Russian, was published in Kurdish. An anthology of poems by Kurdish poets was published, along with other books. The "Classical Assyrian" textbook by A. Hakobyan is the first textbook based on the Armenian language and is devoted to one of the most ancient languages of the Near East. Efforts are being made to persuade representatives of the ethnic communities to publish books in their national languages.

39. Two thousand books published in the Kurdish and Yezidi languages, numerous books in Greek, Ukrainian, German, Polish, Georgian and Belarusian and millions of books in Russian are kept and used in

the Armenian National Library. In recent years the library's stock has been supplemented with 35 books in Ukrainian, 75 in Polish, 21 in Hungarian, 17 in Kurdish, 470 in Greek, five in Georgian and one in Yezidi, as well as a number of books in other languages. There is also literature in these languages in other libraries in Armenia, and books in Russian are available in school libraries. A great deal of literature is also available in the minority languages mentioned and in others in the libraries of the relevant scientific and research institutes of the Armenian National Academy of Science, as well as in the libraries of educational institutions. This literature can be freely used by anyone, including members of national minorities.

40. The right of organisations representing national minorities to design documents, letterheads and seals in the national minority languages, as prescribed by Section 4 of Languages Act, is further encouragement for the development of the written language.

41. The preservation and development of national minority languages have also been promoted by Section 27 of the Administration and Administrative Proceedings Act, under which "Individuals who have a command of national minority languages, may, in a procedure prescribed by law or in conformity with international treaties to which the Republic of Armenia is a State Party, submit an application in the Republic of Armenia to have administrative proceedings take place and supporting documents provided in the relevant minority language". Section 27.4 allows persons involved in administrative proceedings to use foreign languages. A person involved in administrative proceedings who uses a foreign language must secure a translation only in cases where it is impossible for the administrative authority to provide the relevant translation. Under Section 59 of the Act, a copy of an administrative decision translated into a foreign language and bearing the official seal of the relevant administrative authority may be given to a person taking part in administrative proceedings on his/her request. Section 93 of the Act specifies that the cost of translation services rendered during administrative proceedings is borne by the body conducting the proceedings. If the translator is invited by the person involved in the proceedings, then he/she must cover the relevant expenses.

42. The centre provided and furnished by the Government of the Republic of Armenia for the promotion of national minority cultures offers a full range of opportunities for learning, using and developing national minority languages. The building was widely used in 2007 not only by speakers of the languages covered by Part III, but also by non-governmental organisations representing the Polish, Ukrainian, Georgian and Belarusian ethnic communities. This opportunity is also available to all other ethnic communities in the Republic of Armenia.

43. Under the Armenian Advertising Act, the language of advertising is Armenian, but the text of the advertisement may be accompanied by versions in other languages, in smaller lettering. Restrictions apply only in respect of the space in the advertisement taken up by other languages. The volume of information in the part of the advertisement published in other languages must not exceed that of the Armenian text.

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

44. Steps to facilitate the use of regional or minority languages in writing were mentioned in the previous paragraph. As for the spoken language, in addition to the daily or Sunday classes mentioned in the relevant sections of this report, a great deal is being done to organise various events in the languages concerned.

45. In response to the Committee of Experts' request that the Armenian authorities provide, besides information on the Assyrians, Yezidi, Greeks and Russians, data on other regional or minority languages in the Republic of Armenia, we would inform it that in the Republic of Armenia as a whole, there are over 50 independent non-governmental organisations representing 11 ethnic communities, which endeavour, among other things, to preserve and develop these communities' mother tongues. Besides those representing the Assyrian, Yezidi, Russian, Greek and Kurdish communities, an active role is played by non-governmental organisations representing the Ukrainian, Jewish, Polish, Georgian, Belarusian and German communities. It is hard to identify these ethnic communities directly with the languages bearing the same name. As was mentioned earlier, a substantial proportion of people belonging to ethnic communities do not have a command of the language bearing the name of the community. This section will, therefore, elaborate more on the activities of the ethnic communities than on their actual languages, though an attempt has been made to present language-related programmes concerning these communities or carried out by them. The Ukrainian, Jewish, Polish and Georgian ethnic communities have their own press. Radio programmes are broadcast periodically in Georgian, and the German ethnic community publishes books, in particular on the history and the daily life of the German community in the South Caucasus. The majority of the communities

mentioned (Polish, Ukrainian, Georgian and Belarusian) have artistic groups such as choirs that sing in the national language and folk dance troupes that take part from time to time, along with representatives of other national minorities protected by the Charter, in various festivals in Yerevan and in the different regions of Armenia. For example, they sing songs in their national languages. These initiatives on the part of non-governmental organisations play an important part in ensuring that the languages mentioned are used more actively for cultural, if not official, purposes, and will create opportunities for the younger generation to have contact with their national language. It should be pointed out that the choirs include people from families with mixed marriages and Armenians, and the use of the minority language in these choirs in fact extends beyond the narrow framework of the ethnic community. The Ministry of Culture of the Republic of Armenia encourages and provides substantial assistance for all the communities' cultural activities, the bulk of which are organised by non-governmental organisations.

46. The above-mentioned programmes are often implemented in conjunction with the programmes of the ethnic communities that use the languages protected by Part III of the Charter.

The Ukrainian community is extremely active in organising dozens of annual events, accompanied by performances by the excellent and much-loved "Dniepro" choir and children's "Dzvyanochek" and "Verbichenka" choirs from the town of Vanadzor.

The Polish community's "Gvyalzdechka" song and dance troupe's frequent performances have made Polish songs an integral part of numerous events.

The performance of much-loved Georgian songs by the Georgian community's "Iveria" ensemble has added to their popularity, and the Georgian concerts are attended with great pleasure by Armenians.

Jewish national holidays are celebrated in Armenia every year, with theatrical performances portraying the history of the Jewish people. Many representatives of the multinational communities of Armenia take part, in particular, in the celebration of the "Purim" holiday. The works of Armenia's Jewish composer Willy Weiner were performed in 2006 at a concert that received an enthusiastic public response. A three-day programme including an exhibition devoted to the art and life of Marc Chagall took place in 2007.

47. All the ethnic communities are involved in two annual events: the "Exhibition of National Minorities' Fine, Decorative and Applied Arts" and the "National Minorities' Children's Music Festival" organised by the Ministry of Culture of the Republic of Armenia. Both events are widely covered and commented on in the media.

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

48. Part 7, paragraph 2, of the Armenian Government's Linguistic Policy Programme provides for "the promotion of effective linguistic communication and mutual understanding between national minorities, in accordance with the linguistic policy standards of the Council of Europe".

49. Co-operation among the different ethnic communities takes place in numerous ways in Armenia. The communities come together through non-governmental organisations and associations representing national minorities. The most important of these is, no doubt, the Co-ordinating Council for Non-Governmental Organisations representing National Minorities, which was established in 2000 under the authority of the Adviser to the President of Armenia. The Council includes two people from each of 11 ethnic communities (Yezidi, Russian, Assyrian, Jewish, Kurdish, Georgian, Polish, Ukrainian, Belarusian, Greek and German). It was set up to safeguard the human rights of national minorities, make community relations more active and ensure that the Government dealt more efficiently with specific cultural, educational, legal and other issues. State budget funds are allocated to the ethnic communities through the Co-ordinating Council. The representatives of the ethnic communities select the projects to be financed themselves and decide on the procedure for allotting funds.

50. The established tradition is for the majority of cultural festivals to be organised jointly. In some cases, however, representatives of different minorities participate in one another other's public holidays, exhibitions etc. The Armenian Government Department for National Minorities and Religious Affairs co-operates with representatives of all the ethnic communities when taking decisions on the implementation of simultaneous

programmes to raise awareness of minority rights and provide information about them, as well as decisions concerning legislative initiatives, and discusses certain other issues with a view to taking appropriate decisions. Now that the Armenian Government has set aside a building for the purpose of promoting the cultures of national minorities, there are closer links and co-operation has become much more effective: it is much easier to organise meetings with minorities.

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

51. Given the small numbers of people using minority languages, the fact that they are scattered throughout Armenia and the lack of a sufficient demand for some languages, or indeed the complete absence of any such demand, it is impossible to introduce curricula on a systematic basis in most of the ethnic minority languages.

52. According to the results of the population census conducted in 2001, the total number of people belonging to national minorities is 67, 657. The majority of them - 40,620 people or around 60 per cent of the total number of non-Armenian citizens - are Yezidi. The other national minorities account for a total of about 40 per cent.

National breakdown of the population of the Republic of Armenia according to the 2001 population census

Total	Armenians	Assyrians	Yezidi	Greeks	Russians	Ukrainians	Kurds	Other
3,213,011	3,145,354	3,409	4,0620	1,176	14,660	1,633	1,519	4,640

As the above table shows, there are only six ethnic minorities that number over one thousand in the Republic of Armenia. There are other minorities whose numbers vary between 100 and 300. According to the data for 2001, the number of people identifying themselves as Polish does not exceed 100.

Change in the Polish population in Armenia between 1897 and 2001

1897	1926	1959	1970	1979	1989	2001
1,188	705	-	389	691	270	97

According to the 2001 population census, the ethnic Jewish community, which was always small in Armenia, numbered only 109 people.

Change in the Jewish population in Armenia between 1897 and 2001

1897	1926	1959	1970	1979	1989	2001
834	335	1024	1048	953	676	109

The number of Germans has likewise always been small. There are currently 133 Germans.

Change in the German population in Armenia between 1897 and 2001

1897	1926	1959	1970	1979	1989	2001
207	104	-	407	333	265	133

The number of Belarusians is a little larger: there are over 250 in Armenia.

Change in the Belarusian population in Armenia between 1897 and 2001

1897	1926	1059	1970	1979	1989	2001
103	360	-	1,179	1,183	1,061	257

53. It should also be noted that, quite apart from the fact that their numbers have always been small, a substantial proportion of the non-Armenian population in some ethnic communities of Armenia has emigrated from the country over the last twenty years because of poor social and economic conditions in Armenia, and as a result of the establishment of more active ties with their ethnic motherlands. The present gender and age composition of most of the ethnic communities in Armenia is therefore very unbalanced. The majority of their members are old women. Many of these communities are scattered over the various regions of the Republic. Because they are dispersed throughout the country, it is quite difficult to implement specific measures to solve the problems of certain minority groups in the fields of education and culture, protect their

collective rights and preserve their ethnic identity.

54. Most of the languages concerned are, nevertheless, taught in various ways in educational institutions at different levels. German is studied in a number of schools in Armenia, both in towns and in villages. The German language is included as a speciality in the list of professions at Yerevan State University, Bryusov State Linguistic University, the Slavonic University and Gyumri Teacher Training College. Both university and public libraries have a great number of books in this language.

55. Polish and Ukrainian are also studied at Bryusov State Linguistic University. Ukrainian is taught in the philological department of Yerevan State University. There are also Sunday classes in Polish, Ukrainian and Hebrew, thanks to the efforts of the Polish, Ukrainian and Belarusian communities. To ensure a high level of instruction in the Polish language, the Polish community of Armenia invites teachers from Poland every year. Polish is also taught in a Yerevan school (No.24). The Centre for Georgian Studies was opened at Yerevan State University in 2006, and Georgian is taught at the university. Hebrew is taught in the Department of Oriental Studies of Yerevan State University.

"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;"

56. As mentioned in the previous paragraph, users of minority languages in Armenia, with the exception of the languages covered in Part III, are widely dispersed and their numbers are very small in some settlements. Most of them live in the towns of Yerevan, Gyumri and Vanadzor. They may study German in these three towns, as well as in a number of villages where German is included in the curriculum as a foreign language. Those who wish to study Polish, Ukrainian, Belarusian, Hebrew and Georgian can mostly do so in Yerevan. Most of the people belonging to the ethnic communities that speak these languages in fact live in Yerevan.

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

57. As has already been already mentioned, in addition to the languages protected by Part III, the teaching of German, Polish, Ukrainian, Georgian and Hebrew is included, to varying extents, in university curricula in Armenia.

"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."

58. All the ethnic communities in Armenia have a full range of opportunities to maintain contact with people who use the languages in identical or similar form in two or more states. The need to secure the protection of people belonging to national minorities in the Republic of Armenia has thus been reflected in the bilateral (friendship and co-operation) agreements and multilateral agreements signed by the Republic of Armenia with other states. Examples are to be found in Article 8 of the Treaty on Friendship and Co-operation with the Russian Federation, Article 20 of the treaty with Greece, Article 14 of the treaty with Romania, Article 9 of the treaty with Bulgaria, Article 5 of the treaty with Kazakhstan, Article 8 of the treaty with Lebanon and Articles 5 and 6 of the treaty with Ukraine, which specifically provide for the establishment of the conditions needed for the preservation and development of the ethnic, cultural and religious identity of national minorities living respectively in the two countries and the implementation of appropriate measures, and commit the states concerned to promoting relations between members of national minorities and their counterparts abroad. The representatives of all the ethnic communities of Armenia maintain contacts in various forms with communities and organisations outside Armenia. There are numerous and diverse exchange visits, conferences and joint events that take place on various occasions with the participation of representatives of the Ukrainian, Belarusian, Polish and Georgian ethnic communities. Young people from Armenia go abroad to study at specialised educational institutions in their ethnic motherlands, while Ukrainian students spend their holidays every year in camps in their ethnic motherland, Armenia. The Polish community in Armenia plays host to visitors from Poland several times a year. Visits to Armenia by professors and students from the universities of Torun and Warsaw have, in particular, become a tradition.

Many representatives of the Jewish community of Armenia take part in the activities of a wide variety of Jewish organisations, including worldwide Jewish organisations, Jewish organisations in the CIS countries and organisations in the U.S.A. In 2007, Jews from different countries were present at a ceremony in Yerevan inaugurating the monument to the memory of the Holocaust. Members of the Georgian community always take part in Georgian events and public holidays. Visits from Georgia are also frequent.

59. The staff of the Armenian Government Department for National Minorities and Religious Affairs are always happy to receive visitors from ethnic minorities in their offices. They discuss with them issues concerning the ethnic identity of their fellow minority members, the prospects for the preservation and development of their language or particular projects, and provide them with advice.

"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."

60. Article 14.1 of the Constitution prohibits any discrimination against national minorities on grounds, among others (sex, race, skin colour, ethnic or social origin etc.), of language. Article 41 affirms: "Everyone shall have the right to preserve his or her national and ethnic identity. Persons belonging to national minorities shall have the right to preserve and develop their traditions, religion, **language** and culture."

61. The use of their languages by national minorities is protected not only by the Constitution but by a number of domestic laws. For example:

- a. Under Section 1 of the Languages Act, the Republic of Armenia guarantees the freedom to use national minority languages in its territory. Section 4 of the Act provides: "Organisations of national minorities residing in the territory of the Republic of Armenia shall design their documents, letterheads and seals in the Armenian language with a parallel translation in their language."
- b. The Government's Linguistic Policy Programme states that respect for linguistic and cultural diversity and the promotion of the development of national minority languages and culture in the field of international relations is one of the conditions for ensuring the good reputation of the Republic of Armenia. One of the goals of the programme is the promotion of the right of all citizens to receive education in their national language. Section 7 of the Government's Linguistic Policy Programme is entitled "Protection of National Minority Rights in the field of Languages".
The programme envisages the following measures:
 1. Versatile promotion of the preservation and development of national minority languages ;
 2. Promotion of effective linguistic communication and mutual understanding in conformity with Council of Europe standards;
 3. Use of the potential of academics among national minorities to provide mother tongue instruction and education with a view to protecting national minority rights ;
 4. Assistance with the training and retraining of teachers of national minority languages.
- c. Safeguards for national minorities, in particular for their linguistic rights, are also provided for in a number of sections of the Cultural Legislation Act. Section 8 of the Act reads: "*The Republic of Armenia shall promote the preservation and development of the cultural identity of national minorities residing in its territory, and shall help, through government programmes, to establish conditions conducive to the preservation, dissemination and development of their religion, traditions, **language**, cultural heritage and culture.*" Section 9 of the Act safeguards the right of every individual "*to participate in the cultural life of the Republic of Armenia and to engage in cultural activities irrespective of his or her nationality, race, sex, **language**, belief, convictions, social origin, property or other status.*" As mentioned above, Section 6 of the Act defines **languages**, national traditions, and place-names as cultural assets.
- d. Under Section 8.b of the Advertising Act, advertisements containing phrases, statements, comparisons or images that are insulting to a race, nationality, profession or social origin, age group or sex, language or religious or other belief are prohibited.

- e. The Administration and Administrative Proceedings Act allows applications to be submitted in national minority languages, and Article 15, paragraph 1, of the Code of Criminal Procedure states that *"any individual, with the exception of the party conducting the criminal proceedings, has the right to use a language he or she masters"*. Paragraph 2 states that members of national minorities may, in criminal proceedings, use the language of the national minority, with a translator's assistance. Paragraph 3 specifies that *"persons who do not have a command of the language of the proceedings have the right to receive copies of the documents in a language they master"*.
- f. Article 143 of the Armenian Criminal Code provides for the punishment of *"direct or indirect breaches of the human rights and freedoms of citizens perpetrated on grounds of **nationality**, race, sex, **language**, religion, political or other views, social origin, property or other status that are detrimental to the citizen's legal interests"*.

62. It should be added that, under Article 6 of the Armenian Constitution, "International treaties are a constituent part of the legal system of the Republic of Armenia. If an international treaty that has been ratified contains provisions contrary to those of domestic law, the provisions of the treaty shall prevail." Being a constituent part of the legal system of the Republic of Armenia, the European Charter for Regional or Minority Languages thus serves, in the territory of the Republic of Armenia, as a mechanism for the protection of languages.

63. The Constitution and laws of the Republic of Armenia therefore ensure the application of the legal rules governing the use and development of national minority languages, and all unjustified restrictions, distinctions, exceptions and preferences in respect of the use of minority languages are forbidden.

"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."

64. The human rights textbook for senior classes in Armenian secondary schools includes material on the history and culture of Armenian national minorities.

65. Under Section 28 of the Armenian Radio and Television Act, public television must offer television audiences programmes which take account of the interests of the various regions and national minorities.

66. It was in this context that the Ministry of Culture arranged for various television channels to broadcast the "Rainbow of Friendship" film.

67. In addition to public television, which broadcasts programmes every week on the ethnic minorities of Armenia, a number of television companies such as "H2", "ArmenHakob - TV " and "Yerevan" organise discussions on the problems of ethnic minorities and on issues relevant to their history, culture, linguistic features, rights and education. The thematic television programmes dedicated to national minorities, such as the "Fairytales of National Minorities of the Republic of Armenia" series broadcast by the "Shoghakat" television company, also make a practical contribution to raising awareness among the public at large of the ethnic communities living in the Republic of Armenia and their languages. The fairytales are narrated by children belonging to ethnic minorities.

68. Detailed programmes on representatives of non-Armenian ethnic communities serving in special military detachments were broadcast in 2007.

69. The problems of national minorities, including educational, social and cultural issues, are also discussed from time to time in the pages of periodicals published in Armenia, mainly in analytical articles and news reports on events organised and projects carried out by ethnic communities.

70. A two-volume work entitled "National Minorities of Armenia", dedicated to the history and culture of eleven ethnic minorities of the Republic of Armenia and prepared by the Armenian National Academy of Science in collaboration with the NGO "Akunk", has been published over the last five years.

71. There is more coverage of national minorities on the radio. The programmes "Armenia is our Home" and "Armenia" are broadcast for 30 minutes in Russian. The "Armenia is our Home" programme is broadcast every Monday and provides news about the public and cultural life, problems and grievances of national minorities of Armenia. The programme is prepared with the assistance and active participation of the Polish, Jewish, Ukrainian and Russian communities. The "Armenia" programme is broadcast four times a week and presents political, economic and cultural developments in Armenia, as well as events taking place in different ethnic communities. 90 minutes of the airtime of the "Radio Van" company is given over to programmes in Russian catering for national minorities. Half-hour programmes on minorities are also broadcast in Russian on the public radio station "Radio Hai" and other radio stations.

72. With reference to the State's policies in respect of national minorities, it should be pointed out that Section 24 of the Radio and Television Act unambiguously forbids the use of radio and television programmes to incite national, racial and religious hatred or foment conflict. It should be also mentioned that there are no mass media in Armenia that broadcast negative views of ethnic and religious minorities.

73. The measures implemented under the "All Different - All Equal" programme, which are welcomed by the Armenian public at large and young people in particular, also contribute to the cause. Schoolchildren, university students and members of the army who belong to national minorities are also a source of information about non-Armenians and their languages. Sometimes events are organised, in the relevant settings, in the language of a person belonging to another nation: for instance, if there is a non-Armenian in an army detachment, he may be congratulated on a particular occasion and asked to make a speech in his mother tongue. These are minor steps but they do, to a certain extent, help to create a benevolent climate of respect for other languages used in Armenia.

"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."

74. Representatives of the ethnic communities of Armenia have always been and continue to be consulted about all decisions and projects concerning their communities. These projects and decisions are first discussed by the Armenian Presidential Adviser's Co-ordinating Council for Non-Governmental Organisations representing National Minorities. The Co-ordinating Council was established to guarantee the promotion of national minority rights, foster more active community relations and ensure that the Government was more efficient in addressing their specific problems in the fields of education, culture and the law. The Council discusses, inter alia, projects regarding national minorities that are on the agenda of various government bodies and, conversely, may submit projects it has already discussed and approved to other government bodies for consideration. The Council is an advisory body and is not competent to take final decisions.

75. Groups representing ethnic communities and individual members of these communities have been and continue to be consulted about policy in respect of languages. For instance, before the results of research into the educational problems of a number of minorities and proposals for solving them were submitted to the Ministry of Education and Science by the Armenian Government Department for National Minorities and Religious Affairs, they were discussed, in September and October 2006, with non-governmental organisations representing the relevant minorities, school head teachers, teachers and chairpersons of village councils.

76. The Ministry of Education and Science implements, in co-operation with representatives of ethnic minorities, policies and training programmes for national minorities. The "Preservation and Development of Minority Languages and Strengthening of Intercultural Relations" project is to be conducted through the joint efforts of the Ministry of Education and Science and non-governmental organisations representing national minorities.

"5 The Parties undertake to apply, *mutatis mutandis*, the principles listed in paragraphs 1 to 4 above to non-territorial languages. However, as far as these languages are concerned, the nature and scope of the measures to

be taken to give effect to this Charter shall be determined in a flexible manner, bearing in mind the needs and wishes, and respecting the traditions and characteristics, of the groups which use the languages concerned."

77. In response to paragraph 42 of the Committee of Experts' report on Armenia, which states: "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", we would point out that, on the basis of the definition of "non-territorial languages" in the European Charter for Regional or Minority Languages, that is "languages used by nationals of the State which differ from the language or languages used by the rest of the State's population but which, although traditionally used within the territory of the State, cannot be identified with a particular area thereof", the Russian language matches the definition of "non-territorial languages" in Armenia. Because of active migration from rural settlements, Russian speakers are no longer identified with a particular territory in Armenia. The Russian language is, nevertheless, on the list of "minority languages" and is protected by Part III of the Charter. Russian in Armenia, in contrast to the national minority languages, is, in fact, beyond the scope of the definition of an "ethnic minority language" as Russian is also spoken in Armenia by a number of people belonging to ethnic minorities, such as Jews, Poles and Ukrainians, as well as by some Armenians, Greeks, Georgians and Assyrians. The majority of people belonging to the ethnic communities mentioned above - Greeks, Ukrainians, Poles, Jews, Belarusians, Germans and Georgians - use their ethnic languages in a very passive way, if at all. Apart from the Greeks, many of them settled in Armenia as a result of mixed marriages or labour migration, and seldom in order to escape ethnic pressures in other countries (as is the case with some Jews). They were always few in number in Armenia, lived scattered all over the place, had little contact with one another, and never actively used their languages. It is very hard today to describe, let alone define, the status of these languages. While the existence of these ethnic communities is borne out by their ethnic awareness and the fact that they choose to identify themselves as belonging to an ethnic minority, the same cannot be said of their languages. We can therefore affirm that the number of people speaking non-territorial languages in Armenia is rather limited.

78. In all cases, not only the use of languages, but also the desires of individuals or ethnic minorities concerning their ethnic languages, are respected in Armenia. It is sometimes rather difficult to form a clear picture of what exactly ethnic communities want as regards their languages, when their leaders refuse to publish their periodicals in their national language. Nevertheless, the Republic of Armenia devises its linguistic policies with the aspiration of establishing a benevolent climate of respect for languages and ensuring their preservation and development. This is borne out, inter alia, by the above-mentioned programmes based on the policies applied to ethnic communities that are passive users of the languages mentioned.

Part 3

Measures to implement the European Charter for Regional or Minority Languages taken after the submission of the First Report by the Republic of Armenia - programmes implemented but not referred to in the First Report

Article 8 - Education

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

- a 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 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 to iii above;"

79. The Republic of Armenia assists national minority communities using the protected languages to organise the bulk of their pre-school education in the relevant languages. This assistance is, first of all, reflected in Order No. 29 of 26 January 2007 of the Ministry of Education and Science concerning "the approval of the sample list of posts, the number of pupils per class and the standards applied", which makes provision, in an addendum on the number of pupils per class, for an individual post to enable classes with national minority children that have an insufficient number of pupils to operate. Thus, while the established standard for the number of pupils per class in Armenian nursery schools and other pre-school institutions is 25 - 30, classes with national minority children may function in groups of 8 to 10 pupils. Although we hope that, by allowing smaller classes, we will be able to provide more such children with pre-school education, the results are not yet satisfactory. Under the Armenian Pre-school Education Act, passed on 15 November 2005, government policies in the field of pre-school education are implemented by local authorities, and pre-school education arrangements depend directly on the financial capacity of the local authorities.

80. The question of pre-school educational institutions for those who speak Yezidi and Kurdish has been raised from time to time with the local authorities responsible for the settlements where they live, but the local authorities have not taken any measures in this respect, using lack of funds as an argument for taking no action. The number of pre-school children is so small in some ethnic communities that it is very difficult to organise any instruction or education. Arrangements have been made for a number of rural communities to hold classes in the school buildings, during the first half of the day, for children who are to attend school the following year.

81. Preliminary steps have been taken to set up pre-school educational institutions for the Assyrians. At the instigation of the Assyrian community, a start was made in 2006 with renovating and refurbishing the building where pre-school instruction was organised in the village of Verin Dvin, which is inhabited by Assyrians. The school is scheduled to become operational in 2007. There is a nursery school in the Assyrian village of Dmitrov in the Ararat Region, with 25 children and three teachers. Instruction is in Armenian for the time being, though efforts are being made to set up a second group, for which the language of instruction will be Assyrian. The community authorities have assumed responsibility for renovating the former pre-school building, which is not currently fit for use. It is scheduled to become operational in 2007 and will have a group of pupils learning Assyrian when it opens.

82. On the initiative of one of the representatives of the Greek community, Greek is taught in a group in Yerevan nursery school No. 52. Children may study Greek there irrespective of their nationality if their parents so wish.

83. Pre-school educational institutions or sections using Russian are available in the Republic of Armenia in all settlements where the Russians live in sufficient numbers. Russian classes are organised in the majority of pre-school institutions if the parents so wish. They operate in all the pre-school institutions in Yerevan, in nursery schools Nos. 4, 6, 8, 11, 15, 16, 18, 23, 26, 27, 30, etc. These institutions or sections are open to minorities who prefer to receive their education in Russian. Special conditions have been created for the children of Russian military personnel stationed in Armenia. There is a nursery school in Artashat for Russian children of military base personnel in the Ararat Region. It has 75 children and about 10 teachers, and the language of instruction is Russian. There are two nursery schools for Russian children of military base personnel in the town of Gyumri in the Shirak Region. The language of instruction is Russian, and there are 20 teachers and 100 pupils in each. It should also be mentioned that most of the staff of these institutions and their head teachers are Russian.

84. Another factor conducive to pre-school education is that pre-school institutions not belonging to the State may have any legal status provided for by law. There is no restriction in this case in respect of the minimum number of pupils per class.

- "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 to iii above at least to those pupils whose families so request and whose number is considered sufficient;"

85. Section 2 of the Languages Act stipulates that general education in national minority communities shall be organised in their mother tongue as part of the State curriculum and under the patronage of the State, with teaching of the Armenian language being compulsory. Section 1 of the Act proclaims: "The Republic of Armenia guarantees the freedom of national minorities to use their languages in its territory".

86. The National Institute of Education has drafted and introduced a "Sample Curriculum for the General School Education of National Minorities", in which 42 hours per week are allocated to the study of the mother tongue and relevant literature in years 1 to 10.

87. National minority communities which use languages protected by the Republic of Armenia have access to primary education in the relevant languages or may study, at primary school, the relevant minority languages as an integral part of the curriculum, at least in the case of the pupils whose families have so requested and whose numbers are considered to be sufficient. For instance, Assyrian is taught in primary classes in schools in the villages of Dvin, Dmitrovo and Arzni, as well as in classes where instruction is in Assyrian at Yerevan school No. 8, and even in cases where there are only two or three children in a class (see Table 4). Yezidi and Kurdish are taught in primary classes in all schools in village communities inhabited by Yezidi and Kurds where an appropriate specialist is available, irrespective of the number of pupils in a class (see Table 3).

88. The "Yezidi Language and Literature" textbook for years 1 to 3 was published with the assistance of the National Institute of Education of the Armenian Ministry of Education and Science in 2005 and 2006. As was mentioned earlier, this subject is taught at schools in all communities inhabited by Yezidi and Kurds where an appropriate specialist is available. Efforts are being made to ensure that there is a sufficient number of specialists in all communities. The publication of the "Zmane De" alphabet, whose author is the Chairman of the Kurdish Section of the Writers' Union of the Republic of Armenia, was a significant event in the life of the Kurdish community.

89. The Assyrian textbook for first-year pupils was published in 2005, and in 2007 the National Institute of Education of the Ministry of Education and Science published the "Assyrian Alphabet" for primary classes. During the 2006-2007 school year the new Assyrian language textbook was used by 70 pupils in the village of Verin Dvin, 15 pupils in the village of Dimitrov in the Ararat Region and 38 primary school pupils in the village of Arzni in the Kotayk Region. Efforts to organise instruction in Assyrian are also being made in the village of Nor Artagers in the Armavir Region, where a specialist has already been trained. Five primary school pupils attend classes in Assyrian at the A. Pushkin School (No. 8) in Yerevan.

90. Primary school instruction (years 2 and 3) in **Greek** has taken place since 1996 with assistance and funds provided by the Greek Embassy in Armenia, and Greek is taught as a compulsory subject in secondary school No. 74 and as an optional subject in schools Nos. 12 and 132. Greek is also studied at one of the schools in Vanadzor.

91. **Russian** language and literature are taught in years 2 to 10 in all general education schools in the Republic of Armenia. Instruction is based on books published in Armenia, which take into account the peculiarities of teaching Russian in national schools. In accordance with a decision taken by the Armenian government on 16 November 1999, there are schools offering advanced classes in Russian, such as school No. 60, where Russian is taught as from the first year. Special textbooks and teaching manuals have been prepared and published for these schools.

- "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;"

92. National minority communities that use languages protected by the Republic of Armenia have access to primary education in the relevant languages or may study, at primary school, the relevant minority languages as an integral part of the curriculum, at least in the case of pupils who (or whose families) have so requested and whose numbers are considered to be sufficient for this purpose. In accordance with Armenian Government Decision No. 1392 of 25 July 2002 and the standards for secondary education, the average number of pupils per class in the primary and middle years in an educational institution must be between 25 to 30, and it must be between 20 to 25 in the senior school years. In cases where town and village schools located in Alpine areas, other mountainous areas or frontier areas teach classes in the languages protected by the European Charter, however, and in some other cases, classes comprising a smaller number of pupils may be opened by permission of the Ministry of Education, with the approval of the Ministry of Finance and Economic Affairs or with the help of the school's reserve fund, by decision of its Board. Such education may, in practice, also be provided when the number of children is insufficient. Table 4 in the Addendum shows that classes in Assyrian are held in years 4 and 5 in the village of Dimitrov even though there are only two pupils, and with only one pupil in years 5, 8 and 9 in Yerevan school No. 8. The situation is similar in villages inhabited by Kurds and Yezidi.

93. **Assyrian** is taught at secondary level in Yerevan's A. Pushkin School No. 8, in the village of Verin Dvin in the Ararat Region and in the village of Arzni in the Kotayk Region (Table 4).

94. **Yezidi and Kurdish** are currently taught in 22 schools in Yerevan and the regions (Table 3).

95. Instruction of **Greek** has been provided at secondary level (in years 2 to 9) since 1996 with assistance and funds from the Greek Embassy in Armenia. It is taught as a compulsory subject in secondary school No. 74 and as an optional subject in schools Nos. 12 and 132.

96. There is only one State school in the Republic of Armenia (in the village of Fioletovo) where instruction is entirely in Russian. There are two similar private schools in Yerevan, the "Slavyanskaya" and "Mashtots" schools. The latter has some classes where all subjects are taught in Russian. 37 schools have sections where instruction is in Russian in all years. Sixteen of them are in Yerevan, and 21 in the regions (Table 5). The total number of pupils in such classes is about 10,000. The list of subjects in the annual schoolchildren's Olympiads includes the Russian language (at school, district, municipal, regional and national level). Competitions and festivities are organised. Pupils in Armenia take part in the distance Olympiads conducted by correspondence by the Russian Federation. Three people, from Yerevan, Kapan and Sisian respectively, have already won prizes in these Olympiads.

97. Russian, Assyrian and Greek can definitely regarded as minority languages that are taught without any hindrance in senior secondary schools. Certain reservations can be expressed in respect of Kurdish and Yezidi. There are two problems here. Give the very limited number of children in some Kurdish and Yezidi rural settlements (on average, there are from 25 to 30 pupils at school there), schooling sometimes ends at intermediate secondary level, which is the level to which schooling is compulsory in the Republic of Armenia. The children continue their education at schools in neighbouring settlements. The children may, if their parents so wish, continue their schooling until they have completed their senior secondary education. Nevertheless, most parents make their children leave school once they have received the compulsory intermediate level of secondary education, and sometimes they do so even in settlements where there are senior secondary education classes.

98. Efforts are being made to train, in particular, teachers of Yezidi, Kurdish and Assyrian with a view to providing secondary schools with language specialists.

- "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 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;"

99. Minority communities that use the languages protected by the Republic of Armenia under Part III of the Charter have access to technical and vocational education in minority languages or may study minority languages in the context of technical and vocational training as an integral part of the curriculum, at least where they (or their parents) so wish and their number is considered to be sufficient.

100. **Yezidi and Kurdish** sections were opened a few years ago at Yerevan Bakunts Teacher Training College. These sections ceased to function after two years because of the lack of applicants. They may start up again if there are applicants. The staff of the Armenian Government Department for National Minorities and Religious Affairs visited all the settlements inhabited by Yezidi and Kurds in search of young people who wanted to study to become teachers and adults who wished to be retrained as teachers. They could find no such people in the Yezidi and Kurdish communities.

101. There was not a single person in the Assyrian and Greek communities who expressed a desire to receive technical or vocational education.

102. The Charter requires that "technical and vocational education in the relevant regional or minority languages" be made available "at least to those pupils who, or where appropriate whose families, so wish in a number considered sufficient". During their on-the-spot visits, experts may obtain evidence as to whether or not such a wish exists. The only desire that is expressed is for higher education.

103. There is a **Russian** section at Yerevan State College of Humanities. Russian is taught as a foreign language and is an integral part of the curriculum at all other technical and vocational training institutions.

- "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 subjects; or
 - 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;"

104. National minority communities that use the languages protected by the Republic of Armenia have access to university and any other form of higher education in the relevant languages or may study their languages at university or in other higher education institutions as an integral part of the curriculum, at least in the case of students who have so requested and whose numbers are considered to be sufficient.

105. Instruction is, in fact, provided even if the number of students is not sufficient. Yezidi/Kurdish and Assyrian are taught as compulsory subjects in the Department of Oriental Studies of Yerevan State University if the study of these languages is relevant to the student's specialisation. The Yezidi and Kurdish languages are not treated as separate languages in higher education institutions as both communities use the same language. There are currently three students of Assyrian nationality and one Kurd in the department, who will in future be able to work as teachers of their mother tongue.

106. Besides students of Assyrian nationality, there are seven students who have specialised in Assyrian studies since 2005. Since the 2005/ 2006 academic year, classical Assyrian has been taught in the Yerevan State University Department of Oriental Studies during the second semester of the first year and the first semester of the second year of the Master' s Programme. Plans are being made to train various specialists in Assyrian studies and the teaching of modern Assyrian at the University. The speciality of "Assyriology" is also offered by the Department of Humanities of "Davit Anhakht" University. Yerevan Business School offers "Yezidi" as a speciality.

107. In 2007 the Government offered to admit two students from the Yezidi/Kurdish community to the Department of Oriental Studies of Yerevan State University under a special scheme, on condition that they worked as teachers in any of the Yezidi/Kurdish villages for three years after graduating. The Admissions Board received two applications but the applicants did not pass the entrance examinations because their knowledge was completely unsatisfactory. Efforts are currently being made to prepare candidates from the Yezidi community for special admission to the Department of Oriental Studies of Yerevan State University next year.

108. Russian is taught as a compulsory subject during each academic year to 308 students of Yerevan State University, 493 students of Bryusov Linguistic University, 503 students of Yerevan Teacher Training College, 329 students of Gyumri State Teacher Training College, 315 students of Vanadzor State Teacher Training College, 104 students of Gavar State University and 380 students of the Russian-Armenian "Slavonic University".

109. Greek is taught as a compulsory subject at Yerevan State University and Bryusov Linguistic University. Each academic year 140 to 150 students study this subject at each university. Greek is also offered by some other higher education institutions, such as the Yerevan "Monte Melkonian" Business School, Yerevan University of Culture, where there is a Greek section, and the "Atcharyan" University in the form of special courses in the Greek language.

"f i to arrange for the provision of adult and continuing education courses which are taught mainly or wholly in the regional or minority languages; or
ii to offer such languages as subjects of adult and continuing education; or
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;"

110. Sunday classes in Greek are organised by the Greek community in the towns of Yerevan, Alaverdi, Gyumri, Vanadzor, Stepanavan, Noyemberyan and Hrazdan. The courses are open to all, without any restriction on grounds of age or nationality.

111. A number of non-governmental organisations offer courses in Russian for adults. The courses may, exceptionally, be attended by Armenians who intend to migrate to the Russian Federation. The policy on "Russian in the educational system and cultural and public life of the Republic of Armenia" was adopted by the Armenian Government in its Decision 48 of 16 September 1999.

112. There have been no requests for adult and continuing education in Assyrian.

113. It is impossible to organise adult or continuing education in Yezidi because of the lack of demand. The question was discussed by the Department for National Minorities and Religious Affairs with the Yezidi/Kurdish communities on receipt of the Committee of Experts' report. The communities actually considered the issue absurd. Yezidi and Kurdish adults have a satisfactory command of their language, corresponding to the level required in their society.

114. A "Yezidi Language and Literature" syllabus for years 1 to 10 was drawn up in 2004. It covers the history, culture and religion of the Yezidi people in an integrated way. The relevant textbooks are being prepared for publication.

115. The "Assyrian Language and Literature" syllabus for years 1 to 10 was drawn up in 2004 -2005. It covers the history, culture and religion of the Assyrians in an integrated way. The relevant textbooks are being prepared for publication.

116. The study of Greek history and literature was included in the curriculum of the seventh and eighth years in secondary schools (years 3 to 9) where Greek is taught as a foreign language.

"h to provide the basic and further training of the teachers required to implement those of paragraphs a to g accepted by the Party;
i to set up a supervisory body or bodies responsible for monitoring the measures taken and progress achieved in establishing or developing the teaching of regional or minority languages and for drawing up periodic reports of their findings, which will be made public."

117. The Armenian Ministry of Education and Science runs various joint training programmes and projects with a number of educational institutions and non-governmental organisations in the Russian Federation. The Ministry promotes the dissemination of the Russian language and the development of its role in the Republic of Armenia as a means of international communication. Courses for training teachers of Russian, as well as seminars and conferences, are periodically conducted at the Centre for the Development of the Russian Language of the National Institute of Education of the Ministry of Education and Science. Similar courses are also organised at the Armenian-Russian (Slavonic) University. A number of groups of teachers attend training courses in Moscow every year. Since 2005, publication of the periodical "Russian in Armenia" for teachers and pupils has resumed. It is distributed free of charge to all schools. Twenty-six teachers of Russian won prizes in the Pushkin Competition for teachers of Russian during the period 2001 to 2006.

118. Since 2005, the "Iranian Studies" and "Semitic Language Studies" committees of the National Institute of Education of the Ministry of Education and Science have been appraising curricula, textbooks and manuals in Yezidi and Assyrian. A specialist of Yezidi nationality was appointed in 2006 through the mediation of the Yezidi community to work at the National Institute of Education with a view to studying and addressing the problems of the Yezidi and other minorities in the field of education.

119. A seventy-four hour training course was conducted in 2002 for 22 teachers of Assyrian on the initiative of the National Institute of Education. The course was continued after the "Assyrian Alphabet" was published, in order to train teachers how to use the relevant textbook in their teaching practice.

120. There are 24 schools with Yezidi as a language of instruction. 5% of the teachers in these schools have a higher education, 21% of them have undergone secondary vocational education and 74% secondary education. Despite the shortcomings due to the lack of specialised training and regardless of the efforts of the staff of the Department for National Minorities and Religious Affairs to encourage both teachers themselves and the leaders of non-governmental organisations to arrange training for teachers, they have expressed no inclination whatsoever to do so.

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

121. All residents of other nationalities living in the territory of Armenia have access to all levels of education in the Republic of Armenia. Users of regional or minority languages may always count on assistance if they are sufficient in number or if institutional facilities are available.

Article 9 – Judicial authorities

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

122. Article 15.1 of the Code of Criminal Procedure specifies that anyone participating in criminal proceedings may use a language he/she masters. The body conducting the proceedings does not have the right to insist that if the person concerned has a command of a particular language, he/she use that language during the proceedings. Thus, if the accused has a command of the language of the proceedings and of a minority or any other language, he/she may use any of these languages at his/her discretion. Article 15.2 allows parties to the proceedings who do not have a command of the language of the proceedings, including the accused, to exercise all their rights and to make use for this purpose of assistance provided by a translator free of charge. We would draw your attention to the fact that, regardless of the above-mentioned provision of Article 15 of the Armenian Code of Criminal Procedure, the courts of Armenia must be guided by the relevant articles of the European Charter for Regional or Minority Languages as, under Article 6, paragraph 4, of the Armenian Constitution, the relevant provisions of the Charter take precedence over domestic law.

"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;"

123. In the view of the Committee of Experts this obligation was fulfilled by Armenia.

"a iv to produce, on request, documents connected with legal proceedings in the relevant regional or minority language,"

124. In accordance with Article 15.2 of the Armenian Code of Criminal Procedure, certified copies of the documents "*shall be provided to parties to judicial proceedings with a translation into the language which they master if they do not have a command of the language of the judicial proceedings*".

125. Article 3.1 of the Code of Criminal Procedure specifies that, irrespective of where the offence was committed in the territory of the Republic of Armenia, criminal proceedings must be conducted in accordance with the provisions of the Code unless otherwise stipulated by international treaties ratified by the Republic of Armenia. This provision of the Code stipulates that, in accordance with the relevant article of the European Charter and the aforementioned provision of the Armenian Constitution, the documents to be provided to the person belonging to a national minority must, at his/her request, be given to him/her in the form of certified copies in the relevant minority language even if that person has a command of Armenian, which is the language used in judicial proceedings. By virtue of this principle, we consider that persons belonging to national minorities who have a command of the language of the proceedings may also request that documents be given to them in the form of certified copies in their own language. This is borne out by the amendments and additions made to the Code of Criminal Procedure, whereby the bodies conducting criminal proceedings must be guided by the international treaties in force to which the Republic of Armenia is a party and ensure that the relevant provisions of those treaties apply to procedural documents.

126. No court statistics are kept in respect of the provision of documents in minority languages and we cannot, therefore, provide any direct data. In practice, however, documents are provided in minority languages during proceedings. At the request of one Yezidi family, all the case file documents concerning the family were translated for it.

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 expense;"

127. Article 7 of the Armenian Code of Civil Procedure stipulates that litigants who do not have a command of Armenian have the right to familiarise themselves, by means of free assistance from a translator, with the case file and to use another language in court when taking part in judicial proceedings. We would like to draw your attention again to Article 1.2 of the Code Civil Procedure, according to which the provisions of an international treaty to which Armenia is a party take precedence if the treaty contains provisions not included in the Armenian Code of Criminal Procedure. Thus, a review of Armenian legislation shows that, in accordance with international treaties, a person belonging to a national minority may use his/her native language or any other language of his/her choice in court during civil proceedings even if he/she has a command of Armenian. This is explicitly guaranteed by the aforementioned provision of Article 6 of the Constitution, as well as by the provision making international treaties a constituent part of the law of the Republic of Armenia.

It is clear from the foregoing that the Armenian Administration and Administrative Proceedings Act fully protects the interests of people belonging to national minorities during administrative proceedings. They do not incur any costs, except in the above-mentioned circumstances.

"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."

129. The answer to this is apparent from the previous paragraphs.

"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."

130. As the Council of Europe was informed earlier, the Ministry of Justice publishes and republishes, when necessary, official information bulletins concerning codes and laws, with a view to informing nationals of the Republic of Armenia (including national minorities) of their rights. The parliamentary website includes a Russian translation of laws, although it does not, of course, cover Armenian legislation as a whole, which would be difficult, even if it consisted solely of laws. Laws are passed in Armenian and substantial funds and time are needed to translate them. Nevertheless, a great deal of work is being done in this respect, and at present there are over 200 pieces of legislation translated into Russian on the parliamentary website and the number is gradually growing. There are Russian versions of the Armenian Constitution and of the Codes of Civil and Criminal Procedure, the Criminal, Labour, Family, Customs and Land Codes and some other important laws and regulations. Overall, the parliamentary website contains a large amount of legislation in Armenian and Russian, and members of national minorities can readily obtain access to it for the purposes of their daily lives. By and large, there has never been any linguistic barrier in Armenia depriving members of the national minority or those having a command of its language of the opportunity to make efficient use of their constitutional rights in order to safeguard their rights and interests.

131. Given, however, that the majority of the population of Armenia does not have ready access to electronic means of communication, the Armenian Government Department for National Minorities and Religious Affairs runs courses for minorities to raise their awareness of legal issues and inform them of their minority rights, as stipulated in international conventions, in particular the Framework Convention for the Protection of National Minorities and the European Charter for Regional or Minority Languages. The former has been published in Armenian and distributed to all ethnic communities. Hard and electronic copies of the Charter

have also been distributed to representatives of ethnic minorities. Discussions of the legal issues take place periodically with a view to extending the scope of minorities' legal knowledge. We would like to stress the importance of the discussions in ethnic communities on the results of the monitoring exercise carried out by the Committee of Experts of the Council of Europe, and its reports on Armenia. A summary of these discussions was posted, in Armenian and Russian, on the Armenian Government website, and paper and electronic versions were distributed among national minority representatives and discussed at meetings of the Armenian Presidential Adviser's Co-ordinating Council for Non-Governmental Organisations representing National Minorities. It would no doubt be very useful to have translations in national minority languages but the scarcity of financial resources in the Republic of Armenia does not permit this at present. We would like to stress once again that the ethnic communities of the Republic of Armenia have a much better command of Armenian or Russian than of their national languages and in practice, therefore, they have no problem, from the linguistic point of view, in finding out about laws.

132. Unfortunately, it is probably not yet possible to translate laws into Greek, Assyrian and Yezidi. The experience gained during the translation of the Armenian Constitution into Yezidi revealed a number of difficulties and showed, in particular, how difficult and complicated it was to reflect the nuances of a document setting out legal rules in a translation into a language which is not designed for legislation. This is not the main problem, however. Indeed, translating legislation into Assyrian, Kurdish and Yezidi may actually assist the development of these languages, and this difficulty is going to be overcome when the Republic of Armenia has more financial resources. The problem is that the representatives of Assyrian, Yezidi, Kurdish and Greek ethnic communities are much better able to grasp the meaning of laws in Armenian and Russian than in their national languages: it is easier for them to understand them in Armenian and Russian than in their national languages. Although Armenia has not fulfilled the letter of its obligations, it has fulfilled them in the sense of providing access to laws, and from the linguistic point of view. The people have not been deprived of the opportunity to be informed of their rights, even if the laws have not been made available in the languages mentioned.

Article 10 - Administrative authorities and public services

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

a

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

v to ensure that users of regional or minority languages may validly submit a document in these languages;"

133. The Committee of Experts is aware that there is no provision in the legislation prohibiting use of a regional or minority language (either written or spoken) in dealings with the authorities: a reply to an application is provided in the official language, but may also be provided in the regional or minority language if so requested by the applicant. Section 27 of the Administration and Administrative Proceedings Act specifies that a document may be submitted in a minority language, together with a translation into Armenian, and that the translation expenses must be borne by the administrative authority.

134. Although the Committee of Experts finds that the obligation was fulfilled in respect of Russian, Kurdish and Yezidi, partially fulfilled in the case of Assyrian and formally fulfilled with regard to Greek, this right is not sufficiently exercised by Assyrians and Greeks because they have no command of their national language or at any rate are unfamiliar with the written language. The Yezidi and Kurds do not avail themselves of the right to use a minority language in dealings with the administrative authorities either, though they use this right when communicating orally. The authorities have no right to force national minorities to use their minority language at all costs in their dealings with the administrative authorities. The authorities may establish the right to do so, and they have already done so.

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

135. For the same reasons as in the case of laws, which are not widely translated into regional or minority languages, administrative documents are not yet widely translated either. This does not, however, prevent minorities from understanding administrative documents.

"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;"

136. Though the Committee of Experts finds that this obligation was fulfilled in respect of Russian, Kurdish and Yezidi, partially fulfilled in the case of Assyrian and formally fulfilled with regard to Greek, this right is not sufficiently exercised by Assyrians and Greeks because they have no command of the national language or at any rate are unfamiliar with the written language. The authorities have no right to force national minorities to use their national languages at all costs in their dealings with local and regional authorities. The authorities may establish the right to do so, and they have already done so. It should also be pointed out that, as mentioned above, the Greeks do not constitute a sufficient number in any region or even in any village and it is not therefore possible to provide the opportunity to submit applications in their language. Since the independence of Armenia and the opening of its borders, and partly because of the deterioration of the social and economic situation, many Greeks have left Armenia, mostly for Greece and the Russian Federation. For instance, in 1987 there were 280 families, comprising 900 people, living in the village of Yazdan in the Lori region. There were only 72 Greeks left there in 1999. One hundred and twenty Greek families left this village alone during the period between 1992 and 1996. There are even fewer Greeks there now. There were only 20 mixed-marriage families in the village five years ago: 11 Greek/Armenian families (the husbands were Greek) and 9 Armenian/Greek families (the husbands were Armenian). Out of 600 Greek residents in the village of Shamlugh in 1999, only 127 remained, and 400 people left Akhtala between 1992 and 1995. There were 250 Greeks in the village of Hankavan in 1989. The number fell to 22 in 2001 and, according to our data, there is only one Greek left there today. It should be pointed out that the majority of Greeks living in rural areas are elderly people, and they have no desire to learn Greek. It is absolutely impossible to apply certain provisions of the Charter to the ethnic Greek community. The Armenian authorities and population regret the falling numbers of the friendly Greek community. We would like to draw the attention of the experts to the fact that this provision of the Charter concerning local or regional authorities can be applied only in cases where "the number of residents who are users of regional or minority languages is such as to justify the measures specified".

"2 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;"

137. The Committee of Experts considered that this obligation was fulfilled in respect of Kurdish, Assyrian, Yezidi and Russian but not fulfilled with regard to Greek. The Committee of Experts states, in particular: "As regards the territory where Greek is spoken, the Committee of Experts was informed that Russian or Armenian is used in local assemblies." As has been mentioned in number of times in previous paragraphs, there is virtually no territory in Armenia where Greek is spoken. Greek is mostly used in schools where Greek is taught and in Greek nursery schools. Russian and Armenian are even used by members of the non-governmental organisations representing Greek communities when they communicate with one another, despite the fact that the authorities encourage them to use Greek. This provision of the Charter may be fulfilled in cases where "the number of residents who are users of regional or minority languages is such as to justify the measures specified".

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

138. The Committee of Experts considered that this obligation was fulfilled.

"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."

139. The Committee of Experts considered that this obligation was fulfilled.

"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."

140. Public service employees are in no way forbidden to use regional or minority languages. Officials and public service employees in the Republic of Armenia have an adequate knowledge of Russian. Moreover, the authorities take account of the languages of which officials providing services in the relevant territories have a command. For example, some of the social services staff in the region of Aragatzotn (where the majority of Yezidi and Kurds live) are Yezidi or Armenians speaking Yezidi and Kurdish; there are also Yezidi or Armenians who know Yezidi and Kurdish among the social services staff of the Nor Nork community in Yerevan; the assistant to the Head of Regional Administration in the Ararat region is Assyrian and speaks Assyrian, and the Employment Service for the Ararat region also has an employee who speaks Assyrian. The Head of the Yerevan Municipal Department dealing with complaints from the public is Yezidi and speaks Yezidi and Kurdish, and one of the employees of the Armenian Government Department for National Minorities and Religious Affairs is Yezidi and speaks Yezidi. Measures are being taken to pave the way for further fulfilment of these obligations.

"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."

141. The Committee of Experts considered that this obligation was fulfilled.

Article 11 - Media

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;

142. Only public radio and television have a public service mission in this respect in the Republic of Armenia. Under Section 28 of the Radio and Television Act, radio and television companies may assign airtime to ethnic minorities to broadcast in their languages. The programmes in question must not exceed one hour per week on television and one hour per day on the radio. As was mentioned earlier, arrangements were made with the Public Television Corporation and the Ministry of Justice to table a Bill in 2007 in Parliament to repeal the provision limiting the airtime for programmes in minority languages. It is true that public television and, in fact, a great number of other television companies broadcast, with the participation of national minority representatives or on their initiative, regular analytical programmes or information or awareness-raising programmes concerning their rights, but they are mostly broadcast in Armenian or Russian. Programmes broadcast in minority languages are quite limited and infrequent, except for those broadcast in Russian. Some television reporters belonging to national minorities speak their own language, at their request, when commenting on events and festivities organised by national minorities. These comments are often accompanied by translations into Armenian or Russian.

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

143. Armenian public radio broadcasts 30-minute programmes daily in Yezidi, Kurdish and Russian, as well as a 15-minute programme in these languages twice a month. Radio programmes in Assyrian have been broadcast since 2006 and it is planned to increase the airtime allocated to them in 2008.

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

144. Armenian legislation does not prevent Armenians of other nationalities from founding a radio and television company (there are, incidentally, such people in radio and television companies) or becoming a member of the Board of the Public Radio and Television Corporation or a member of the National Radio and Television Commission (see Sections 17, 29 and 41 of the Armenian Radio and Television Act).

145. The Radio and Television Act provides for only one type of licence for broadcasting radio and television programmes, which is awarded after a call for tenders. Members of a national minority may be given a licence if they fulfil the requirements prescribed by law. It should be noted that there have not yet been any such contenders when calls for tenders have been put out. Some people belonging to national minorities do, however, work in radio and television companies in various positions, where they are engaged in creative or other activities.

146. The reason there are no minority legal entities may be the lack of supply: few people in this section of population apply to go into the media. This may, in turn, be explained by the absence of large national minority communities, the fact that national minorities are dispersed over different settlements in the Republic, the low standard of living in many sections of population, including those belonging to national minorities, and the need to invest in a substantial amount of equipment in order to enter the electronic media field. When assigning frequencies on the basis of tenders in settlements populated by national minorities, the National Radio and Television Commission encourages these minorities to move into the electronic

media by giving preference, if they offer equal terms, to those radio and television companies that plan to produce and broadcast programmes in national minority languages. The National Radio and Television Commission has also made this information available to the Government Language Agency of the Armenian Ministry of Education and Science.

"1. e. i to encourage and/or facilitate the creation and/or maintenance of at least one newspaper in the regional or minority languages; or
ii to encourage and/or facilitate the publication of newspaper articles in the regional or minority languages on a regular basis;"

147. The Armenian Ministry of Culture allocates funds annually to promoting the national minority press. It is planned to increase the amount of financial aid in 2008. The majority of national minorities with their own press prefer, however, to publish in either Armenian or Russian. The following periodicals are published: the Yezidi newspapers "Lalsh" and "Ezdikhana" (in Armenian), the Russian newspapers "Republic of Armenia", "Urartu", "Golos Armenii" and "Novoe vremya", the Russian magazine "Literaturnaya Armeniya", and "Byzantine Heritage", published by the Greek community. The Kurdish "Mijagetk" magazine has come out fortnightly since 1999. It comprises 160,000 keystrokes, with 14 pages printed in Armenian and the last two pages in Kurdish. The newspaper also helps people to learn the Kurdish language and disseminates Kurdish national culture. The Kurdish-language "Rya Taza" newspaper fulfils the same purpose. Another Kurdish community periodical, "Zagros", has been printed since 2007. Members of the Assyrian community are aware that funds will be allocated to them from the Armenian State budget if they publish periodicals in their national languages, but there has been no such initiative on their part so far.

148. As for the financial difficulties of the print media, the amount of funding from the State budget will be increased, as mentioned earlier. As some of the ethnic minorities (in particular, the Yezidi and Greek minorities) continue to print their publications in Armenian and Russian, the Ministry of Culture has been recommended to tighten up the terms and conditions of financial aid so that their press includes at least some pages in the relevant languages.

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

149. The publication of newspaper articles will be facilitated by the increase in funding for national minority periodicals.

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

150. The Committee of Experts considered that this obligation was fulfilled.

"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 of the pluralism of media. "

151. Section 28 of the Armenian Radio and Television Act obliges the Public Television Corporation "to provide television audiences with series and programmes that take account of the interests of national minorities ... in the various regions of Armenia". Under the new Media Information Act (which entered into force on 8 February 2004), "the media shall release and disseminate information without the need for prior or current state registration or permission, and without having to notify the Government or any other body" (Section 4). The new law forbids "censorship and restrictions on anyone's right to use any media, including those broadcast and disseminated in other countries". The law does not contain any requirement in respect of the language of the mass media, and thus offers the media ample opportunity to disseminate information in the language or languages of their choice.

Article 12 - Cultural activities and facilities

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

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

152. Although the Committee of Experts considered this obligation to have been fulfilled, it expected to receive additional information on the allocation and distribution of funds for the cultural activities of national minorities. We would like to inform it in this respect that funds are allocated by the Armenian Presidential Adviser's Co-ordinating Council for Non-Governmental Organisations representing National Minorities to projects approved by those non-governmental organisations. The matter is discussed and decisions are taken exclusively by national minority representatives. It is planned to review and increase the amount of funding allocated in 2008.

"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;"

153. As was mentioned earlier, Section 8 of the Armenian Cultural Legislation Act specifies the attitude to be adopted towards the cultures of national minorities. It reads: "*The Republic of Armenia shall promote the preservation and development of the cultural identity of national minorities residing in its territory, and shall foster, by means of government programmes, conditions conducive to the preservation, dissemination and development of their religion, traditions, languages, cultural heritage and culture.*"

154. The Armenian Public Holidays and Remembrance Days Act has a special section providing for the right of national minorities in the Republic of Armenia to celebrate their national holidays.

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

155. All the ethnic communities are involved in two annual events organised by the Armenian Ministry of Culture: the "Exhibition of National Minorities' Fine, Decorative and Applied Arts" and the "National Minorities' Children's Music Festival". Both are widely reported and commented on in the media. In 2003 and 2004 the Ministry of Culture and Youth Affairs devised a number of development projects designed to make the

cultural life of the various regions of Armenia more active. These projects also covered territories where people belonging to national minorities lived. Steps have been taken to revive and renovate the cultural centres that used to operate in the regions, with a view to preserving national traditions and promoting folk art. The Ministry of Culture carries out preliminary discussions and co-operates with members of non-governmental organisations representing national minorities and plans the annual events for national minorities for which it provides support, for example exhibitions and music festivals. Government officials responsible for the organisation of cultural activities for national minorities in Armenia may never take any measures without consulting the minorities concerned. The ethnic communities do, however, have the right to organise numerous cultural events without any co-ordination on the part of government bodies, in which case they may likewise count on institutional, professional and sometimes even financial assistance from the relevant government bodies. The play "Assyrian Woman" by Razmik Khosroev, an Assyrian, was staged in 2005, thanks to the efforts of its author and financial assistance provided by the Armenian Government. In 2006 the Institute of Archaeology and Ethnology of the Armenian National Academy of Science published a booklet entitled "Beliefs of the Kurds and Yezidi" by Amine Avdal, the centenary of whose birth was celebrated the same year. The collection of poems "Country of the Sun" by the Yezidi poet Alikhane Mamei was published in 2007.

156. The Armenian Writers' Union has a Kurdish Writers' section, and the Institute of Oriental Studies of the Armenian National Academy of Science has a Kurdish Studies Department.

The Greek song and dance troupe "Pontos" takes part in all festivals, and the works of Greek artists are shown at numerous exhibitions.

The Stanislavsky State Russian Drama Theatre continues to be a great success and is greatly appreciated by the Russian community, as well as by the public at large, in Armenia. In the last two years alone, over 100 events have been organised in the Russian community. They include the International Romance Competition, the Days of Russian Culture in Armenia, the Russian Film Festival, musical evenings and other interesting gatherings. It should be mentioned that many events are organised with the assistance of the Association of Armenians of Russia. The dance troupes "Orpheus" and "Solnishko" are now active in the Russian community and perform on various stages. Meetings of Russian and Armenian artists, ambassadors and political figures have become a tradition in this community.

Some of these events are planned and organised jointly with the bodies of the Ministry of Culture and Youth responsible for such activities. A number of films on the national minorities of Armenia were shot in 2007, and those by Nika Sheki on the Jews, Assyrians and Yezidi deserve to be singled out. There is also Georgy Parajanov's film about a Yezidi wedding.

157. The opening by the Armenian Government of the National Minorities' Cultural Centre in the heart of Yerevan in 2007 substantially increased facilities for carrying out cultural projects for the benefit of national minorities and organising various events catering for them. The Cultural Centre may be used free of charge by all ethnic communities, and training courses, concerts, festivities and jubilee parties currently take place there. In recent years, ownership of two religious buildings has been returned to the Assyrian community, and the process of returning the Russian Church to the Russian community is nearing completion. The Greek community also intends to ask the Armenian Government to return ownership of the Greek Church to it, in which case the Government will no doubt accede to its request.

158. As stated in the First Report, the State preserves and restores not only Armenian monuments but also all the monuments in the Republic of Armenia that were erected at different times by other nations. The list of historical monuments is available in Table 6 of the Addendum to this report.

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

159. The national minorities of Armenia have always had and continue to have a very varied cultural life in the territories where they live. National, religious and cultural festivities are periodically organised in Assyrian villages, including festivities for the Assyrian New Year, which is celebrated on 1 April, as well as the Shara and St Mariam holidays. Performances are staged and concerts are given on these occasions. All the Assyrians living in these settlements invariably take part in these events. National celebrations for the

Assyrian New Year were organised in the Chamber Music Concert Hall in Yerevan with financial assistance from the Armenian President.

National holidays are also celebrated every year by members of the Yezidi and Kurdish communities. In 2007 the Yezidi community received additional financial assistance from the Armenian President, designed to improve the artistic performance of the Yezidi National Song and Dance Troupe. Yezidi songs are periodically broadcast on the ALM television channel. It should be mentioned that all Yezidi events of public significance are conducted in the Yezidi language.

Local celebrations of the national holidays of Armenian national minorities - Greeks, Assyrians, Yezidi, Kurds and other ethnic communities - are usually shown a few times a year on public television. The "Yerevan" and "Armen Hakob" television channels often broadcast news and programmes about festivities, including all minor but important events and developments in the lives of minorities.

Regional and national officials attend these events and take part in them when invited to do so by these communities.

It is worth mentioning that an exhibition of Greek books, including textbooks, was held in the "Moscow" cinema in Yerevan. The "Pontos" dance troupe is very popular all over Armenia. It mostly performs classical national dances and puts on shows in Greek national dress.

Events commemorating Kurdish intellectuals and other outstanding figures are periodically organised through the efforts of the "Kurdistan" committee. The Kurdish community has a national song and dance troupe in the region of Aragatzotn, a child and youth song and dance group in the village of Baysez near the town of Talin and a troupe called "Zilan" in the village of Sipan. These take part in joint concerts given by national minorities.

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

160. The culture of the national minorities of Armenia is also disseminated abroad as far as possible. On the initiative of the Assyrian "Atur" non-governmental organisation in Armenia, Assyrians take part in football, basketball, tennis and chess matches every year at the International Assyrian Games in Iran. They won first and second prizes in these competitions and were awarded cups and gold medals. This project has always been supported by the State. The Greek "Pontos" national dance troupe has been on concert tours to Greece. The Stanislavsky State Russian Drama Theatre goes on tours in the Russian Federation.

Article 13 – Economic and social life

"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;"

161. The Committee of Experts considered that this obligation was fulfilled.

162. Although the Committee of Experts considered this obligation to be fulfilled, it suggested that specific information be provided in the next periodical report on how the Republic of Armenia managed to oppose practices designed to discourage the use of regional or minority languages in connection with economic and social activities. When drafting this report we requested a number of private businesses and numerous non-governmental organisations to inform us whether they experienced any difficulties or barriers when it came to using their languages in practice. The information received and currently in our possession leads us to believe that there are no such problems. It is therefore impossible at this point to provide information about a non-existent problem.

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

163. Committee of Experts gave a number of examples of ways of facilitating or encouraging the use of regional or minority languages in economic and social activities. Although it is worth mentioning the meetings and conferences on the use of Russian in social and economic activities, as well as the competitions for teachers of Russian etc, no policies have yet been developed in Armenia to encourage the use of regional or minority languages. We hope to provide more comprehensive information in our next periodical report.

"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;"

164. With regard to economic and social activities, Armenian government bodies organise within the territories in which minority languages are used, in so far as the public authorities are competent to do so, activities in the economic and social sectors directly under their control (the public sector) to promote the use of minority languages. For instance, in the run-up to general and local elections, persons campaigning for a political party or local candidate make speeches in the relevant languages if they are users of territorial or minority languages. The local authorities conduct their meetings and discussions in the local language in rural settlements, particularly in places where the Yezidi and Kurds live. Schools' interior design includes decorations made from materials portraying the culture and history of ethnic communities. Performances by song and dance troupes and bands representing ethnic languages and cultures are also encouraged in these settlements. If people of other nationalities are also taking part, most of the speeches are translated into Russian or Armenian, on the initiative of the representatives of the ethnic communities.

"2 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;"

165. The first periodical report of the Republic of Armenia described the legal safeguards in respect of the admission of members national minorities to social care facilities (hospitals, retirement homes and hostels) and their treatment. No information has been received to the effect that any member of a national minority in Armenia has been deprived of such care or has had any difficulties in this respect for linguistic reasons. It is quite possible that no national minority language other than Russian is used in hospitals. The reason for this is that people who are treated in hospital or go to the doctor speak Russian or Armenian. The Armenian Ministry of Health informs us that in the rare cases where patients cannot speak Armenian or Russian, communication in their national language takes place through their relatives or other people with a command of the relevant language, or through interpreters. On no account do patients incur any expenses in this respect. It should also be mentioned that there are Greek, Yezidi, Kurdish and Assyrian doctors in Armenia and, if a problem arises, they can, of course, help to solve it. This issue will be, however, be monitored in Armenia to ascertain whether any measures are needed.

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;"

166. It has already been said that all the ethnic communities in the Republic of Armenia have every opportunity to communicate with users of identical or similar languages in other countries. These opportunities are guaranteed by the bilateral (friendship and co-operation) agreements signed by the Republic of Armenia with other States. They have also been facilitated by the multilateral agreements in force, as well as more by active social and cultural measures taken by national minorities. The bilateral agreements also provide an opportunity for Yezidi/Kurds and Assyrians, who do not have their own ethnic states, to communicate with the corresponding ethnic communities in other countries. Assyrians may, in particular, communicate with the Assyrian communities in Syria, Iraq, Iran, the United States, Russia and other countries, while the Yezidi and Kurds may maintain relations with communities in Iraq, Georgia, Russia, Germany and other European countries. They may also be in touch with communities in Turkey.

Here are a few examples. The Assyrians freely communicate with their compatriots and their organisations in Syria, Iraq, Germany, the United States, Iran, Russia and other countries. The priest from the church of the Assyrian village of Verin Dvin was invited to Iraq. Many Assyrians from other countries take part in the festivities celebrating Assyrian national holidays. The representative of the Syrian Christian Church in Antioch visited the Assyrian community of Armenia in 2002. Eleven representatives of the Assyrian Universal Alliance visited Armenia and participated in the scientific conference in 2005. A film about Assyrians called "Genocide of the Forgotten Nation" has been made. It was shot not only in Armenia but also in the Assyrian communities in the Islamic Republic of Iran, Iraq and Syria.

The Yezidi maintain active contacts with the Yezidi in Iraq, Georgia, Russia and Germany. As a result, some of the Yezidi sheikhs in Armenia receive their spiritual and religious education in Iraq. The Yezidi of Georgia and Armenia take part in their respective national holiday celebrations in Georgia and Armenia. A great number of Yezidi come to Armenia in July each year from Georgia and Russia to celebrate the "Vardavar" (Bright Rose) holiday. Yezidi and Kurds from different countries of the world participate in annual festivities in the village of Shamiram in October. The Kurds of Armenia co-operate actively with Kurdish centres elsewhere in Europe and even with the Kurds living in Turkey. Representatives of the Kurds of Armenia were also able to take part in the Kurdish conference that took place in Diarbekir in Turkey in 2006. The writer and publicist Yalal Nizami visited Armenia in spring 2006.

Contacts between the Russian ethnic community of Armenia and the Russian Federation and Russian communities in other countries are numerous and diverse.

The Greeks of Armenia also maintain active ties with Greece, and more active contact between Greeks and their ethnic motherland is encouraged because of the warm relations between Armenia and Greece. The Greeks of Armenia are involved in a number of translation, health, economic and other projects. They also maintain effective contacts with Greek communities in other countries, in particular with the Greek community in the Russian Federation.

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

167. The Committee of Experts considered this obligation to have been fulfilled.

Part 5

Implementation of the Recommendation of the Committee of Ministers of the Council of Europe on the application of the Charter by Armenia

As is apparent from the summary of measures taken in accordance with the Recommendation adopted by the Committee of Ministers of the Council of Europe on the application of the Charter by Armenia:

- The Republic of Armenia continues to make consistent efforts to improve the offer of Assyrian, Yezidi and Kurdish at all levels of education. New primary school textbooks have been published to update teaching materials, and middle-school textbooks are being written and published. Scholarships are awarded for the training of teachers in the Yerevan State University Department of Oriental Studies. A number of teachers of Assyrian were trained in 2006 and the training of teachers of Yezidi and Kurdish is on the agenda of the Ministry of Education and Science and is included in the curriculum for 2008.
- As regards the recommendation that the legal basis ensuring the use of regional or minority languages before courts be improved, under Article 15.1 of the Code of Criminal Procedure anyone taking part in criminal proceedings may use a language which he/she masters. The body conducting the proceedings may not require someone to use a particular language in court on the grounds that he/she has a command of that language. It follows that if the defendant has a command of the language of the proceedings and of a minority or other language, he/she may use any of these languages in court at his/her discretion. Article 15.2 stipulates that parties to the proceedings, including the prosecution, who do not have a command of the language of the proceedings have the right to use the services of a translator free of charge.
- As for the recommendation that measures be taken to improve the presence of Assyrian and Greek on the radio, and of Assyrian, Greek, Yezidi and Kurdish on television, steps have already been taken to broadcast radio programmes in Assyrian and it is planned to increase the quantity. As stated in paragraph 16 of this report, a preliminary agreement was reached with the Ministry of Justice of Armenia and the Public Radio and Television Corporation to table an amendment in 2007 in the Armenian Parliament, designed to repeal the provision in Section 28 of the Radio and Television Act limiting the duration of radio and television programmes in national minority languages. It will be possible to broadcast programmes in the languages mentioned once the restrictive provision has been repealed.
- As regards the request in the recommendation for clarification as to whether there are regional or minority languages used in Armenia other than those mentioned in Armenia's instrument of ratification, this report provides a comprehensive picture of all the ethnic minorities that exist in Armenia and the languages used there. Besides the languages mentioned, there are some languages that are used in Armenia on a provisional basis by foreign students. These languages are neither traditional nor regional or minority languages: they may be described as languages used by temporary migrants and include Farsi and Arabic.

ADDENDUM

Table 1 Breakdown of the Armenian permanent population into towns and villages

	Nationality							
	Armenian	Assyrian	Yezidi	Greek	Russian	Ukrainian	Kurdish	Other
Total	3145354	3409	40620	1176	14660	1633	1519	4640
Towns	2041622	524	7413	853	10489	1386	315	3551
Villages	1103732	2885	33207	323	4171	247	1204	1089

Table 2 List of rural settlements with several nationalities or inhabited predominantly by national minorities

	Settlement	National Minority	Region
1	Arzni	Assyrians and Armenians	Kotayk
2	Verin Dvin	Assyrians and Armenians	Ararat
3	Dmitrov	Assyrians and Armenians	Ararat
4	Nor Artagers	Assyrians, Armenians and Yezidi	Armavir
5	Alagyaz	Mostly Kurds and some Yezidi	Aragatzotn
6	Sadunts/Amre Taza	Yezidi	Aragatzotn
7	Avshen	Yezidi	Aragatzotn
8	Mijnatun/Ortatjya	Yezidi	Aragatzotn
9	Rya Taza	Yezidi, some Kurds	Aragatzotn
10	Shenkani	Yezidi	Aragatzotn
11	Tjartjakis/Derek	Yezidi, some Kurds	Aragatzotn
12	Sipan	Yezidi	Aragatzotn
13	Mirak	Yezidi	Aragatzotn
14	Kanishir/Sangyar	Yezidi	Aragatzotn
15	Jamshlu	Yezidi	Aragatzotn
16	Arevut/Barozh	Yezidi	Aragatzotn
17	Sorik	Yezidi	Aragatzotn
18	Shamiram	Yezidi	Aragatzotn
19	Yeraskhahun	Yezidi and Armenians	Aragatzotn
20	Dedmasar/Ghabakhtapa	Yezidi	Aragatzotn
21	Ghazaravan	A number of Yezidi among Armenians	Aragatzotn
22	Hako/Hakko	Yezidi	Aragatzotn
23	Kanch/Gyalto	Yezidi	Aragatzotn
24	Tellek	Yezidi	Aragatzotn
25	Otevan/Baysez	Yezidi	Aragatzotn
26	Metzadzor/Avtona	Yezidi	Aragatzotn
27	Getap	Mixed	Aragatzotn
28	Ayntap	A number of Yezidi among Armenians	Ararat
29	Hoktember	A number of Yezidi among Armenians	Armavir
30	Ferik	Yezidi	Armavir
31	Ardashar	Yezidi	Armavir
32	Nor Kesaria	A number of Yezidi among Armenians	Armavir
33	Aygavan	A number of Yezidi among Armenians	Ararat
34	Zovuni	A number of Yezidi among Armenians	Kotayk Region
35	Nor Geghi	A number of Yezidi among Armenians	Kotayk Region
36	Jeraber	A number of Yezidi among Armenians	Kotayk Region
37	Lermontovo	Russian Molokans and a number of	Lori Region

		Armenians	
38	Fioletovo	Russian Molokans	Lori Region

Table 3 List of settlements where Yezidi/Kurdish is currently taught in Armenian general education schools

	Settlement	Region
1	Lukashin	Armavir
2	Khanjyan	Armavir
3	Town of Armavir, secondary school No.10	Armavir
4	Ferik	Armavir
5	Alagyaz	Aragatzotn
6	Sadunts /Amre Taza ⁵	Aragatzotn
7	Avshen	Aragatzotn
8	Mijnatun/Ortantjya	Aragatzotn
9	Rya Taza	Aragatzotn
10	Shenkani	Aragatzotn
11	Tjartjakis/Derek	Aragatzotn
12	Sipan	Aragatzotn
13	Mirak	Aragatzotn
15	Kanashir/Sangyar	Aragatzotn
16	Jamshlu	Aragatzotn
17	Sorik	Aragatzotn
19	Dedmasar/Ghabakhtapa	Aragatzotn
20	Tellek	Aragatzotn
21	Otevan/Baysez	Aragatzotn
21	Zovuni	Kotayk Region
23	Nor Geghi	Kotayk Region
24	Kanaker Avan	Kotayk Region

Table 4 List of classes currently providing instruction in Assyrian in Armenian general education schools

Ararat Region	School	Total Number of Pupils Learning Assyrian	Number of Pupils Learning Assyrian per year
	Secondary School of the Village of Verin Dvin	250	First Year - 11 First Year - 15 Second Year - 17 Third Year - 27 Fourth Year - 16 Fifth Year - 28 Sixth Year - 33 Seventh Year - 22 Eighth Year - 25 Ninth Year - 31 Tenth Year - 25

⁵ The settlements which appear on the list with two names are those whose names have been changed at the instigation of their respective populations during the last five years. The new names are given alongside the former ones and are separated from them with a stroke.

	Secondary School of the Village of Dimitrov	68	First Year - 5 First Year - 3 Second Year - 2 Third Year - 5 Fourth Year - 2 Fifth Year - 2 Sixth Year - 33 Seventh Year - 22 Eighth Year - 9 Ninth Year - 10 Tenth Year - 10	
Kotayk Region	Secondary School of the Village of Arzni	114	First Year - 6 First Year - 9 Second Year - 12 Third Year - 11 Fourth Year - 11 Fifth Year - 12 Sixth Year - 23 Seventh Year - 7 Eighth Year - 3 Ninth Year - 11 Tenth Year - 9	
Yerevan	Secondary School No. 8	8	First Year - 3 Second Year - 2 Fifth Year - 1 Eighth Year - 1 Ninth Year - 1	

Table 5 List of classes providing instruction in Russian in Armenian general education schools

No.	Region	School No.	Years
1.	Yerevan	7	Years 1-10
2		8	Years 1-10
3		29	Years 1-10
4		35	Years 1-10
5		55	Years 1-7
6		69	Years 1-10
7		62	Years 1-10
8		77	Years 1-10
9		85	Not all years
10		109	Years 1-10
11		122	Not all years
12		132	Years 1-10
13		164	Years 1-10
14		147	Years 1-10
15		176	Years 1-10
16		Special school No.4	Not all years
	Kotayk Region		
17		School No.10 in the town of Hrazdan	Years 1-10
18		School No. 4 in the town of Charentsavan	Not all years.
19		School No.4 in the town of Abovyan	Years 1-10

20		School No.4 in the town of Nor Hajen	Not all years
	Gegharkunik Region		
21		School No.3 in the town of Sevan	Not all years
	Shirak Region		
22		School No. 1 in the town of Gyumri	Not all years.
23		School No. 2 in the town of Gyumri	Not all years
24		School No.7 in the town of Gyumri	Not all years
25		School No. 23 in the town of Gyumri	Years 1-10
	Lori Region		
26		School no.4 in the town of Vanadzor	Years 1-10
27		School No.11 in the town of Vanadzor	Years 1-10
28		School No.2 in the town of Stepanavan	Years 1-10
29		School No.1 in the town of Tashir	Years 1-10
30		School in the village of Fioletovo	Years 1-10.
31		School in the village of Lermontovo	Years 1-10
	Armavir Region		
32		School No.5 in the town of Armavir	Years 1-10
33		School No.5 in the town of Vagharshapat	Years 1-10
	Ararat Region		
34		School No. 4 in the town of Artashat	Not all years
35		School in the village of Verin Dvin	Years 1-10
36		School in the village of Dimitrov	Years 1-10

Table 6 List of government-protected places of worship and historical monuments belonging to existing or former religious and ethnic communities in the territory of Armenia

- Catholic Church in Gyumri, built by the canon and head priest, Araratian, between 1848 and 1855.
- Russian church in the square near the railway station in Vanadzor. It was built in 1895.
- Russian church in Gyumri (Shining Chapel), built in 1904.
- Russian church in Yerevan, 117-123 Zakaria Sarkavagi St., district of Kanaker-Zeytun, near the military barracks. It was designed by the architect V. Mirzoyan and was built in 1913.
- Russian fortress complex on the south-west border of Gyumri, built from 1834 to 1844 by decree of Nicholas I. The "Sevyersky Fort" stands as a separate structure within the fortress complex. It is laid out in the form of a circle and serves as a military unit depot.
- Frontier post of the Russian border troops, in the village of Yervandashat in the Baghramyan district of the Region of Armavir. It was built with raw bricks in 1877-1878, before the Russo-Turkish War.
- Iranian Blue Mosque (Gyoy Jami Mosque), 12 Mesrop Mashtots Avenue, Yerevan. According to the inscription preserved on its South Gate, it was built by Hussein Ali-Khan in 1766. The Blue

Mosque of Yerevan is a shining example of late Persian architecture preserved in the South Caucasus. The restoration work was done from 1994 to 1998.

- Mosque of Sardar, dating from the late 19th century, 40 Khorhrdarani St., Yerevan. It forms part of the Yerevan Fortress Complex. The mosque was turned into barracks after it was conquered by Russian troops. Only the frame of the building has been preserved.
- Church of St. Cyril (an Assyrian church), in the village of Dimitrov, district of Artashat, Region of Ararat. It was built in 1840 as a place of worship for the Assyrian residents of the village.
- Church of Urma (an Assyrian church), dating from the late 19th century, in the village of Verin Dvin, district of Artashat, Region of Ararat. It was named Urma by the Assyrian residents of the village.
- St. Sava Church (a Greek Orthodox Church) in the village of Shamlugh, district of Tumanyan, Region of Lori. According to the inscription near the entrance, it was built as a place of worship for the Greek Orthodox population of the village. It is an important example of a Greek Orthodox Church preserved in Armenia.
- The Jewish Cemetery, dating from the 14th to the 17th century, district of Yeghegnadzor, Region of Vayots Dzor, near the south-east border of the village of Yegheguis, on the left bank of the river Yegheguis, in a place called "Yaponi bagher" (Orchards of Yapon). Tomb inscriptions in Hebrew and interwoven architectural ornaments have been preserved.
- Kurdish cemeteries, dating from the 16th to the 18th century, in the northern part of the village of Rya Taza, district of Aragatz, Region of Aragatzotn.
- Mongolian mausoleum, 3 Abovyan St., 1319, Yerevan. The monument was discovered during building work in 2001.
- The family mausoleum of the Turkmenian emirs: according to the inscription in Arabic, it was built in 1413. It is located in the village of Argavand in the Masis district of the Region of Ararat. The mausoleum cupola was partially restored in 1980.