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EUROPEAN CHARTER FOR REGIONAL OR MINORITY LANGUAGES

APPLICATION OF THE CHARTER IN ARMENIA

3rd monitoring cycle

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

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

To facilitate this task, the Committee of Ministers adopted, in accordance with Article 15, paragraph 1, an outline for periodical reports that a Party is required to submit to the Secretary General. The report should be made public by the State. This outline requires the State to give an account of the concrete application of the Charter, the general policy for the languages protected under Part II and, in more precise terms, all measures that have been taken in application of the provisions chosen for each language protected under Part III of the Charter. The Committee of Experts' first task is therefore to examine the information contained in the periodical report for all the relevant regional or minority languages on the territory of the State concerned.

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

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

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

adopted by the Committee of Experts on 20 June 2013
and presented to the Committee of Ministers of the Council of Europe
in accordance with Article 16 of the Charter

Chapter 1 Background information

1.1 The Charter's ratification by Armenia

1. The Republic of Armenia signed the European Charter for Regional or Minority Languages (hereafter referred to as the Charter) on 11 May 2001 and deposited its instrument of ratification on 25 January 2002. The Charter entered into force in respect of Armenia on 1 May 2002.

2. The instrument of ratification is set out in Appendix I of this report.

1.2 The work of the Committee of Experts

3. Armenia's third periodical report was due on 12 February 2011, but was presented to the Secretary General of the Council of Europe only on 11 October 2012. This report was made public on the website of the government, after being sent to the Council of Europe.

4. This third evaluation report is based on the information obtained by the Committee of Experts from the third periodical report of Armenia as well as from meetings held with representatives of the minority language speakers and the Armenian authorities during the on-the-spot visit, which took place from 5-7 March 2013.

5. The present report contains detailed observations and recommendations which the Armenian authorities are encouraged to take into account when developing their policy on regional or minority languages. On this basis, the Committee of Experts has also established a list of proposals for recommendations to be addressed to Armenia by the Committee of Ministers, as provided in Article 16 (4) of the Charter.

6. The present report was adopted by the Committee of Experts on 20 June 2013.

1.3 Particular issues arising from the evaluation of the application of the Charter in Armenia

Reporting

7. The Committee of Experts regrets that the third periodical report was submitted by Armenia with a delay of nearly 20 months and that it does not always provide comprehensive and updated information on the application of the Charter. The information in the report is frequently too general to permit the Committee of Experts to reach a conclusion on the fulfilment of each undertaking. The Committee of Experts was also informed that the report was drafted without consulting the minority associations. This also affected the quality of the information presented in the report, as the views of and information from the speakers were not reflected in the content of the report. As the absence of comprehensive information hampers the effectiveness of the monitoring, the Committee of Experts encourages the Armenian authorities to include in their fourth periodical report concrete practical information on the application of all undertakings in respect of each minority language, as well as to ensure that the contributions from the speakers are presented in an appropriate way.

8. In order for the monitoring mechanisms to function properly, it is vital for States Parties to respect the integrity and independence of the members of the monitoring committees. During this monitoring period, the Armenian member of the Committee of Experts was told to refrain from attending a committee meeting, without any valid reason given. In the view of the Committee of Experts it is regrettable if governments unduly hamper the work of independent Council of Europe monitoring mechanisms. The Committee of Experts insists that experts appointed to the Committee should be free to act independently and should not be subject to any sanctions or restrictions in performing their activities regarding the Charter. Any other practices would be inconsistent with the principle of diligent implementation of commitments undertaken by the State concerned upon the ratification of the Charter.¹

1.4 *Presentation of the regional or minority language situation: update*

Part II languages

9. Armenia's instrument of ratification mentions only the languages covered by Part III of the Charter (Assyrian, Greek, Kurdish, Russian, Yezidi). However, in the chapters on Part II of the initial, second and third periodical reports, the Armenian authorities have also included information about languages not covered by Part III (Belarusian, Georgian, German, Polish, Ukrainian and Yiddish). In its first and second evaluation reports, the Committee of Experts decided to deal with these languages under Part II and asked the Armenian authorities to provide additional information about the traditional presence of the aforementioned languages in Armenia and about the number of speakers. While the third periodical report does not contain specific information about these issues, the Committee of Experts was able to obtain the following information during and after the on-the-spot visit.

10. In light of information submitted by the association of the Ukrainian national minority and academic works², the *Ukrainian* language has been traditionally present in Armenia since 1858 when a group of Ukrainians from Georgia settled in the present Lori *marz* (province) and founded a village presently called Amrakits. A greater number of Ukrainians migrated to Armenia after the establishment of the Soviet Union, mainly specialised workers and scientists. There are no compact settlement areas of Ukrainians in Armenia. In the 2001 census, 1 640 people identified themselves as Ukrainian. However, representatives of the Ukrainian national minority estimate the number of Ukrainians in Armenia at about 3000. As reported by them, approximately 40% of those belonging to the Ukrainian national minority speak Ukrainian. The Ukrainian minority is represented in the Coordinating Council for National Minorities, and receives financial support from the Armenian authorities.

11. According to studies published with the assistance of the Armenian authorities and the OSCE³, other academic works⁴ and information submitted by the German minority association, the *German* language has been traditionally present in Armenia since 1805 when Germans from Russia came to Armenia during the Russo-Persian War. In 1891, a second group of Germans migrated to Armenia from Georgia. The deportation of the Caucasus Germans to Kazakhstan and Siberia in 1941 did not affect all Germans in Armenia, and a number of the deportees have returned since 1956. The Germans are represented in the Coordinating Council for National Minorities. While the 2001 census recorded 133 Germans, the minority association has registered 430 Germans of whom about 25% speak German. The promotion of this language is a main activity of the association whose work is financially supported by the Armenian authorities.

¹ See Report of the Committee on Legal Affairs and Human Rights of the Parliamentary Assembly, Reinforcing the selection processes for experts of key Council of Europe human rights monitoring mechanisms, Doc. 13133, 14 February 2013, <http://assembly.coe.int>

² Гарник Асатрян/Виктория Аракелова: Национальные меньшинства Армении [The National Minorities of Armenia], Yerevan 2002; Долженко И. В. Славянский обряд славянского православного населения Армении [Dolzhenko I. V.: Slavic rite of the Slavic Orthodox population of Armenia], 1985

³ Alexander Yaskorski/Rudolf Yaskorski: Schwaben im Schwarzmeergebiet und im Kaukasus [Swabians in the Black Sea Region and in the Caucasus], Yerevan 2003; Гарник Асатрян/Виктория Аракелова, *ibidem*

⁴ Suren Zolyan: National Minorities in Armenia and Educational State Policy, Council of Europe, European Centre for Modern Languages, Graz 2001; European Centre for Modern Languages: Valuing all languages in Europe, Graz 2007

12. On the basis of the information available, the Committee of Experts concludes that the Ukrainian and German languages comply with the definition of a “regional or minority language” contained in Article 1 (a) and that, pursuant to Article 2 (1), the provisions of Part II apply to these languages.

13. The Belarusian minority association has informed the Committee of Experts that the *Belarusian* language is used by migrants and has no traditional presence in Armenia. This information is confirmed by academic sources.⁵ The Belarusian language therefore does not comply with the definition of a regional or minority language in conformity with Article 1 (a).

14. The Committee of Experts has not received specific information about the *Georgian, Polish and Yiddish* languages. Therefore, the Committee of Experts asks the Armenian authorities to provide, in their next periodical report, additional information about the traditional presence of the Georgian, Polish and Yiddish languages in Armenia and about the number of speakers. Taking into account that the third periodical report, similar to the first and second periodical reports, contains information about the promotion of Georgian, Polish and Yiddish, and awaiting clarification concerning the aforementioned issues, the Committee of Experts will also deal with these languages under Part II of this evaluation report.

15. The Committee of Experts refers to the 2011 report on Armenia by the Committee on the Elimination of Racial Discrimination⁶ and, following the request concerning the 2011 census contained therein, asks the Armenian authorities to provide information on the number of speakers of the Azerbaijani language and its traditional presence in Armenia.

⁵ See *ibidem*

⁶ CERD/C/ARM/CO/5-6, paragraph 10

Chapter 2 Conclusions of the Committee of Experts on how the State authorities have reacted to the recommendations of the Committee of Ministers RecChL(2009)4

Recommendation no. 1:

“develop a structured policy to make available sufficient teacher training and up-dated teaching materials in Assyrian, Yezidi and Kurdish at all levels”

16. As far as teacher training is concerned, the Armenian authorities have tried to organise training courses for teachers of Yezidi. However, the Committee of Experts has not received more specific information about measures to train teachers of Yezidi, including basic training. In addition, it has not received specific information concerning the training of teachers of the Assyrian and Kurdish languages. With regard to teaching materials, the Armenian authorities have financed the publication of some textbooks in Assyrian, Kurdish, and Yezidi. Further textbooks are in preparation.

Recommendation no. 2:

“ensure the use of regional or minority languages before courts and inform courts and the public on the rights and duties related to Article 9 of the Charter”

17. Minority language speakers have requested, and were granted, interpretation and translation of documents in several cases, at the expense of the state. However, it is not clear which minority languages were concerned in these cases. There is no specific information about awareness-raising activities.

Recommendation no. 3:

“take measures to improve the presence of Assyrian and Greek on radio, and of Assyrian, Yezidi and Kurdish on television”

18. The public radio of Armenia broadcasts a daily programme in Assyrian (15 minutes), but there are currently no radio programmes in Greek. Preparations to launch a programme in Greek have so far not been successful. Assyrian, Greek, Kurdish and Yezidi are neither used on public television, nor by private broadcast media.

Recommendation no. 4:

“clarify whether there are regional or minority languages used in Armenia other than those mentioned in Armenia’s instrument of ratification”

19. The third periodical report does not contain new information about whether there are regional or minority languages used in Armenia other than those mentioned in the instrument of ratification. However, in light of information obtained during the on-the-spot visit, the Committee of Experts has concluded that Ukrainian and German are regional or minority languages in the sense of the Charter and therefore covered by Part II. With regard to Georgian, Polish and Yiddish, further clarification by the authorities is needed.

Chapter 3 The Committee of Experts' evaluation in respect of Parts II and III of the Charter

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

20. In its examination of Part II, the Committee of Experts will not comment on provisions where no major issues were raised in the previous evaluation report and for which the Committee of Experts did not receive any new information. These provisions are Article 7.1.b, e and 7.5.

21. As far as the Part III languages are concerned, the Committee of Experts refers to its evaluation under Part III of the Charter (Chapter 3.2 below).

Article 7 Objectives and principles

Paragraph 1

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

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

22. In the second monitoring cycle, the Armenian authorities were working on a draft law on national minorities which could have strengthened the legal position of the minority languages as well. The Committee of Experts asked the Armenian authorities to submit more information about this initiative in the third periodical report.

23. The third periodical report states that the Armenian authorities have, in consultation with the associations of the national minorities, prepared a draft Law "On National and Ethnic Minorities". During the subsequent discussion about this draft, a number of minority representatives were of the view that the contents of the draft did not correspond to their needs. The work on the draft law has currently been suspended.

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

24. In the second evaluation report, the Committee of Experts asked the Armenian authorities to provide information, in the third periodical report, on the revision of the financial assistance scheme for national minorities. In addition, the Committee of Experts asked for clarification as to whether the funds for educational and cultural activities of minority associations would be increased and to what extent the minority languages would benefit from this support.

25. The third periodical report states that the Armenian authorities have continued to provide financial support to educational and cultural activities of the minority associations represented in the "Coordinating Council of National and Cultural Non-governmental Organisations of National Minorities in the Republic of Armenia" (hereafter "Coordinating Council for National Minorities"). The financial support has, however, not been increased since 2000, despite the increase of expenses. From a total annual amount of ten million drams (about EUR 18 600), nine million drams (about EUR 16 700) are allocated equally to the eleven national minorities while one million drams is dedicated to programmes and events. In 2012, the authorities allocated an additional ten million drams to implement, among other things, educational and cultural programmes of all minorities. However, representatives of the authorities stated during the on-the-spot visit that these amounts are only to some extent used for language promotion, mainly the publication of news bulletins. Furthermore, the authorities provide additional funds for national minorities having no kin-state.

26. The third periodical report also states that, further to requests from the minority associations, a general increase in the funding of national minorities is under discussion. During the on-the-spot visit,

representatives of the national minorities strongly criticised that the financial support provided by the authorities is extremely low and covers only the cost of renting premises and of only a few and small projects. Bearing in mind that only some of these projects actually concern the promotion of the minority languages, the Committee of Experts considers that the aforementioned amounts are clearly insufficient to make a meaningful contribution to the practical implementation of the Charter. The Committee of Experts therefore welcomes the on-going discussions between the authorities and the minority associations about a funding increase and looks forward to an increase that will enable the authorities to take, in co-operation with the associations, resolute action to promote the minority languages.

The Committee of Experts encourages the Armenian authorities to provide adequate funding to the minority associations permitting the promotion of the minority languages in conformity with their obligations under the Charter.

27. During the on-the-spot visit, the Committee of Experts' attention was also drawn to a matter relating to censuses. Representatives of several national minorities expressed the wish to include more differentiated questions about language into the census form to take account of the fact that many persons belonging to national minorities do not master their minority language at an appropriate level, but have an active interest in learning it.

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

28. According to the third periodical report, the Armenian authorities provide financial support for news bulletins of the Georgian, Polish and Ukrainian minority associations, specifically a bulletin published partly in *Georgian*, a quarterly published in *Polish*, Armenian and Russian, and a monthly bulletin published in *Ukrainian* and Russian. These publications contain news on the educational, social and cultural life of the national minorities. There is no news bulletin in *German*, but German newspapers and audio-visual products are accessible at the German Library in Yerevan.

29. Representatives of the Georgian national minority informed the Committee of Experts during the on-the-spot visit that a radio programme broadcasts in *Georgian*, including on news items. Bearing in mind that this radio programme in Georgian was discontinued during the previous monitoring cycle, the Committee of Experts welcomes its re-launch. There are no broadcast media for the *German*, *Polish* and *Ukrainian* languages. However, the "German-speaking Armenian Association", which unites Armenians speaking German as a foreign language, regularly presents movies in German.

30. The Armenian authorities have financially supported the publication of several books in *Georgian* (including books for children).

31. There are minority choirs performing in *Georgian*, *Polish*, *Ukrainian* and *Yiddish* and regularly participating in festivals in different regions of Armenia. Activities of choirs are also used by the minority associations to provide the younger generation with an opportunity to practice the minority language.

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

32. As far as regular state education is concerned, the Committee of Experts was informed during the on-the-spot visit that the number of pupils learning *German* as an optional subject increased during the reporting period. German can also be studied at four universities. With support from the Armenian and German authorities, the German Educational and Cultural Centre organises further training of German teachers, language courses, cultural events and activities supporting the German minority.

33. Attempts to introduce the teaching of *Polish* and *Ukrainian* in the framework of regular state education failed during the reporting period owing to not enough pupils being interested.

34. Outside regular state education, the associations of the *Georgian, German, Polish and Ukrainian* national minorities continue to organise Sunday schools teaching the respective minority languages to children and adults. During the on-the-spot visit, minority representatives informed the Committee of Experts of a plan to develop an internet-based learning platform for all minority languages of Armenia (distance-learning).

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

35. Facilities enabling non-speakers of a minority language to learn it exist regarding Assyrian, Georgian, German, Greek, Kurdish, Polish, Russian, Ukrainian and Yezidi.

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

36. According to the third periodical report, the libraries of the National Academy of Sciences, research institutes and educational institutions have a considerable number of books in *Georgian, German, Polish and Ukrainian*. The Committee of Experts asks the authorities to provide specific information on study and research on minority languages at universities or equivalent institutions.

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

37. The third periodical report states that *Georgian* speakers have participated in exchanges with Georgia, receiving financial support from the Armenian authorities. In addition, the Committee of Experts has been informed of recent contacts between *Yezidi* speakers in Armenia and abroad. It welcomes this development.

38. During the on-the-spot visit, the Committee of Experts was informed by representatives of the *Greek* speakers that they are interested in maintaining the traditional co-operation with the Greek minority in Georgia, but often meet difficulties. The Committee of Experts encourages the Armenian authorities to facilitate contact across borders between the Greek speakers in Armenia and Greek speakers in Georgia.

39. The Committee of Experts has not received any relevant information about other languages and asks the Armenian authorities to provide this information in the next periodical report.

Paragraph 2

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

40. Article 143 of the Armenian Criminal Code (2003) prohibits discrimination on the grounds of language. In the third monitoring cycle, the Committee of Experts did not receive any complaints about discrimination related to the use of minority languages.

Paragraph 3

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

41. As the Committee of Experts observed during the previous monitoring cycles, a climate of tolerance prevails in Armenia with regard to minority languages whose speakers do not suffer from hostility or a negative image on the part of the majority population.

42. According to the third periodical report, the general education programmes include topics relating to the history and culture of the national minorities. In particular, the curriculum of the subject "Sociology" covers "The rights of national minorities". The textbooks take these topics into consideration.

43. The third periodical report states that, pursuant to Article 26 of the Law "On Television and Radio", the Public Television and Radio Company is obliged to provide television and radio programmes concerning the national minorities. These programmes deal *inter alia* with the history, education, culture, language and rights of the minorities. Information on events organised by minorities contributes to the creation of an atmosphere of respect and mutual understanding among all linguistic groups of the country. However, there is no information on whether such programmes exist in practice. The Committee of Experts asks the authorities to provide specific information in the next periodical report.

Paragraph 4

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

44. As in the previous monitoring cycles, two bodies advise the Armenian authorities on matters pertaining to minority languages: the Coordinating Council for National Minorities, which is institutionally attached to the Adviser to the President of Armenia, and the Commission on National Minorities Issues of the Public Council (a consultative body formed by the President of Armenia from representatives of associations, with a view to supporting the creation of a civil society and taking into consideration the needs of various parts of the population). The Public Council's Commission on national minority issues has a sub-committee on education, culture and linguistic issues which also deals with matters related to the implementation of the Charter.

45. According to the third periodical report, the Armenian authorities have consulted the Public Council, representatives of the national minorities and educational institutions of minorities in the process of drafting that report. However, during the on-the-spot visit, the Committee of Experts was informed that no consultation took place and the Public Council did not receive any notice about the drafting of the report.

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

3.2.1 Assyrian

46. The Committee of Experts will not comment on undertakings that were considered fulfilled in the previous evaluation report and for which the Committee of Experts did not receive any new information requiring it to revise the fulfilment conclusion. These undertakings are set out in the below presentation for information.

Article 8 – Education

Teacher training and teaching materials

47. In the second evaluation report, the Committee of Experts noted that the shortage of trained teachers and adequate teaching materials at all levels of education remained the main obstacles to minority language education. In addition, the Committee of Ministers recommended Armenia to develop a structured policy to make sufficient teacher training and updated teaching materials available in Assyrian at all levels.

48. The Committee of Experts has not received specific information about measures to train teachers of Assyrian and therefore asks the Armenian authorities to provide this information in the next periodical report. The Committee of Experts was, however, informed that one reason for the lack of teachers is the current system of employment and payment, which does not take into account the specificities of teaching of minority languages (small groups, insufficient number of hours and, sometimes, optional status of courses).

49. According to the third periodical report, the Armenian authorities have financed the publication of the textbook "Speak in Assyrian" (first grade) and the textbook "Write and read in Assyrian" (second grade) in 2009. The preparation of a textbook for secondary education is underway. The Committee of Experts encourages the Armenian authorities to publish the aforementioned textbook and to ensure that appropriate teaching materials are available for all grades concerned by the ratification.

50. Furthermore, the third periodical report states that the educational standard and programme for grades 1-12 of Assyrian was presented in 2009.

51. The Committee of Experts notes that since 2009 there have been no further developments.

52. The Committee of Experts has been informed by representatives of the speakers that a reform of secondary education is under way. Secondary education has been divided into lower and higher secondary education, which is provided only in selected schools. The Committee of Experts asks the authorities to provide information on how this affects the teaching of Assyrian in higher secondary education.

Paragraph 1

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

Pre-school education

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

53. In the second evaluation report, the Committee of Experts considered this undertaking not fulfilled. It encouraged the Armenian authorities to take effective measures to favour and/or encourage the creation of adequate pre-school education in minority languages.

54. According to the Armenian authorities and representatives of the Assyrian speakers, the Assyrian language is still not used in pre-school education as there seems to be a lack of applications from parents. However, experience shows that the absence of demand is often the result of a lack of information of and awareness among parents and local authorities of the advantages of minority language education. During the on-the-spot visit, representatives of the Assyrian speakers confirmed their interest in using Assyrian in kindergartens. The Committee of Experts therefore considers that the Armenian authorities should, in co-operation with representatives of the Assyrian minority, promote the possibility of Assyrian-language education in pre-schools among the speakers. It notes in this context that, according to the periodical report, pre-school groups in minority languages can already be set up with eight to ten children, which is lower than the minimum threshold of 25-30 children usually applied. However, there seems to be a need for additional funding of minority language kindergartens in order to enable small municipalities to make pre-school education available in Assyrian.

55. The Committee of Experts considers this undertaking not fulfilled.

The Committee of Experts urges the Armenian authorities to encourage the use of Assyrian in pre-school education.

Primary education

- b.**
 - i. to make available primary education in the relevant regional or minority languages; or*
 - ii. to make available a substantial part of primary education in the relevant regional or minority languages; or*
 - iii. to provide, within primary education, for the teaching of the relevant regional or minority languages as an integral part of the curriculum; or*
 - iv. to apply one of the measures provided for under i and iii above at least to those pupils whose families so request and whose number is considered sufficient.**

56. In the second evaluation report, the Committee of Experts considered this undertaking partly fulfilled.

57. According to the third periodical report, Assyrian is taught in the villages of Verin Dvin, Dimitrov, Arzni and Nor Artagers as well as in Yerevan to a total of 228 pupils. Some classes have been opened even for two pupils. According to representatives of the Assyrian speakers, the Assyrian language is taught two hours per week from the first to the third grades. However, the Committee of Experts considers that the current offer is insufficient to provide pupils with a degree of fluency and literacy in the language that would make the active use of Assyrian in public life a realistic option.⁷

58. The Committee of Experts considers this undertaking partly fulfilled. It urges the Armenian authorities, in co-operation with representatives of the Assyrian speakers, to extend the offer of teaching Assyrian.

Secondary education

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

⁷ See 2nd Report of the Committee of Experts on Ukraine, paragraph 274

59. In the second evaluation report, the Committee of Experts considered this undertaking partly fulfilled.

60. According to the third periodical report, Assyrian is taught at secondary schools in the Ararat, Kentron, Kotayk and Armavir *marzer* to 318 students. The Committee of Experts learned from representatives of the speakers that Assyrian is taught three hours per week from the fourth to the twelfth grades.

61. The Committee of Experts considers this undertaking partly fulfilled. It encourages the Armenian authorities, in co-operation with representatives of the Assyrian speakers, to extend the offer of teaching Assyrian.

Technical and vocational education

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

62. In the second evaluation report, the Committee of Experts considered this undertaking not fulfilled. It urged the Armenian authorities to continue their efforts to ensure that an offer of teaching in or of minority languages is included in technical and vocational education.

63. According to the third periodical report, there have been no applications for Assyrian-language education at technical and vocational levels. In light of the observations made under Article 8.1.a.iii, and bearing in mind that Armenia has ratified this undertaking, the Committee of Experts considers that the Armenian authorities should, in co-operation with representatives of the Assyrian speakers, promote the possibility of Assyrian-language education in technical and vocational schools among the Assyrian speakers.

64. The Committee of Experts considers this undertaking not fulfilled. It strongly urges the Armenian authorities, in co-operation with representatives of the Assyrian speakers, to make technical and vocational education available in Assyrian or to provide for the teaching of this language as a subject.

University and higher education

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

65. In the second evaluation report, the Committee of Experts considered this undertaking partly fulfilled. It encouraged the Armenian authorities to strengthen their efforts to make university and higher education available in the minority languages particularly in the field of teacher training.

66. According to the third periodical report, classical Assyrian is taught at the Faculty of Oriental Studies of Yerevan State University in the second semester of the first year and in the first semester of the second year of the Master's programme. The university is planning to offer the teaching of modern Assyrian. Furthermore, the third periodical report states that a free place has been allocated to an Assyrian-speaking student at the Armenian State Pedagogical University "Kh. Abovyan" (subject pedagogy and methodology). As regards teacher training, the Committee of Experts notes that there are currently no teachers who could use Assyrian at pre-school and technical and vocational levels.

67. The Committee of Experts considers this undertaking partly fulfilled for the study of Assyrian. It nonetheless encourages the Armenian authorities to develop the study and teaching of modern Assyrian.

Adult and continuing education

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

68. In the second evaluation report, the Committee of Experts considered this undertaking not fulfilled.

69. According to the third periodical report, there has been no demand for adult or continuing education in Assyrian. However, given that Armenia has ratified this undertaking, the Committee of Experts considers that the Armenian authorities should, in co-operation with representatives of the Assyrian minority, promote the offering of Assyrian in adult and continuing education among the speakers.

70. The Committee of Experts considers this undertaking not fulfilled. It encourages the Armenian authorities to favour and/or encourage the offering of Assyrian as a subject of adult and continuing education.

Article 9 – Judicial authorities

Paragraph 1

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

Criminal proceedings

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

71. In the second evaluation report, the Committee of Experts considered this undertaking formally fulfilled. It encouraged the Armenian authorities to take proactive measures to ensure that the undertaking under Article 9.1.a.ii is implemented in practice, for example, by informing the public and the courts about the right to use minority languages before courts. Furthermore, the Committee of Ministers recommended Armenia to **“ensure the use of regional or minority languages before courts and inform courts and the public on the rights and duties related to Article 9 of the Charter”**.

72. The third periodical report states that there have been no cases of depriving a minority language speaker participating in judicial proceedings of the right to use the relevant minority language even if the person had a command of Armenian. In addition, the report indicates that minority language speakers also having a command of Armenian have requested, and were granted, an interpreter at the expense of the state (16 cases). However, it is not clear which minority languages were concerned in these cases.

73. During the on-the-spot visit, the Committee of Experts was informed that in two cases translation from Assyrian was provided.

74. There is no specific information about awareness-raising activities. The Committee of Experts therefore maintains its view that the Armenian authorities should take proactive measures to ensure that the undertaking under Article 9.1.a.ii is implemented in practice. For example, the judicial staff could

encourage the use of minority languages through bilingual or multilingual notices and signs in/on court buildings, and information in public announcements or court forms.⁸

75. The Committee of Experts considers this undertaking partly fulfilled. It urges the Armenian authorities to inform the Assyrian speakers and the courts of the right to use Assyrian in criminal proceedings.

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

76. This undertaking was considered fulfilled in the previous monitoring cycles and remains so.

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

77. In the second evaluation report, the Committee of Experts considered this undertaking formally fulfilled. It encouraged the Armenian authorities to take proactive measures to ensure that the undertaking under Article 9.1.iv is implemented in practice, for example, by informing courts about the duty to produce documents in minority languages during proceedings.

78. The third periodical report states that minority language speakers have requested, and were granted, the translation of documents at the expense of the state (14 cases). However, it is not clear which minority languages were concerned in these cases.

79. As regards awareness-raising activities, there is no specific information. The Committee of Experts refers to its recommendations in paragraph 74 (Article 9.1.a.ii), which apply accordingly.

80. The Committee of Experts considers this undertaking formally fulfilled. It urges the Armenian authorities to inform courts about the duty to produce documents connected with criminal proceedings in Assyrian, if so requested.

Civil proceedings

b. ...

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

81. In the second evaluation report, the Committee of Experts considered this undertaking not fulfilled, referring to its observations under Article 9.1a.ii. It encouraged the Armenian authorities to inform the public and the courts about the right to use minority languages before courts in civil proceedings and to take the necessary measures to also clarify the situation in domestic legislation. Furthermore, the Committee of Ministers recommended Armenia to **“ensure the use of regional or minority languages before courts and inform courts and the public on the rights and duties related to Article 9 of the Charter”**.

82. The third periodical report states that minority languages can be used in civil proceedings even if the litigant speaks Armenian. In addition, the report indicates that minority language speakers also having a command of Armenian have requested, and were granted, an interpreter (eight cases) and translation of documents (six cases). However, the Armenian authorities have not provided concrete information on the legal basis of the right to use Assyrian before courts, nor which minority languages were concerned in the cases mentioned above.

83. As regards awareness-raising activities, the third periodical report limits itself to stating that the national minorities are regularly informed of their rights stipulated by national legislation and international treaties.

⁸ See for example 4th Report of the Committee of Experts on Hungary, ECRML(2009)13, paragraph 112

84. The Committee of Experts considers this undertaking not fulfilled. It urges the Armenian authorities to take the necessary measures to clarify the situation in domestic legislation and to inform the Assyrian speakers of their right to use Assyrian in civil proceedings.

Administrative proceedings

c. ...

- ii. *to allow, whenever a litigant has to appear in person before a court, that he or she may use his or her regional or minority language without thereby incurring additional expenses; and/or*
- iii. *to allow documents and evidence to be produced in the regional or minority languages, if necessary by the use of interpreters and translations.*

85. In the second evaluation report, the Committee of Experts was not in a position to conclude on the fulfilment of these undertakings.

86. According to the third periodical report, administrative proceedings are conducted in accordance with the requirements of the Civil Procedure Code. The Committee of Experts therefore refers to its observations and recommendations made concerning Article 9.1.b.ii, which apply accordingly.

87. The Committee of Experts considers this undertaking not fulfilled. It encourages the Armenian authorities to take the necessary measures to clarify the situation in domestic legislation and inform the Assyrian speakers of their right to use Assyrian in administrative proceedings.

- 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*

88. In the second evaluation report, the Committee of Experts was not in a position to conclude on the fulfilment of this undertaking.

89. Since the Committee of Experts has repeatedly asked for information to no avail, it must conclude that the undertaking is not fulfilled.

Paragraph 3

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

90. In the second evaluation report, the Committee of Experts considered this undertaking not fulfilled. It encouraged the Armenian authorities to initiate a process with a view to making available the most important national statutory texts in Assyrian.

91. The third periodical report states that national statutory texts have not been translated into Assyrian, owing to a lack of financial means and demand by the minority language speakers.

92. The Committee of Experts considers this undertaking not fulfilled. It urges the Armenian authorities to initiate a process with a view to making available the most important national statutory texts in Assyrian.

Article 10 – Administrative authorities and public services

Measures of encouragement

93. Representatives of the Assyrian national minority informed the Committee of Experts during the on-the-spot visit that their language is rarely used by administrative authorities, or in contacts with them. The Committee of Experts notes that the use of a minority language by administrative authorities requires

both organisational measures such as ensuring that public service employees have a sufficient knowledge of the given language (as provided by Article 10.4.c) and measures encouraging the minority language speakers to avail themselves of the possibility to use their language in contacts with the authorities. Measures of encouragement are particularly needed where minority language speakers are not accustomed to using their language in dealings with the authorities.

94. The Committee of Experts encourages the Armenian authorities to take concrete measures promoting the use of Assyrian by local and regional authorities and encouraging Assyrian speakers to use their language in dealings with those authorities. Such measures could include strengthening minority language competence among the staff through recruitment and training, making official documents in Assyrian more automatically available (as well as on websites), providing information in Assyrian about obligations arising from the Charter, and ensuring that Assyrian is used in administrative signage.

State authorities

Paragraph 1

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

- a. ...
 - iv. ***to ensure that users of regional or minority languages may submit oral or written applications in these languages; or***
 - v. ***to ensure that users of regional or minority languages may validly submit a document in these languages;***

95. Undertakings a.iv and a.v represent alternative options. As Armenia has chosen option a.iv, option a.v becomes redundant. In line with its practice, the Committee of Experts will examine option a.iv only.

96. In its second evaluation report, the Committee of Experts considered this undertaking partly fulfilled. It encouraged the Armenian authorities to develop a structured policy to facilitate the practical implementation of the undertakings chosen under Article 10.

97. According to the third periodical report, Assyrian is rarely used in oral or written communication with administrative authorities. The Committee of Experts reiterates that by choosing this undertaking, the Armenian authorities have committed themselves to taking proactive measures to ensure that minority languages are effectively used in oral or written applications submitted to state authorities.

98. The Committee of Experts considers this undertaking partly fulfilled. It urges the Armenian authorities to take practical measures encouraging users of Assyrian to submit oral or written applications in this language to local branches of the state authorities.

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

99. In the second evaluation report, the Committee of Experts considered this undertaking not fulfilled.

100. According to the third periodical report, there are no widely used administrative texts and forms for the population in Assyrian or in bilingual versions.

101. The Committee of Experts considers this undertaking not fulfilled. It urges the Armenian authorities to make available widely used administrative texts and forms for the population in Assyrian or in bilingual versions.

Local and regional authorities

Paragraph 2

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

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

102. In the second evaluation report, the Committee of Experts considered this undertaking partly fulfilled. It encouraged the Armenian authorities to develop a structured policy to ensure that minority languages are used both orally and in writing when dealing with local and regional authorities.

103. According to the third periodical report, the situation has not changed. Oral or written applications are rarely submitted to local and regional authorities in Assyrian. During the on-the-spot visit, representatives of the Assyrian speakers confirmed that their language can be used with officials of local authorities who are Assyrians. However, the fact that some local authorities employ Assyrian speakers is not the result of a policy to recruit speakers of this language and therefore not guaranteed in the future.

104. The Committee of Experts considers this undertaking partly fulfilled. It urges the Armenian authorities to develop a structured policy to ensure that Assyrian is used both orally and in writing when dealing with local and regional authorities.

- 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;”*

105. This undertaking was considered fulfilled in the previous monitoring cycles and remains so.

- 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.*

106. The Committee of Experts considered this undertaking fulfilled in the previous monitoring cycles.

107. During the on-the-spot visit, representatives of the Assyrian speakers informed the Committee of Experts that Assyrian place-names are official in some municipalities. However, they are not used by the local authorities in the Assyrian script. Furthermore, there are no indications that Assyrian topographical names other than village names are in official use.

108. In light of the new information received, the Committee of Experts considers this undertaking only partly fulfilled. It encourages the Armenian authorities to use or adopt traditional and correct forms of place-names in Assyrian and to inform about measures taken in the next periodical report.

Paragraph 3

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

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

109. This undertaking was considered fulfilled in the previous monitoring cycles and remains so.

Paragraph 4

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

...

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

110. In the second evaluation report, the Committee of Experts considered this undertaking partly fulfilled. It encouraged the Armenian authorities to develop a structured policy to facilitate the mobility of public service employees with knowledge of the relevant minority language.

111. According to the third periodical report, the Civil Service Council has proposed that in recruitment competitions priority shall be given to candidates having knowledge *inter alia* of Assyrian.

112. The Committee of Experts considers this undertaking partly fulfilled. It encourages the Armenian authorities to comply as far as possible with requests from public service employees having knowledge of Assyrian to be appointed in the territory in which that language is used and to specify, in the next periodical report, which measures are put in practice.

Paragraph 5

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

113. The Committee of Experts considered this undertaking fulfilled in the previous monitoring cycles.

114. During the on-the-spot visit, representatives of the Assyrian speakers informed the Committee of Experts that in documents such as birth certificates Assyrian family names are not used by the authorities in the Assyrian script.

115. In light of the new information received, the Committee of Experts considers this undertaking not fulfilled. It encourages the Armenian authorities to allow the use or adoption of family names in Assyrian and to ensure that the relevant administrative authorities use the Assyrian forms of such names.

Article 11 - Media

Paragraph 1

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

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

...

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

116. In the second evaluation report, the Committee of Experts considered this undertaking partly fulfilled. It urged the Armenian authorities to develop schemes which will facilitate the broadcasting of television programmes in Assyrian. Furthermore, the Committee of Ministers recommended Armenia to **take measures to improve the presence of Assyrian on radio and television**.

117. The third periodical report states that the Law of the Republic of Armenia "On Television and Radio" (Article 28) still foresees a limitation of the duration of programmes broadcast in minority languages to a maximum of two hours weekly on television and one hour daily on radio for each language. The Committee of Experts notes, however, that such limitations of broadcasting duration in minority languages might hamper "adequate provision" in accordance with this undertaking. In order to fulfil this undertaking, it is important to ensure an adequate broadcasting duration as well as sufficiently

frequent time-slots. In addition, the Committee of Experts underlines the importance of programmes for children in minority languages to support language maintenance.

118. As far as the implementation in practice is concerned, Armenian Public Radio broadcasts in Assyrian for 15 minutes every day. There are no public television programmes in Assyrian. During the on-the-spot visit, representatives of the Assyrian speakers confirmed their interest in television programmes in their language.

119. The Committee of Experts considers this undertaking partly fulfilled concerning public radio and not fulfilled regarding public television.

The Committee of Experts urges the Armenian authorities to make adequate provision so that public broadcasters offer television programmes in Assyrian, including programmes for children.

b. ...

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

120. There are no private radio programmes in Assyrian.

121. The Committee of Experts considers this undertaking not fulfilled. It encourages the Armenian authorities to facilitate the broadcasting of private radio programmes in Assyrian.

c. ...

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

122. There are no private television programmes in Assyrian.

123. The Committee of Experts considers this undertaking not fulfilled. It encourages the Armenian authorities to facilitate the broadcasting of private television programmes in Assyrian on a regular basis.

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

124. The Committee of Experts underlines that, in conformity with its regular interpretation, a “newspaper” in the sense of this undertaking has to be published at least weekly.⁹

125. In the second evaluation report, the Committee of Experts considered this undertaking not fulfilled.

126. According to the third periodical report, there are still no newspapers in Assyrian. During the on-the-spot visit, representatives of the Assyrian speakers confirmed their interest in the publication of a newspaper in their language.

127. The Committee of Experts considers this undertaking not fulfilled. It urges the Armenian authorities to consult representatives of the Assyrian speakers as to how this undertaking shall be implemented in practice.

The Committee of Experts urges the Armenian authorities to facilitate the creation of at least one newspaper in Assyrian.

⁹ See for example 1st Report of the Committee of Experts on Romania, ECRML(2012)3, paragraph 174

Paragraph 2

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

128. This undertaking was considered fulfilled in the previous monitoring cycles and remains so.

Paragraph 3

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

129. In the second evaluation report, the Committee of Experts considered this undertaking not fulfilled. It encouraged the Armenian authorities to ensure that the interests of the users of the minority languages are taken into account in the National Commission of Television and Radio.

130. In light of the information contained in the third periodical report, the Committee of Experts understands that the National Commission of Television and Radio, which is the body guaranteeing the freedom, independence and diversity of broadcasting media, neither comprises representatives of the national minorities, nor specifically deals with their interests.

131. The Committee of Experts considers this undertaking not fulfilled. It urges the Armenian authorities to ensure that the interests of the users of Assyrian are taken into account in the National Commission of Television and Radio.

Article 12 – Cultural activities and facilities

Paragraph 1

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

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

132. In the second evaluation report, the Committee of Experts considered this undertaking fulfilled as a number of festivals, stage plays, literature and other cultural manifestations had been supported. The Committee of Experts looked forward to receiving information about the increase in the funding for cultural activities. The Committee of Experts also encouraged the Armenian authorities to assess with the speakers of the minority languages their needs in order to further develop schemes and support projects for the preservation and development of their languages and cultures.

133. As the Committee of Experts observed under Article 7.1.c above, the volume of the financial means allocated to cultural activities of national minorities has remained unchanged, at a level which seems to be insufficient for the promotion of the Assyrian language.

134. The Committee of Experts considers this undertaking partly fulfilled. It encourages the Armenian authorities to increase their financial support provided to cultural activities and facilities in Assyrian.

- 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.*

135. This undertaking was considered fulfilled in the previous monitoring cycle and remains so.

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

136. This undertaking was considered fulfilled in the previous monitoring cycle and remains so.

Paragraph 2

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

137. This undertaking was considered fulfilled in the previous monitoring cycle and remains so.

Paragraph 3

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

138. In the second evaluation report, the Committee of Experts considered this undertaking not fulfilled.

139. In light of the information contained in the third periodical report, the Committee of Experts understands that no relevant activities have been carried out. The Committee of Experts reiterates that the present undertaking puts an obligation on the Armenian authorities to reflect the presence of the minority languages in Armenia in activities presenting the country abroad.

140. The Committee of Experts considers this undertaking not fulfilled. It urges the Armenian authorities to make appropriate provision, in pursuing their cultural policy abroad, for the Assyrian language and the culture it reflects.

Article 13 – Economic and social life

Paragraph 1

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

...

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

141. This undertaking was considered fulfilled in the previous monitoring cycles and remains so.

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

142. This undertaking was considered fulfilled in the previous monitoring cycle and remains so.

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

143. In the second evaluation report, the Committee of Experts considered this undertaking not fulfilled. It encouraged the Armenian authorities to facilitate and/or encourage the use of Assyrian in economic and social activities.

144. The information contained in the third periodical report regarding this undertaking deals with culture rather than economic and social activities. During the on-the-spot visit, representatives of the Assyrian speakers confirmed that their language is not used in economic and social activities.

145. The Committee of Experts considers this undertaking not fulfilled. It urges the Armenian authorities to facilitate and/or encourage the use of Assyrian in economic and social activities.

Paragraph 2

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

...

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

146. In the second evaluation report, the Committee of Experts was not in a position to come to a conclusion on the fulfilment of this undertaking. It asked the Armenian authorities to provide information on the use of Assyrian in sectors which provide a public service mission, such as transportation, postal services and airports in the next periodical report.

147. In light of the information contained in the third periodical report, the Committee of Experts understands that no relevant activities have been carried out.

148. The Committee of Experts considers this undertaking not fulfilled. It encourages the Armenian authorities to organise activities to promote the use of Assyrian in the economic and social sectors directly under their control, for example transport and postal services.

- 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.**

149. In the second evaluation report, the Committee of Experts considered this undertaking not fulfilled.

150. According to the third periodical report, Assyrian is not used in hospitals. The Committee of Experts would like to reiterate that according to the undertaking chosen by Armenia, measures have to be taken to ensure that staff (doctors, nurses, etc.) in hospitals or retirement homes have the necessary skills to serve persons who are in need of care in their minority language. The Armenian authorities should find ways to progressively implement the present undertaking based on a more structured approach.

151. The Committee of Experts considers this undertaking not fulfilled.

The Committee of Experts urges the Armenian authorities 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 Assyrian who are in need of care on grounds of ill-health, old age or for other reasons.

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;*

152. This undertaking was considered fulfilled in the previous monitoring cycle and remains so.

- 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.*

153. This undertaking was considered fulfilled in the previous monitoring cycles and remains so.

3.2.2 Greek

154. The Committee of Experts will not comment on undertakings that were considered fulfilled in the previous evaluation report and for which the Committee of Experts did not receive any new information requiring it to revise the fulfilment conclusion. These undertakings are set out in the below presentation for information.

General issues

155. In the second monitoring cycle, the Greek minority expressed its wish to promote and develop the use of the Greek language. The Committee of Experts encouraged the Armenian authorities, in co-operation with the speakers, to develop a strategy to implement the provisions of the Charter in relation to Greek.

156. The third periodical report does not contain any specific information in this respect. The Armenian authorities, however, reiterate the difficulties in protecting and promoting the Greek language.

157. Although the Committee of Experts is aware that applying Part III to Greek is an ambitious step for the Armenian authorities, it nonetheless underlines that the legal obligations entered into by Armenia need to be implemented in practice, taking into account the situation of each language. The implementation of the Charter's provisions requires that the state party takes positive measures, on its own initiative and in co-operation with the speakers, with a view to protecting and promoting the regional or minority languages in public life.¹⁰

158. The Committee of Experts considers that the Armenian authorities should, in co-operation with the Greek speakers, draw up a strategy to implement the provisions of the Charter to this language. This strategy should define the territory in which Greek has a historical basis and where the Charter provisions will be implemented. Furthermore, the authorities need to adopt flexible measures for the actual application of the Charter provisions. Such measures could include co-operation with other states where Greek is used (e.g. regarding journalist training/exchanges, exchange of cultural works, production of television and radio programmes), and co-operation with the private sector in the municipalities concerned regarding the implementation of Article 13.¹¹

The Committee of Experts encourages the Armenian authorities to establish a structured policy, in close co-operation with the Greek speakers, for the application of the provisions of the Charter to the Greek language.

Article 8 – Education

Teacher training and teaching materials

159. In the second evaluation report, the Committee of Experts noted that the shortage of trained teachers and adequate teaching materials at all levels of education remained the main obstacles to minority language education. It looked forward to receiving more information about the measures taken by the authorities in this respect in the next periodical report.

160. According to the information received by the Committee of Experts, the teaching of the Greek language in Armenian schools is carried out thanks to support from Greece. The teachers are paid by the Greek state and all textbooks are provided by Greece. According to the speakers, however, the difficult economic situation in Greece has had a negative impact on the support for the Greek minority in Armenia. The Committee of Experts has not received any information about the measures taken by the Armenian authorities to train teachers of Greek or to provide adequate teaching materials, in line with the syllabus in Armenia, and therefore asks them to provide this information in the next periodical report. The Committee

¹⁰ See for example 1st Report of the Committee of Experts on Poland, ECRML (2011) 5, paragraph 24

¹¹ See for example 1st Report of the Committee of Experts on Poland, ECRML (2011) 5, paragraph 25

of Experts was however informed that one reason for the lack of teachers is also the current system of payment, which is disadvantageous to the teachers of minority languages.

161. The Committee of Experts has been informed by representatives of the speakers that a reform of secondary education is under way. Secondary education has been divided into lower and higher secondary education, which is provided only in selected schools. The Committee of Experts asks the Armenian authorities to provide information on how this affects the teaching of Greek in higher secondary education.

Paragraph 1

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

Pre-school education

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

162. In the second evaluation report, the Committee of Experts considered the undertaking partly fulfilled. It encouraged the authorities to take effective measures to favour and/or encourage the creation of adequate pre-school education in Greek.

163. The third periodical report does not contain specific information in this respect. During the on-the-spot visit, the Committee of Experts was informed that Greek is still only used at one pre-school. Moreover, teaching of the Greek language in Armenian education is carried out thanks to the support of Greece.

164. The Committee of Experts reiterates that the present undertaking requires the Armenian authorities to favour and/or encourage the use of Greek in pre-school education. The Committee of Experts also refers to its observations in paragraph 54, which apply accordingly.

165. In view of this information, the Committee of Experts considers the undertaking partly fulfilled. It urges the Armenian authorities to favour and/or encourage the use of Greek in pre-school education.

Primary education

- b.
 - i. *to make available primary education in the relevant regional or minority languages; or*
 - ii. *to make available a substantial part of primary education in the relevant regional or minority languages; or*
 - iii. *to provide, within primary education, for the teaching of the relevant regional or minority languages as an integral part of the curriculum; or*
 - iv. ***to apply one of the measures provided for under i to iii above at least to those pupils whose families so request and whose number is considered sufficient.***

166. The Committee of Experts considered this undertaking fulfilled in the previous evaluation reports.

167. According to the third periodical report, Greek is taught in Yerevan, as a compulsory subject in one school and as an optional subject within the curriculum at two other schools. The teaching of the Greek language in these three schools is financed by Greece. In addition, so-called Sunday schools (voluntary teaching in afternoon classes in the premises of school) are organised by the umbrella association of the Greek minority in Gyumri, Vanadzor, Alaverdi, Stepanavan and Koghes.

168. The Committee of Experts wish to underline that the present undertaking requires that the Armenian authorities provide for Greek language teaching at primary level. The teaching in Sunday

schools indicates that the needs are not met by the regular education system of teaching Greek in primary schools. Teaching the language in Sunday schools does not meet the requirements of this undertaking. The Armenian authorities should examine, in co-operation with the speakers, whether Greek could be taught in primary schools, as an integral part of the curriculum, in the municipalities where it is now only taught in Sunday schools.

169. The Committee of Experts considers the undertaking partly fulfilled. It encourages the Armenian authorities, in co-operation with the representatives of the Greek speakers, to extend the offer of teaching Greek at primary level.

Secondary education

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

170. The Committee of Experts considered this undertaking fulfilled in the previous evaluation reports.

171. According to the third periodical report, Greek is taught as an optional subject within the school curriculum at three secondary schools. The teaching of the Greek language in these schools is supported by Greece.

172. The Committee of Experts has also been informed that Sunday schools are organised by the umbrella association of the Greek minority in Gyumri, Vanadzor, Alaverdi, Stepanavan and Koghes. The teaching in Sunday schools indicates that the needs are not met by the regular education system of teaching Greek in secondary schools. Teaching the language in Sunday schools does not meet the requirements of this undertaking. The Armenian authorities should examine, in co-operation with the speakers, whether Greek could be taught in secondary schools, as an integral part of the curriculum, in the municipalities where it is now only taught in Sunday schools.

173. The Committee of Experts considers the undertaking partly fulfilled. It encourages the Armenian authorities, in co-operation with the representatives of the speakers, to extend the offer of teaching Greek at secondary level.

Technical and vocational education

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

174. In the second evaluation report, the Committee of Experts considered the undertaking partly fulfilled. It urged the authorities to continue their efforts to ensure that an offer of teaching in or of Greek is included in technical and vocational education.

175. According to the third periodical report, Greek language and the history of the Greek culture are part of the curricula at the Yerevan State Armenian-Greek College of Tourism, Service and Food Industry. During the on-the-spot visit, however, the Committee of Experts was informed that the teaching of the Greek language in Armenian education is carried out thanks to the support from Greece.

176. The Committee of Experts considers the undertaking partly fulfilled. It urges the Armenian authorities to extend the offer of Greek in technical and vocational education.

University and higher education

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

177. This undertaking was considered fulfilled in the previous monitoring cycles and remains so.

Adult and continuing education

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

178. In the previous monitoring cycles, the Committee of Experts considered the undertaking fulfilled.

179. According to the third periodical report, Greek language courses are organised by the umbrella NGO of the Greek minority in Gyumri, Vanadzor, Alaverdi, Stepanavan, Noyemberyan and Koghes. It is not clear to the Committee of Experts to what extent these courses are supported by the Armenian authorities or how do the Armenian authorities favour and/or encourage the offering of Greek as a subject of adult and continuing education.

180. The Committee of Experts asks the Armenian authorities to provide specific information on how they favour and/or encourage the offering of Greek as a subject of adult and continuing education.

Article 9 – Judicial authorities

Paragraph 1

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

Criminal proceedings

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

181. In the second evaluation report, the Committee of Experts considered this undertaking formally fulfilled. It encouraged the Armenian authorities to take proactive measures to ensure that the undertaking under Article 9.1.a.ii is implemented in practice, for example informing the public and the courts about the right to use minority languages before courts. Furthermore, the Committee of Ministers recommended Armenia to “**ensure the use of regional or minority languages before courts and inform courts and the public on the rights and duties related to Article 9 of the Charter**”.

182. The Committee of Experts refers to its earlier observations regarding the practical implementation of these undertakings and its recommendations concerning the need for awareness-raising activities (see paragraphs 72, 74), which apply accordingly.

183. The Committee of Experts considers this undertaking formally fulfilled. It urges the Armenian authorities to inform the Greek speakers and the courts of the right to use Greek in criminal proceedings.

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

184. This undertaking was considered fulfilled in the previous monitoring cycles and remains so.

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

185. In the second evaluation report, the Committee of Experts considered this undertaking formally fulfilled. It encouraged the Armenian authorities to take proactive measures to ensure that the undertaking under Article 9.1.iv is implemented in practice, for example, by informing courts about the duty to produce documents in minority languages during proceedings.

186. The Committee of Experts refers to its earlier observations regarding the practical implementation of these undertakings and its recommendations concerning the need for awareness-raising activities (see paragraphs 72, 74), which apply accordingly.

187. The Committee of Experts considers this undertaking formally fulfilled. It urges the Armenian authorities to inform courts about the duty to produce documents connected with criminal proceedings in Greek, if so requested.

Civil proceedings

b. ...

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

188. In the second evaluation report, the Committee of Experts considered this undertaking not fulfilled, referring to its observations under Article 9.1a.ii. It encouraged the Armenian authorities to inform the public and the courts about the right to use minority languages before courts in civil proceedings and to take the necessary measures to also clarify the situation in domestic legislation. Furthermore, the Committee of Ministers recommended Armenia to “**ensure the use of regional or minority languages before courts and inform courts and the public on the rights and duties related to Article 9 of the Charter**”.

189. The Committee of Experts refers to its earlier observations regarding the practical implementation of these undertakings and its recommendations concerning the need for awareness-raising activities (see paragraphs 82, 74), which apply accordingly.

190. The Committee of Experts considers this undertaking not fulfilled. It urges the Armenian authorities to take the necessary measures to clarify the situation in domestic legislation and to inform the Greek speakers of their right to use Greek in civil proceedings.

Administrative proceedings

c. ...

- ii. *to allow, whenever a litigant has to appear in person before a court, that he or she may use his or her regional or minority language without thereby incurring additional expenses; and/or*
- iii. *to allow documents and evidence to be produced in the regional or minority languages, if necessary by the use of interpreters and translations.*

191. In the second evaluation report, the Committee of Experts was not in a position to conclude on the fulfilment of this undertaking.

192. According to the third periodical report, administrative proceedings are conducted in accordance with the requirements of the Civil Procedure Code. The Committee of Experts therefore refers to the observations it made concerning Article 9.1.b.ii (see paragraphs 82-83), which apply accordingly.

193. The Committee of Experts considers this undertaking not fulfilled. It encourages the Armenian authorities to take the necessary measures to clarify the situation in domestic legislation and inform the Greek speakers of their right to use Greek in administrative proceedings.

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

194. In the second evaluation report, the Committee of Experts was not in a position to conclude on the fulfilment of this undertaking.

195. Since the Committee of Experts has repeatedly asked for information to no avail, it must conclude that the undertaking is not fulfilled.

Paragraph 3

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

196. In the second evaluation report, the Committee of Experts considered this undertaking not fulfilled. It encouraged the Armenian authorities to initiate a process with a view to making the most important national statutory texts available in the Part III languages, in addition to Russian.

197. The third periodical report states that national statutory texts have not been translated into Greek, owing to a lack of financial means and demand by the minority language speakers.

198. The Committee of Experts considers this undertaking not fulfilled. It urges the Armenian authorities to initiate a process with a view to making the most important national statutory texts available in Greek.

Article 10 – Administrative authorities and public services

Measures of encouragement

199. In light of the information obtained by the Committee of Experts during the on-the-spot visit, Greek is not regularly used by administrative authorities, or in contacts with them. The Committee of Experts notes that the use of a minority language by administrative authorities requires both organisational measures and measures encouraging the minority language speakers to avail themselves of the possibility to use their language in contacts with the authorities (see paragraph 93). The Committee of Experts therefore encourages the Armenian authorities to take concrete measures promoting the use of Greek by local and regional authorities.

State authorities

Paragraph 1

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

- a. ...
- iv. *to ensure that users of regional or minority languages may submit oral or written applications in these languages; or*
- v. *to ensure that users of regional or minority languages may validly submit a document in these languages;*

200. Undertakings a.iv and a.v represent alternative options. As Armenia has chosen option a.iv, option a.v becomes redundant. In line with its practice, the Committee of Experts will examine option a.iv only.

201. In its second evaluation report, the Committee of Experts considered the undertaking formally fulfilled. It encouraged the authorities to develop a structured policy to facilitate the practical implementation of the undertakings chosen under Article 10 of the Charter.

202. According to the information obtained by the Committee of Experts during the on-the-spot visit, Greek is not used by administrative authorities, or in contacts with them.

203. The Committee of Experts reiterates that by choosing this undertaking, the Armenian authorities have committed themselves to taking proactive measures to ensure that minority languages are effectively used in oral or written applications submitted to state authorities.

204. The Committee of Experts considers this undertaking formally fulfilled. It urges the Armenian authorities to take practical measures so that users of Greek can submit oral or written applications in this language to local branches of state authorities.

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

205. In the second evaluation report, the Committee of Experts considered the undertaking not fulfilled.

206. According to the third periodical report, this undertaking is not implemented for Greek.

207. The Committee of Experts considers this undertaking not fulfilled. It urges the Armenian authorities to make widely used administrative texts and forms for the population available in Greek or in bilingual versions.

Local and regional authorities

Paragraph 2

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

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

208. In the second evaluation report, the Committee of Experts considered the undertaking formally fulfilled. It encouraged the authorities to develop a structured policy to ensure that Greek is used both orally and in writing when dealing with local and regional authorities.

209. In the third periodical report, the Armenian authorities state that the present undertaking can be implemented when “the number of residents who are users of regional or minority languages is such as to justify the measures specified below”. This would not be the case for the Greek-speakers in any *marz* or village and therefore the implementation of some undertakings in Greek would not be possible.

210. The Committee of Experts underlines that “an acceptance of a particular provision with respect to a given language necessarily entails a commitment to provide the resources and make the administrative arrangements required to make it effective.”¹² Furthermore, the situation of the Greek language was known to the Armenian authorities when making this commitment, therefore the present undertaking must be applied in order not to undermine the ratification of the Charter.¹³ The reference to “the number of residents who are users of regional or minority languages [such as] to justify [measures]” under Article 10.2 is not meant to deprive a language from the protection of the Charter, once a provision has been chosen in the ratification. It only allows for a flexible determination of the local and regional authorities where the measures will be applied, in accordance with the situation of the language and with

¹² Explanatory report, paragraph 104

¹³ See 2nd Report of the Committee of Experts on Slovakia, ECRML (2009) 8, paragraph 15

a view to implementing the Charter. The authorities need to take practical measures to ensure that it is actually possible to use Greek both orally and in writing when dealing with local and regional authorities.

211. During the on-the-spot visit, the Committee of Experts was informed that Greek is not used by administrative authorities, or in contacts with them. Moreover, the local authorities are not aware of the possibility to use Greek offered by the Charter. As far as the officials are concerned, there are employees of local authorities who are Greek speakers.

212. The Committee of Experts considers this undertaking formally fulfilled. It urges the Armenian authorities to develop a structured policy to ensure that Greek is used both orally and in writing when dealing with local and regional authorities.

- 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;"*

213. In the second evaluation report, the Committee of Experts considered the undertaking formally fulfilled.

214. According to the information received by the Committee of Experts, Greek is not used by local authorities in their debates.

215. The Committee of Experts considers the undertaking formally fulfilled. It encourages the Armenian authorities to encourage the local authorities to use Greek in debates in their assemblies.

- 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.*

216. The Committee of Experts considered this undertaking fulfilled in the previous monitoring cycles.

217. During the on-the-spot visit, the Committee of Experts was informed that Greek place-names are not used by the local authorities in the Greek script in places having an official Greek name (e.g. Yaghdan, Koghges).

218. In light of the new information received, the Committee of Experts considers this undertaking only partly fulfilled. It encourages the Armenian authorities to use or adopt traditional and correct forms of place-names in Greek and to inform about measures taken in the next periodical report.

Paragraph 3

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

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

219. This undertaking was considered fulfilled in the previous monitoring cycles and remains so.

Paragraph 4

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

...

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

220. In the second evaluation report the Committee of Experts encouraged the authorities to develop a structured policy to facilitate the mobility of public service employees with knowledge of the regional or minority language used in the territory where the language is traditionally spoken.

221. According to the third periodical report, the Civil Service Council has proposed that in recruitment competitions priority shall be given to candidates having knowledge of Assyrian, Yezidi and Kurdish. No information has been provided with respect to Greek. During the on-the-spot visit, the Committee of Experts was informed that some employees of local authorities are Greek speakers. However, the fact that some local authorities employ Greek speakers is not the result of a policy to recruit speakers of this language and therefore not guaranteed in the future.

222. The Committee of Experts considers this undertaking partly fulfilled. It urges the Armenian authorities to comply as far as possible with requests from public service employees having knowledge of Greek to be appointed in the territory in which that language is used and to specify, in the next periodical report, which measures are put in practice.

Paragraph 5

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

223. The Committee of Experts considered this undertaking fulfilled in the previous monitoring cycles.

224. During the on-the-spot visit, representatives of the Greek speakers informed the Committee of Experts that in documents such as birth certificates, Greek family names are not used by the authorities in the Greek script. Furthermore, the Greek forms of family names are not respected, as the Russian form is used. The change can be requested only through a judicial procedure.

225. In light of the new information received, the Committee of Experts considers this undertaking not fulfilled. It encourages the Armenian authorities to allow the use or adoption of family names in Greek and to ensure that relevant administrative authorities use the Greek forms of such names and in the Greek script.

Article 11 - Media

Paragraph 1

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

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

...

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

226. In the second evaluation report, the Committee of Experts considered the undertaking not fulfilled. It urged the Armenian authorities to develop schemes which will facilitate the broadcasting of television programmes in Greek. Furthermore, the Committee of Ministers recommended Armenia to **take measures to improve the presence of Greek on radio.**

227. With regard to the limitation of the broadcast time of programmes in minority languages by Armenian legislation, the Committee of Experts refers to its observations made under paragraph 117. As

far as the implementation in practice is concerned, efforts to offer programmes in Greek on the public radio have as yet been unsuccessful. There are also no public television programmes in Greek.

228. The Committee of Experts considers this undertaking not fulfilled.

The Committee of Experts urges the Armenian authorities to make adequate provision so that public broadcasters offer programmes in Greek, including programmes for children.

b. ...

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

229. There are no private radio programmes in Greek.

230. The Committee of Experts considers this undertaking not fulfilled. It encourages the Armenian authorities to facilitate the broadcasting of private radio programmes in Greek.

c. ...

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

231. There are no private television programmes in Greek.

232. The Committee of Experts considers this undertaking not fulfilled. It encourages the Armenian authorities to facilitate the broadcasting of private television programmes in Greek on a regular basis.

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

233. The Committee of Experts underlines that, in conformity with its regular interpretation, a “newspaper” in the sense of this undertaking has to be published at least weekly.¹⁴

234. In the second evaluation report, the Committee of Experts considered the undertaking not fulfilled.

235. According to the third periodical report, the authorities offer financial support to the *Byuzandakan Ozhandakatyun* publication of the Greek minority. However, it is published in Russian.

236. The Committee of Experts considers this undertaking not fulfilled. It urges the Armenian authorities to facilitate the creation of a newspaper in Greek, in close co-operation with the speakers.

Paragraph 2

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

237. This undertaking was considered fulfilled in the previous monitoring cycles and remains so.

¹⁴ See for example 1st Report of the Committee of Experts on Romania, ECRML(2012)3, paragraph 174

Paragraph 3

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

238. In the second evaluation report, the Committee of Experts considered this undertaking not fulfilled. It encouraged the Armenian authorities to ensure that the interests of the users of the minority languages are taken into account in the National Commission of Television and Radio.

239. In light of the information contained in the third periodical report, the Committee of Experts understands that the National Commission of Television and Radio, which is the body guaranteeing the freedom, independence and diversity of broadcasting media, neither comprises representatives of the national minorities, nor specifically deals with their interests.

240. The Committee of Experts considers this undertaking not fulfilled. It urges the Armenian authorities to ensure that the interests of the users of the minority languages are taken into account in the National Commission of Television and Radio.

Article 12 – Cultural activities and facilities

Paragraph 1

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

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

241. In the second evaluation report, the Committee of Experts considered this undertaking fulfilled as a number of festivals, stage plays, literature and other cultural manifestations had been supported. The Committee of Experts looked forward to receiving information about the increase in the funding for cultural activities. The Committee of Experts also encouraged the Armenian authorities to assess, in cooperation with the speakers of the minority languages, their needs in order to further develop schemes and support projects for the preservation and development of their languages and cultures.

242. As the Committee of Experts observed under Article 7.1.c above, the volume of the financial means allocated to cultural activities of national minorities has remained unchanged, at a level which seems to be insufficient for the promotion of the Greek language.

243. The Committee of Experts considers this undertaking partly fulfilled. It encourages the Armenian authorities to increase their financial support provided to cultural activities and facilities in Greek.

- 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.*

244. This undertaking was considered fulfilled in the previous monitoring cycle and remains so.

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

245. This undertaking was considered fulfilled in the previous monitoring cycle and remains so.

Paragraph 2

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

246. This undertaking was considered fulfilled in the previous monitoring cycle and remains so.

Paragraph 3

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

247. In the second monitoring cycle the Committee of Experts considered the undertaking not fulfilled.

248. In light of the information contained in the third periodical report, the Committee of Experts understands that no relevant activities have been carried out. The Committee of Experts wishes to point out that the present undertaking puts an obligation on the Armenian authorities to also reflect the presence of the minority languages in Armenia in activities presenting the country abroad.

249. The Committee of Experts considers this undertaking not fulfilled. It urges the Armenian authorities to make appropriate provision, in pursuing their cultural policy abroad, for the Greek language and the cultures it reflects.

Article 13 – Economic and social life

Paragraph 1

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

...

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

250. This undertaking was considered fulfilled in the previous monitoring cycles and remains so.

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

251. This undertaking was considered fulfilled in the previous monitoring cycles and remains so.

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

252. In the second evaluation report, the Committee of Experts considered the undertaking not fulfilled. It encouraged the authorities to facilitate and/or encourage the use of Greek in economic and social activities.

253. The information contained in the third periodical report regarding this undertaking deals with culture rather than economic and social activities. The Committee of Experts was not informed of any measures that would qualify this undertaking for fulfilment.

254. The Committee of Experts considers this undertaking not fulfilled. It urges the Armenian authorities to facilitate and/or encourage the use of Greek in economic and social activities.

Paragraph 2

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

...

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

255. In the second evaluation report, the Committee of Experts asked the Armenian authorities to provide information on the use of Greek in sectors which provide a public service mission, such as public transport, postal services and airports, in the next periodical report.

256. In light of the information contained in the third periodical report, the Committee of Experts understands that no relevant activities have been carried out.

257. The Committee of Experts considers this undertaking not fulfilled. It encourages the Armenian authorities to organise activities to promote the use of Greek in the economic and social sectors directly under their control, for example transport and postal services.

- 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.*

258. In the second evaluation report, the Committee of Experts considered the undertaking not fulfilled.

259. According to the third periodical report, Greek is not used in hospitals. During the on-the-spot visit, the Committee of Experts was informed that a Greek medical centre exists in Alaverdi, but this is the result of a private initiative.

260. The Committee of Experts reiterates that according to the undertaking chosen by Armenia, measures have to be taken to ensure that staff (doctors, nurses, etc.) in hospitals or retirement homes have the necessary skills to serve those who are in need of care, in their minority language. The Armenian authorities should find ways to progressively implement the present undertaking based on a more structured approach.

261. The Committee of Experts considers this undertaking not fulfilled, although there is a possibility for the Greek speakers to be received and treated in Greek in a private facility.

The Committee of Experts urges the Armenian authorities 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 Greek who are in need of care on grounds of ill-health, old age or for other reasons.

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;*

262. This undertaking was considered fulfilled in the previous monitoring cycle and remains so.

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.

263. This undertaking was considered fulfilled in the previous monitoring cycles and remains so.

3.2.3 Kurdish

264. The Committee of Experts will not comment on undertakings that were considered fulfilled in the previous evaluation report and for which the Committee of Experts did not receive any new information requiring it to revise the fulfilment conclusion. These undertakings are set out in the below presentation for information.

Article 8 – Education

Teacher training and teaching materials

265. In the second evaluation report, the Committee of Experts noted that the shortage of trained teachers and adequate teaching materials at all levels of education remained the main obstacles to minority language education. The Committee of Ministers recommended Armenia to **develop a structured policy to make sufficient teacher training and updated teaching materials available in Kurdish at all levels.**

266. The Committee of Experts has not received specific information about measures to train more teachers of Kurdish. During the on-the-spot visit, representatives of the Kurdish speakers pointed out that the shortage of teachers persists. The Committee of Experts encourages the Armenian authorities to make sufficient teacher training for Kurdish-language education available at all levels concerned by the ratification.

267. As regards teaching materials, the third periodical report states that the Armenian authorities supported the publication of the "ABC textbook" in 2010. In addition, textbooks for the teaching of Kurdish in the second, third and fourth grades are in preparation. The Committee of Experts encourages the Armenian authorities to publish the aforementioned textbooks and to ensure that appropriate teaching materials are available for all grades concerned by the ratification.

268. Furthermore, the third periodical report states that the Armenian authorities have approved the educational standard and curriculum of Kurdish language and literature for the first to the twelfth grades.

269. The Committee of Experts has been informed by representatives of the speakers that a reform of secondary education is under way. Secondary education has been divided into lower and higher secondary education, which is provided only in selected schools. The Committee of Experts asks the authorities to provide information on how this affects the teaching of Kurdish in higher secondary education.

Paragraph 1

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

Pre-school education

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

270. In the second evaluation report, the Committee of Experts considered this undertaking not fulfilled. It encouraged the Armenian authorities to take appropriate measures with a view to creating pre-school education in Kurdish.

271. According to the Armenian authorities and representatives of the Kurdish speakers, the Kurdish language is still not used in pre-school education as there seems to be a lack of applications from parents. During the on-the-spot visit, representatives of the Kurdish speakers confirmed their interest in using Kurdish in kindergartens. The Committee of Experts considers that the Armenian authorities should, in co-operation with representatives of the Kurdish minority, promote the possibility of Kurdish-language education in pre-schools among the speakers.

272. The Committee of Experts considers this undertaking not fulfilled.

The Committee of Experts urges the Armenian authorities to encourage the use of Kurdish in pre-school education.

Primary education

- b.**
 - i. to make available primary education in the relevant regional or minority languages; or*
 - ii. to make available a substantial part of primary education in the relevant regional or minority languages; or*
 - iii. to provide, within primary education, for the teaching of the relevant regional or minority languages as an integral part of the curriculum; or*
 - iv. to apply one of the measures provided for under i and iii above at least to those pupils whose families so request and whose number is considered sufficient.**

273. In the second evaluation report, the Committee of Experts considered the undertaking partly fulfilled.

274. According to the third periodical report, Kurdish is taught in primary schools to 89 pupils for two to three hours per week. The Committee of Experts considers that the current offer is insufficient to provide pupils with a degree of fluency and literacy in the language that would make the active use of Kurdish in public life a realistic option.¹⁵

275. The Committee of Experts considers this undertaking partly fulfilled. It urges the Armenian authorities, in co-operation with representatives of the Kurdish speakers, to extend the offer of teaching Kurdish at primary level.

Secondary education

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

276. In the second evaluation report, the Committee of Experts considered this undertaking partly fulfilled.

277. According to the third periodical report, Kurdish is taught at secondary schools in the Armavir, Ararat and Aragatsotn *marzer* to 305 students for two to three hours per week. As regards primary education, the Committee of Experts considers that the current offer is insufficient to provide pupils with a degree of fluency and literacy in the language that would make the active use of Kurdish in public life a realistic option.

278. The Committee of Experts considers this undertaking partly fulfilled. It urges the Armenian authorities, in co-operation with representatives of the Kurdish speakers, to extend the offer of teaching Kurdish at secondary level.

¹⁵ See 2nd Report of the Committee of Experts on Ukraine, paragraph 274

Technical and vocational education

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

279. In the second evaluation report, the Committee of Experts considered this undertaking not fulfilled. It urged the Armenian authorities to continue their efforts to ensure that an offer of teaching in or of minority languages is included in technical and vocational education.

280. According to the third periodical report, there have been no applications for Kurdish-language education at technical and vocational levels. The Kurdish department at the Yerevan State Pedagogical College “Bakunts” has terminated its activities due to a lack of applicants, but may resume should it receive enough applications. The Armenian authorities state that they frequently organise visits to Kurdish-speaking municipalities to raise awareness of the rights of Kurdish speakers to receive minority language education. Distance learning of Kurdish is also offered. The Committee of Experts was, however, informed that one reason for the lack of teachers is the current system of employment and payment, which does not take into account the specificities of teaching minority languages (small groups, insufficient number of hours and, sometimes, optional status of courses). In light of the observations made under Article 8.1.a.iii and bearing in mind that Armenia has ratified this undertaking, the Committee of Experts considers that the Armenian authorities should, in co-operation with representatives of the Kurdish speakers, promote the possibility of Kurdish-language education in technical and vocational schools among the Kurdish speakers.

281. The Committee of Experts considers this undertaking not fulfilled. It urges the Armenian authorities, in co-operation with representatives of the Kurdish speakers, to make available technical and vocational education in Kurdish or to provide for the teaching of this language as a subject.

University and higher education

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

282. This undertaking was considered fulfilled in the previous monitoring cycles and remains so.

Adult and continuing education

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

283. In the second evaluation report, the Committee of Experts did not conclude on the fulfilment of this undertaking.

284. According to the third periodical report, the Armenian authorities are of the view that there is no need for organising adult or continuing education courses in Kurdish since adult Kurds have a sufficient command of their language. Bearing in mind that Armenia has ratified this undertaking, the Committee of Experts considers that the Armenian authorities should consult representatives of the Kurdish speakers as to how and to what extent this undertaking shall be implemented in practice.

285. The Committee of Experts considers this undertaking not fulfilled.

Article 9 – Judicial authorities

Paragraph 1

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

Criminal proceedings

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

286. In the second evaluation report, the Committee of Experts considered this undertaking formally fulfilled. It encouraged the Armenian authorities to take proactive measures to ensure that the undertaking under Article 9.1.a.ii is implemented in practice, for example, by informing the public and the courts about the right to use minority languages before courts. Furthermore, the Committee of Ministers recommended Armenia to “**ensure the use of regional or minority languages before courts and inform courts and the public on the rights and duties related to Article 9 of the Charter**”.

287. The Committee of Experts refers to its earlier observations regarding the practical implementation of these undertakings and its recommendations concerning the need for awareness-raising activities (see paragraphs 72, 74), which apply accordingly.

288. The Committee of Experts considers this undertaking formally fulfilled. It urges the Armenian authorities to inform the Kurdish speakers and the courts of the right to use Kurdish in criminal proceedings.

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

289. This undertaking was considered fulfilled in the previous monitoring cycles and remains so.

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

290. In the second evaluation report, the Committee of Experts considered this undertaking formally fulfilled. It encouraged the Armenian authorities to take proactive measures to ensure that the undertaking under Article 9.1.iv is implemented in practice, for example, by informing courts about the duty to produce documents in minority languages during proceedings.

291. The Committee of Experts refers to its earlier observations regarding the practical implementation of these undertakings and its recommendations concerning the need for awareness-raising activities (see paragraphs 72, 74), which apply accordingly.

292. The Committee of Experts considers this undertaking formally fulfilled. It urges the Armenian authorities to inform courts about the duty to produce documents connected with criminal proceedings in Kurdish, if so requested.

Civil proceedings

- b. ...

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

293. In the second evaluation report, the Committee of Experts considered this undertaking not fulfilled, referring to its observations under Article 9.1a.ii. It encouraged the Armenian authorities to inform the public and the courts about the right to use minority languages before courts in civil proceedings and

to take the necessary measures to also clarify the situation in domestic legislation. Furthermore, the Committee of Ministers recommended Armenia to “**ensure the use of regional or minority languages before courts and inform courts and the public on the rights and duties related to Article 9 of the Charter**”.

294. The Committee of Experts refers to its earlier observations regarding the practical implementation of this undertaking and its recommendation concerning the need for awareness-raising activities (see paragraphs 82, 74), which apply accordingly.

295. The Committee of Experts considers this undertaking not fulfilled. It urges the Armenian authorities to take the necessary measures to clarify the situation in domestic legislation and to inform the Kurdish speakers of their right to use Kurdish in civil proceedings.

Administrative proceedings

c. ...

- ii. *to allow, whenever a litigant has to appear in person before a court, that he or she may use his or her regional or minority language without thereby incurring additional expenses; and/or*
- iii. *to allow documents and evidence to be produced in the regional or minority languages, if necessary by the use of interpreters and translations.*

296. In the second evaluation report, the Committee of Experts was not in a position to conclude on the fulfilment of these undertakings.

297. According to the third periodical report, administrative proceedings are conducted in accordance with the requirements of the Civil Procedure Code. The Committee of Experts therefore refers to its observations and recommendations made concerning Article 9.1.b.ii (see paragraphs 82-83), which apply accordingly.

298. The Committee of Experts considers this undertaking not fulfilled. It encourages the Armenian authorities to take the necessary measures to clarify the situation in domestic legislation and inform the Kurdish speakers of their right to use Kurdish in administrative proceedings.

- 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*

299. In the second evaluation report, the Committee of Experts was not in a position to conclude on the fulfilment of this undertaking.

300. Since the Committee of Experts has repeatedly asked for information without receiving any, it must conclude that the undertaking is not fulfilled.

Paragraph 3

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

301. In the second evaluation report, the Committee of Experts considered this undertaking not fulfilled. It encouraged the Armenian authorities to initiate a process with a view to making the most important national statutory texts available in Kurdish.

302. The third periodical report states that national statutory texts have not been translated into Kurdish, owing to a lack of financial means and demand by the minority language speakers.

303. The Committee of Experts considers this undertaking not fulfilled. It urges the Armenian authorities to initiate a process with a view to making the most important national statutory texts available in Kurdish.

Article 10 – Administrative authorities and public services

Measures of encouragement

304. In light of the information obtained by the Committee of Experts during the on-the-spot visit, Kurdish is still rarely used by administrative authorities, or in contacts with them. The Committee of Experts notes that the use of a minority language by administrative authorities requires both organisational measures and measures encouraging the minority language speakers to avail themselves of the possibility to use their language in contacts with the authorities (see paragraph 93). The Committee of Experts therefore encourages the Armenian authorities to take concrete measures promoting the use of Kurdish by local and regional authorities. Such measures could include strengthening minority language competence among the staff through recruitment and training, making official documents available in Kurdish, providing information in Kurdish about obligations arising from the Charter, and ensuring that Kurdish is used in administrative signage.

State authorities

Paragraph 1

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

- a. ...
 - iv. ***to ensure that users of regional or minority languages may submit oral or written applications in these languages; or***
 - v. ***to ensure that users of regional or minority languages may validly submit a document in these languages;***

305. Undertakings a.iv and a.v represent alternative options. As Armenia has chosen option a.iv, option a.v becomes redundant. In line with its practice, the Committee of Experts will examine option a.iv only.

306. In its second evaluation report, the Committee of Experts considered this undertaking fulfilled. It nonetheless encouraged the Armenian authorities to develop a structured policy to facilitate the practical implementation of the undertakings chosen under Article 10.

307. The Committee of Experts has not received specific information as to what measures have been taken regarding Kurdish.

308. The Committee of Experts considers this undertaking fulfilled. It urges the Armenian authorities to take practical measures so that users of Kurdish can submit oral or written applications in this language to local branches of state authorities.

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

309. In the second evaluation report, the Committee of Experts considered this undertaking not fulfilled.

310. According to the third periodical report, there are no widely used administrative texts and forms for the population in Kurdish or in bilingual versions.

311. The Committee of Experts considers this undertaking not fulfilled. It urges the Armenian authorities to make widely used administrative texts and forms available to the population in Kurdish or in bilingual versions.

Local and regional authorities

Paragraph 2

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

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

312. This undertaking was considered fulfilled in the previous monitoring cycles and remains so.

- 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;*

313. This undertaking was considered fulfilled in the previous monitoring cycles and remains so.

- 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.*

314. This undertaking was considered fulfilled in the previous monitoring cycle and remains so.

Paragraph 3

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

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

315. This undertaking was considered fulfilled in the previous monitoring cycles and remains so.

Paragraph 4

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

...

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

316. In the second evaluation report, the Committee of Experts considered this undertaking partly fulfilled. It encouraged the Armenian authorities to develop a structured policy to facilitate the mobility of public service employees with knowledge of the relevant minority language.

317. According to the third periodical report, the Civil Service Council has proposed that in recruitment competitions priority shall be given to candidates with knowledge of Assyrian, Kurdish and Yezidi. It is, however, not clear to the Committee of Experts whether this proposal has been implemented. The Armenian authorities are asked to clarify this aspect in the next periodical report.

318. The Committee of Experts considers this undertaking partly fulfilled. It urges the Armenian authorities to comply as far as possible with requests from public service employees having knowledge of Kurdish to be appointed in the territory in which that language is used and to specify, in the next periodical report, which measures are put in practice.

Paragraph 5

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

319. This undertaking was considered fulfilled in the previous monitoring cycles and remains so.

Article 11 - Media

Paragraph 1

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

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

...

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

320. In the second evaluation report, the Committee of Experts considered this undertaking partly fulfilled. It urged the Armenian authorities to develop schemes which will facilitate the broadcasting of television programmes in Kurdish. Furthermore, the Committee of Ministers recommended Armenia to **take measures to improve the presence of Kurdish on television**.

321. With regard to the limitation of the duration of programmes broadcast in minority languages by Armenian legislation, the Committee of Experts refers to its observations made under paragraph 117. As far as the implementation in practice is concerned, Armenian Public Radio broadcasts in Kurdish 30 minutes every day. There are no public television programmes in Kurdish. During the on-the-spot visit, representatives of the Kurdish speakers confirmed their interest in television programmes in their language, but also pointed to a lack of journalists able to work in Kurdish.

322. The Committee of Experts considers this undertaking partly fulfilled concerning public radio and not fulfilled regarding public television.

The Committee of Experts urges the Armenian authorities to make adequate provisions so that public broadcasters offer television programmes in Kurdish, including programmes for children.

b. ...

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

323. There are no private radio programmes in Kurdish.

324. The Committee of Experts considers this undertaking not fulfilled. It encourages the Armenian authorities to facilitate the broadcasting of private radio programmes in Kurdish.

c. ...

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

325. There are no private television programmes in Kurdish.

326. The Committee of Experts considers this undertaking not fulfilled. It encourages the Armenian authorities to facilitate the broadcasting of private television programmes in Kurdish on a regular basis.

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

327. The Committee of Experts underlines that, in conformity with its regular interpretation, a “newspaper” in the sense of this undertaking has to be published at least weekly.¹⁶

328. In the second evaluation report, the Committee of Experts considered this undertaking not fulfilled.

329. According to the third periodical report, the publications “Rya taza” and “Zagros” continue to be published in Kurdish. During the on-the-spot visit, representatives of the Kurdish speakers informed the Committee of Experts that both publications appear monthly. However, monthlies do not qualify as “newspapers” in the sense of the Charter.

330. The Committee of Experts considers this undertaking not fulfilled.

The Committee of Experts encourages the Armenian authorities to facilitate the creation of at least one newspaper in Kurdish.

Paragraph 2

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

331. This undertaking was considered fulfilled in the previous monitoring cycles and remains so.

Paragraph 3

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

332. In the second evaluation report, the Committee of Experts considered this undertaking not fulfilled. It encouraged the Armenian authorities to ensure that the interests of the users of the minority languages are taken into account in the National Commission of Television and Radio.

333. In light of the information contained in the third periodical report, the Committee of Experts understands that the National Commission of Television and Radio, which is the body guaranteeing the freedom, independence and diversity of broadcasting media, neither comprises representatives of the national minorities, nor specifically deals with their interests.

334. The Committee of Experts considers this undertaking not fulfilled. It urges the Armenian authorities to ensure that the interests of the users of the Kurdish language are taken into account in the National Commission of Television and Radio.

¹⁶ See for example 1st Report of the Committee of Experts on Romania, ECRML(2012)3, paragraph 174

Article 12 – Cultural activities and facilities

Paragraph 1

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

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

335. In the second evaluation report, the Committee of Experts considered this undertaking fulfilled as a number of festivals, stage plays, literature and other cultural manifestations had been supported. The Committee of Experts looked forward to receiving information about the increase in funding for cultural activities. The Committee of Experts also encouraged the Armenian authorities to assess, in cooperation with the speakers of the minority languages, their needs in order to further develop schemes and support projects for the preservation and development of their languages and cultures.

336. As the Committee of Experts observed under Article 7.1.c above, the volume of the financial means allocated to cultural activities of national minorities has remained unchanged, at a level which seems to be insufficient for the promotion of the Kurdish language.

337. The Committee of Experts considers this undertaking partly fulfilled. It encourages the Armenian authorities to increase their financial support provided to cultural activities and facilities in Kurdish.

- 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.*

338. This undertaking was considered fulfilled in the previous monitoring cycle and remains so.

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

339. This undertaking was considered fulfilled in the previous monitoring cycle and remains so.

Paragraph 2

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

340. This undertaking was considered fulfilled in the previous monitoring cycle and remains so.

Paragraph 3

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

341. In the second evaluation report, the Committee of Experts considered this undertaking not fulfilled.

342. In light of the information contained in the third periodical report, the Committee of Experts understands that no relevant activities have been carried out. The Committee of Experts reiterates that the present undertaking puts an obligation on the Armenian authorities to reflect the presence of the minority languages in Armenia in activities which present the country abroad.

343. The Committee of Experts considers this undertaking not fulfilled. It urges the Armenian authorities to make appropriate provisions, in pursuing their cultural policy abroad, for the Kurdish language and the culture it reflects.

Article 13 – Economic and social life

Paragraph 1

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

...

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

344. This undertaking was considered fulfilled in the previous monitoring cycles and remains so.

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

345. This undertaking was considered fulfilled in the previous monitoring cycle and remains so.

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

346. In the second evaluation report, the Committee of Experts considered this undertaking not fulfilled. It encouraged the Armenian authorities to facilitate and/or encourage the use of Kurdish in economic and social activities.

347. The information contained in the third periodical report regarding this undertaking deals with culture rather than economic and social activities. The Committee of Experts was not informed of any measures that would qualify this undertaking for fulfilment.

348. The Committee of Experts considers this undertaking not fulfilled. It urges the Armenian authorities to facilitate and/or encourage the use of Kurdish in economic and social activities.

Paragraph 2

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

...

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

349. In the second evaluation report, the Committee of Experts asked the Armenian authorities to provide information on the use of Kurdish in sectors which provide a public service mission, such as public transport, postal services and airports in the next periodical report.

350. In light of the information contained in the third periodical report, the Committee of Experts understands that no relevant activities have been carried out.

351. The Committee of Experts considers this undertaking not fulfilled. It urges the Armenian authorities to organise activities to promote the use of Kurdish in the economic and social sectors directly under their control, for example transport and postal services.

- 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.*

352. In the second evaluation report, the Committee of Experts considered this undertaking not fulfilled.

353. According to the third periodical report, Kurdish is not used in hospitals. The Committee of Experts reiterates that according to the undertaking chosen by Armenia, measures have to be taken to ensure that staff (doctors, nurses, etc.) in hospitals or retirement homes have the necessary skills to serve persons who are in need of care in their minority language. The Armenian authorities should find ways to progressively implement the present undertaking based on a more structured approach.

354. The Committee of Experts considers this undertaking not fulfilled.

The Committee of Experts urges the Armenian authorities 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 Kurdish who are in need of care on grounds of ill-health, old age or for other reasons.

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;*

355. This undertaking was considered fulfilled in the previous monitoring cycle and remains so.

- 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.*

356. This undertaking was considered fulfilled in the previous monitoring cycles and remains so.

3.2.4 Russian

357. The Committee of Experts will focus on the provisions of Part III which were singled out in the second report as raising particular problems. It will therefore not comment in the present report on provisions where no major issues were raised in the first two evaluation reports and for which the Committee of Experts did not receive any new information requiring it to reassess their implementation. These provisions are as follows:

Article 8 paragraph 1 a iv, b iv, c iv, d iv, e iii, f iii
Article 9 paragraph 1 a iii; 3
Article 10 paragraph 1 a iv, a v; 2 b, f; 3 c; 4 c; 5
Article 11 paragraph 1 e i; 2
Article 12 paragraph 1 d, f; 2; 3
Article 13 paragraph 1 b, c, d; 2 c
Article 14 paragraph a, b.

Article 8 – Education

Teacher training and teaching materials

358. In the second evaluation report, the Committee of Experts noted that the shortage of trained teachers and adequate teaching materials at all levels of education remained the main obstacles to minority language education. It also noted that the textbooks that are used in Russian language education are published in the Russian Federation. It therefore encouraged the Armenian authorities to develop teaching materials in Russian in accordance with the syllabus of Armenia.

359. Concerning teacher training, the third periodical report states that the Armenian authorities and the Russian Federation regularly organise training courses for Russian language teachers.

360. As regards teaching materials, the Armenian authorities have translated a textbook for the fifth grade into Russian. In addition, mathematics textbooks for higher grades of general education schools have been translated into Russian and distributed to the students free of charge. The publication of further textbooks in Russian is underway.

361. During the on-the-spot visit, representatives of the Russian speakers stated that there are currently no problems with regard to teacher training and teaching materials.

362. The Committee of Experts has been informed by representatives of the speakers that a reform of secondary education is under way. Secondary education has been divided into lower and higher secondary education, which is provided only in selected schools. The Committee of Experts asks the authorities to provide information on how this affects the teaching of Russian in higher secondary education.

Article 9 – Judicial authorities

Paragraph 1

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

Criminal proceedings

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

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

363. In the second evaluation report, the Committee of Experts considered these undertakings formally fulfilled. It encouraged the Armenian authorities to take proactive measures to ensure that the undertakings under Article 9.1a are implemented in practice, for example, by informing the public and the courts about the right to use minority languages before courts and informing courts about the duty to produce documents in minority languages during proceedings. Furthermore, the Committee of Ministers recommended Armenia to “**ensure the use of regional or minority languages before courts and inform courts and the public on the rights and duties related to Article 9 of the Charter**”.

364. The Committee of Experts refers to its earlier observations regarding the practical implementation of these undertakings and its recommendations concerning the need for awareness-raising activities (see paragraphs 72, 74). During the on-the-spot visit, the Committee of Experts was informed of some cases in which Russian has been used before courts. However, the available information is insufficient to enable the Committee of Experts to conclude on the fulfilment of the undertaking.

365. The Committee of Experts urges the Armenian authorities to inform the Russian speakers of the possibility to use Russian in criminal proceedings and to provide concrete information about the use of Russian before courts in the next periodical report.

Civil proceedings

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

366. In the second evaluation report, the Committee of Experts considered this undertaking not fulfilled, referring to its observations under Article 9.1a.ii. It encouraged the Armenian authorities to inform the public and the courts about the right to use minority languages before courts in civil proceedings and to take the necessary measures to clarify the situation also in domestic legislation. Furthermore, the Committee of Ministers recommended Armenia to “**ensure the use of regional or minority languages before courts and inform courts and the public on the rights and duties related to Article 9 of the Charter**”.

367. The Committee of Experts refers to its earlier observations regarding the practical implementation of these undertakings and its recommendations concerning the need for awareness-raising activities (see paragraphs 82, 74), which apply accordingly. During the on-the-spot visit, the Committee of Experts was informed of some cases in which Russian has been used before courts. However, the available information is insufficient to enable the Committee of Experts to conclude on the fulfilment of the undertaking.

368. The Committee of Experts urges the Armenian authorities to inform the Russian speakers of the possibility to use Russian in civil proceedings and to provide concrete information about the use of Russian before courts in the next periodical report.

Administrative proceedings

- c. ...
 - ii. *to allow, whenever a litigant has to appear in person before a court, that he or she may use his or her regional or minority language without thereby incurring additional expenses; and/or*
 - iii. *to allow documents and evidence to be produced in the regional or minority languages, if necessary by the use of interpreters and translations.*

369. In the second evaluation report, the Committee of Experts was not in a position to conclude on the fulfilment of these undertakings.

370. According to the third periodical report, administrative proceedings are conducted in accordance with the requirements of the Civil Procedure Code. The Committee of Experts therefore refers to its observations and recommendations made concerning Article 9.1.b.ii (see paragraphs 82-83), which apply accordingly.

371. The Committee of Experts considers this undertaking not fulfilled. It encourages the Armenian authorities to take the necessary measures to clarify the situation in domestic legislation and inform the Russian speakers of their right to use Russian in administrative proceedings.

- 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*

372. In the second evaluation report, the Committee of Experts was not in a position to conclude on the fulfilment of this undertaking.

373. Since the Committee of Experts has repeatedly asked for information without receiving any, it must conclude that the undertaking is not fulfilled.

Article 10 – Administrative authorities and public services

State authorities

Paragraph 1

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

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

374. In the second evaluation report, the Committee of Experts considered the undertaking fulfilled. However, the Committee of Experts asked the Armenian authorities to clarify whether administrative forms are available in Russian in other parts of Armenia than the village of Fioletovo.

375. The third periodical report does not provide any information about this issue. During the on-the-spot visit, the Committee of Experts was informed that widely used administrative texts and forms for the population are rarely available in Russian or in bilingual versions. The Russian minority has submitted a written complaint about this matter to the authorities in which reference to this Charter undertaking was made.

376. The Committee of Experts considers this undertaking partly fulfilled. It urges the Armenian authorities to make widely used administrative texts and forms available to the population in Russian or in bilingual versions in relevant parts of Armenia, as it has done in Fioletovo.

Local and regional authorities

Paragraph 2

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

- 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.*

377. The Committee of Experts considered this undertaking fulfilled in the previous monitoring cycles.

378. During the on-the-spot visit, the Committee of Experts was informed that Russian place-names are not used by the local authorities in the Cyrillic script in places having official Russian names (e.g. Fioletovo).

379. In light of the new information received, the Committee of Experts considers this undertaking only partly fulfilled. It encourages the Armenian authorities to use or adopt traditional and correct forms of place-names in Russian and to inform about measures taken in the next periodical report.

Paragraph 5

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

380. The Committee of Experts considered this undertaking fulfilled in the previous monitoring cycles.

381. During the on-the-spot visit, representatives of the Russian speakers informed the Committee of Experts that in documents such as birth certificates, Russian family names are not used by the authorities in the Russian script.

382. In light of the new information received, the Committee of Experts considers this undertaking not fulfilled. It encourages the Armenian authorities to allow the use or adoption of family names in Russian and to ensure that relevant administrative authorities use the Russian forms of such names and in the Russian script, as well as for patronyms.

Article 11 - Media

Paragraph 1

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

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

...

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

383. In the first evaluation report, the Committee of Experts considered this undertaking fulfilled regarding radio, but was not in a position to come to a conclusion concerning television. The Committee of Experts was unable to clarify this issue in the second monitoring cycle.

384. With regard to the limitation of the broadcast time of programmes in minority languages by Armenian legislation, the Committee of Experts refers to its observations made under paragraph 117. As far as the implementation in practice is concerned, the Armenian Public Radio now broadcasts for 15 minutes daily in Russian, which seems insufficient. In addition, public television programmes are broadcast periodically in Russian, but the Committee of Experts lacks information as to the duration and frequency of the broadcast.

385. The Committee of Experts considers this undertaking partly fulfilled.

The Committee of Experts urges the Armenian authorities to make adequate provision so that public broadcasters offer programmes in Russian, including programmes for children.

b. ...

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

386. According to the third periodical report, there are no private radio programmes in Russian.

387. The Committee of Experts considers this undertaking not fulfilled. It encourages the Armenian authorities to facilitate the broadcasting of private radio programmes in Russian.

c. ...

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

388. According to the third periodical report, there are private television programmes broadcast periodically in Russian. Furthermore, three companies carry out re-broadcasting of television programmes in Russian. The Committee of Experts asks the Armenian authorities to provide, in the next periodical report, information about the broadcast duration and frequency of the private television programmes in Russian.

389. Nevertheless, the Committee of Experts considers this undertaking fulfilled.

Paragraph 3

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

390. In the second evaluation report, the Committee of Experts considered this undertaking not fulfilled. It encouraged the Armenian authorities to ensure that the interests of the users of the minority languages are taken into account in the National Commission of Television and Radio.

391. In light of the information contained in the third periodical report, the Committee of Experts understands that the National Commission of Television and Radio, which is the body guaranteeing the freedom, independence and diversity of broadcasting media, does neither comprise representatives of the national minorities, nor specifically deal with their interests.

392. The Committee of Experts considers this undertaking not fulfilled. It urges the Armenian authorities to ensure that the interests of the Russian speakers are taken into account in the National Commission of Television and Radio.

Article 12 – Cultural activities and facilities

Paragraph 1

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

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

393. In the second evaluation report, the Committee of Experts considered this undertaking fulfilled as a number of festivals, stage plays, literature and other cultural manifestations had been supported. The Committee of Experts looked forward to receiving information about the increase in the funding for cultural activities. The Committee of Experts also encouraged the Armenian authorities to assess, in cooperation with the speakers of the minority languages, their needs in order to further develop schemes and support projects for the preservation and development of their languages and cultures.

394. As the Committee of Experts observed under Article 7.1.c above, the volume of the financial means allocated to cultural activities of national minorities has remained unchanged, at a level which seems to be insufficient for the promotion of the Russian language.

395. The Committee of Experts considers this undertaking partly fulfilled. It encourages the Armenian authorities to increase their financial support provided to cultural activities and facilities in Russian.

Article 13 – Economic and social life

Paragraph 2

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

...

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

396. In the second evaluation report, the Committee of Experts was not in a position to conclude on the fulfilment of this undertaking. It asked the Armenian authorities to provide information on the use of Russian in sectors which provide a public service mission, such as public transport, postal services and airports in the next periodical report.

397. According to the third periodical report, Russian is often used in the public sector, for example transport, postal services and the airport.

398. The Committee of Experts considers this undertaking fulfilled.

3.2.5 Yezidi

399. The Committee of Experts will not comment on undertakings that were considered fulfilled in the previous evaluation report and for which the Committee of Experts did not receive any new information requiring it to revise the fulfilment conclusion. These undertakings are set out in the below presentation for information.

Article 8 – Education

Teacher training and teaching materials

400. In the second evaluation report, the Committee of Experts noted that the shortage of trained teachers and adequate teaching materials at all levels of education remained the main obstacles to minority language education. The Committee of Ministers recommended Armenia to **develop a structured policy to make sufficient teacher training and updated teaching materials available in Yezidi at all levels.**

401. As far as teacher training is concerned, the Armenian authorities organised training courses for ten teachers of Yezidi in 2009. The Committee of Experts has not received more specific information about measures to train more teachers of Yezidi, including basic training, and therefore asks the Armenian authorities to provide this information in the next periodical report. The Committee of Experts was, however, informed that one reason for the lack of teachers is the current system of employment and payment, which does not take into account the specificities of teaching minority languages (small groups, insufficient number of hours and, sometimes, optional status of courses).

402. Regarding teaching materials, the third periodical report states that the Armenian authorities supported the publication of the textbook “Yezidi” for grades one, two, six, seven and eight. The textbooks for grades three, four and nine are in preparation. The Committee of Experts encourages the Armenian authorities to publish the aforementioned textbooks and also to make sufficient teaching materials available for other grades concerned by the ratification.

403. The Committee of Experts has been informed by representatives of the speakers that a reform of secondary education is under way. Secondary education has been divided into lower and higher secondary education, which is provided only in selected schools. The Committee of Experts asks the authorities to provide information on how this affects the teaching of Yezidi in higher secondary education.

Paragraph 1

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

Pre-school education

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

404. In the second evaluation report, the Committee of Experts considered this undertaking not fulfilled. It encouraged the Armenian authorities to take effective measures to favour and/or encourage the creation of adequate pre-school education in minority languages.

405. According to the third periodical report, the issue of organising pre-school education in Yezidi is regularly discussed with local authorities, but the number of children is too small to organise such education. As a result, Yezidi is still not used in pre-school education. Bearing in mind that the Yezidi minority is the by far largest national minority in Armenia (more than 40 000 people according to the 2001 census), the Committee of Experts finds it implausible that there are too few families potentially interested in pre-school education in Yezidi. The Committee of Experts considers that the Armenian authorities should, in co-operation with representatives of the Yezidi minority, promote the possibility of Yezidi-language education in pre-schools among the speakers.

406. The Committee of Experts considers this undertaking not fulfilled.

The Committee of Experts urges the Armenian authorities to encourage the use of Yezidi in pre-school education.

Primary education

- b.**
 - i. to make available primary education in the relevant regional or minority languages; or*
 - ii. to make available a substantial part of primary education in the relevant regional or minority languages; or*
 - iii. to provide, within primary education, for the teaching of the relevant regional or minority languages as an integral part of the curriculum; or*
 - iv. to apply one of the measures provided for under i and iii above at least to those pupils whose families so request and whose number is considered sufficient.***

407. In the second evaluation report, the Committee of Experts considered this undertaking partly fulfilled.

408. According to the third periodical report, 355 pupils are enrolled at primary schools where Yezidi is taught. During the on-the-spot visit, the Committee of Experts was informed that the language is taught for two hours per week, as an extra-curricular subject, in 21 settlements. The Committee of Experts considers that 355 pupils is too low a number compared to the total number of the Yezidi speakers.

409. The Committee of Experts considers this undertaking partly fulfilled. It urges the Armenian authorities, in co-operation with representatives of the Yezidi speakers, to extend the offer of teaching Yezidi to be an integral part of the curriculum.

Secondary education

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

410. In its second evaluation report, the Committee of Experts considered this undertaking partly fulfilled.

411. According to the third periodical report, Yezidi is taught at secondary schools in the Armavir, Ararat and Aragatsotn *marzer* to 435 students. The Committee of Experts does not have information about the number of hours per week that it is taught. The Committee of Experts considers that 435 pupils is too low a number compared to the total number of the Yezidi speakers.

412. The Committee of Experts considers this undertaking partly fulfilled. It encourages the Armenian authorities, in co-operation with representatives of the Yezidi speakers, to extend the offer of teaching Yezidi.

Technical and vocational education

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

413. In the second evaluation report, the Committee of Experts considered this undertaking not fulfilled. It urged the Armenian authorities to continue their efforts to ensure that an offer of teaching in or of minority languages is included in technical and vocational education.

414. According to the third periodical report, there have been no applications for Yezidi-language education at technical and vocational levels. The Yezidi department at the Yerevan State Pedagogical College “Bakunts” has terminated its activities due to a lack of applicants, but may resume should it receive enough applications. The Armenian authorities state that they frequently organise visits to Yezidi-speaking municipalities to raise awareness of the rights of Yezidi speakers to receive minority language education. In light of the observations made under Article 8.1.a.iii and bearing in mind that Armenia has ratified this undertaking, the Committee of Experts considers that the Armenian authorities should, in co-operation with representatives of the Yezidi speakers, strengthen their efforts in promoting the possibility of Yezidi-language education in technical and vocational schools among the Yezidi speakers.

415. The Committee of Experts considers this undertaking not fulfilled. It urges the Armenian authorities, in co-operation with representatives of the Yezidi speakers, to make available technical and vocational education in Yezidi or to provide for the teaching of this language as a subject.

University and higher education

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

416. In the second evaluation report, the Committee of Experts considered this undertaking not fulfilled in practice. It encouraged the Armenian authorities to strengthen their efforts to make university and higher education available in Yezidi particularly in the field of teacher training.

417. According to the third periodical report, Yezidi is taught as a mandatory subject at the Faculty of Oriental Studies of Yerevan State University if the teaching of this language is relevant to the profession chosen by the student. Yezidi is also taught at the Yerevan Management University. The Committee of Experts has not received any information regarding teacher training.

418. The Committee of Experts considers this undertaking partly fulfilled.

The Committee of Experts urges the Armenian authorities to make university and higher education available in Yezidi, particularly in the field of teacher training.

Adult and continuing education

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

419. In the second evaluation report, the Committee of Experts considered this undertaking not fulfilled.

420. According to the third periodical report, there has been no demand for adult or continuing education in Yezidi. However, given that Armenia has ratified this undertaking, the Committee of Experts considers that the Armenian authorities should, in co-operation with representatives of the Yezidi minority, promote the offering of Yezidi in adult and continuing education among the speakers.

421. The Committee of Experts considers this undertaking not fulfilled.

Article 9 – Judicial authorities

Paragraph 1

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

Criminal proceedings

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

422. In the second evaluation report, the Committee of Experts considered this undertaking formally fulfilled. It encouraged the Armenian authorities to take proactive measures to ensure that the undertaking under Article 9.1.a.ii is implemented in practice, for example, by informing the public and the courts about the right to use minority languages before courts. Furthermore, the Committee of Ministers recommended Armenia to **“ensure the use of regional or minority languages before courts and inform courts and the public on the rights and duties related to Article 9 of the Charter”**.

423. The Committee of Experts refers to its earlier observations regarding the practical implementation of these undertakings and its recommendations concerning the need for awareness-raising activities (see paragraphs 72, 74), which apply accordingly.

424. The Committee of Experts considers this undertaking formally fulfilled. It urges the Armenian authorities to inform the Yezidi speakers and the courts of the right to use Yezidi in criminal proceedings.

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

425. This undertaking was considered fulfilled in the previous monitoring cycles and remains so.

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

426. In the second evaluation report, the Committee of Experts considered this undertaking formally fulfilled. It encouraged the Armenian authorities to take proactive measures to ensure that the undertaking under Article 9.1.iv is implemented in practice, for example informing courts about the duty to produce documents in minority languages during proceedings.

427. The Committee of Experts refers to its earlier observations regarding the practical implementation of these undertakings and its recommendations concerning the need for awareness-raising activities (see paragraphs 72, 74), which apply accordingly.

428. The Committee of Experts considers this undertaking formally fulfilled. It urges the Armenian authorities to inform courts about the duty to produce documents connected with criminal proceedings in Yezidi, if so requested.

Civil proceedings

b. ...

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

429. In the second evaluation report, the Committee of Experts considered this undertaking not fulfilled, referring to its observations under Article 9.1a.ii. It encouraged the Armenian authorities to inform the public and the courts about the right to use minority languages before courts in civil proceedings and to take the necessary measures to clarify the situation also in domestic legislation. Furthermore, the Committee of Ministers recommended Armenia to “**ensure the use of regional or minority languages before courts and inform courts and the public on the rights and duties related to Article 9 of the Charter**”.

430. The Committee of Experts refers to its earlier observations regarding the practical implementation of these undertakings and its recommendations concerning the need for awareness-raising activities (see paragraphs 82, 74), which apply accordingly.

431. The Committee of Experts considers this undertaking not fulfilled. It urges the Armenian authorities to take the necessary measures to clarify the situation in domestic legislation and to inform the Yezidi speakers of their right to use Yezidi in civil proceedings.

Administrative proceedings

c. ...

- ii. *to allow, whenever a litigant has to appear in person before a court, that he or she may use his or her regional or minority language without thereby incurring additional expenses; and/or*
- iii. *to allow documents and evidence to be produced in the regional or minority languages, if necessary by the use of interpreters and translations.*

432. In the second evaluation report, the Committee of Experts was not in a position to conclude on the fulfilment of these undertakings.

433. According to the third periodical report, administrative proceedings are conducted in accordance with the requirements of the Civil Procedure Code. The Committee of Experts therefore refers to its observations and recommendations made concerning Article 9.1.b.ii (see paragraphs 82-83), which apply accordingly.

434. The Committee of Experts considers this undertaking not fulfilled. It encourages the Armenian authorities to take the necessary measures to clarify the situation in domestic legislation and inform the Yezidi speakers of their right to use Yezidi in administrative proceedings.

- 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*

435. In the second evaluation report, the Committee of Experts was not in a position to conclude on the fulfilment of this undertaking.

436. Since the Committee of Experts has repeatedly asked for information without receiving any, it must conclude that the undertaking is not fulfilled.

Paragraph 3

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

437. In the second evaluation report, the Committee of Experts considered this undertaking not fulfilled. It encouraged the Armenian authorities to initiate a process with a view to making available the most important national statutory texts in Yezidi.

438. The third periodical report states that national statutory texts have not been translated into Yezidi, owing to a lack of financial means and demand by the minority language speakers. In addition, the authorities stated that they faced difficulties during the translation of the Constitution into Yezidi regarding legal terms in Yezidi. In light of this information, the Committee of Experts underlines that the purpose of this undertaking is not only to inform minority language speakers of national statutory texts in their language, but also to develop and apply legal terminology in such a language. The use of minority languages in the legal sphere is an important contribution to raising the public prestige of a minority language and enabling its use in several fields of public life.

439. The Committee of Experts considers this undertaking not fulfilled. It urges the Armenian authorities to initiate a process with a view to making the most important national statutory texts in the Part III languages available in Yezidi.

Article 10 – Administrative authorities and public services

State authorities

Paragraph 1

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

- a. ...
 - iv. *to ensure that users of regional or minority languages may submit oral or written applications in these languages; or*
 - v. *to ensure that users of regional or minority languages may validly submit a document in these languages;*

440. Undertakings a.iv and a.v represent alternative options. As Armenia has chosen option a.iv, option a.v becomes redundant. In line with its practice, the Committee of Experts will examine option a.iv only.

441. In its second evaluation report, the Committee of Experts considered this undertaking fulfilled. It nonetheless encouraged the Armenian authorities to develop a structured policy to facilitate the practical implementation of the undertakings chosen under Article 10.

442. In the third monitoring cycle, the Committee of Experts has not received any additional information concerning the application of this undertaking to Yezidi and asks the Armenian authorities to provide this information in the next periodical report.

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

443. In the second evaluation report, the Committee of Experts considered this undertaking not fulfilled.

444. According to the third periodical report, there are no widely used administrative texts and forms for the population in Yezidi or in bilingual versions.

445. The Committee of Experts considers this undertaking not fulfilled. It urges the Armenian authorities to make available widely used administrative texts and forms for the population in Yezidi or in bilingual versions.

Paragraph 2

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

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

446. This undertaking was considered fulfilled in the previous monitoring cycles and remains so.

- 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;*

447. This undertaking was considered fulfilled in the previous monitoring cycles and remains so.

- 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.*

448. This undertaking was considered fulfilled in the previous monitoring cycle and remains so.

Paragraph 3

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

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

449. This undertaking was considered fulfilled in the previous monitoring cycles and remains so.

Paragraph 4

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

...

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

450. In the second evaluation report, the Committee of Experts considered this undertaking partly fulfilled. It encouraged the Armenian authorities to develop a structured policy to facilitate the mobility of public service employees with knowledge of the relevant minority language.

451. According to the third periodical report, the Civil Service Council has proposed that in recruitment competitions priority shall be given to candidates having knowledge *inter alia* of Yezidi.

452. The Committee of Experts considers this undertaking partly fulfilled. It urges the Armenian authorities to comply as far as possible with requests from public service employees having knowledge of Yezidi to be appointed in the territory in which that language is used and to specify, in the next periodical report, which measures are put in practice.

Paragraph 5

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

453. This undertaking was considered fulfilled in the previous monitoring cycles and remains so.

Article 11 - Media

Paragraph 1

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

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

...

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

454. In the second evaluation report, the Committee of Experts considered this undertaking partly fulfilled. It urged the Armenian authorities to develop schemes which will facilitate the broadcasting of television programmes in Yezidi. Furthermore, the Committee of Ministers recommended Armenia to **take measures to improve the presence of Yezidi on television**.

455. With regard to the limitation of the broadcasting duration of programmes in minority languages by Armenian legislation, the Committee of Experts refers to its observations made under paragraph 117. As far as the implementation in practice is concerned, the Armenian Public Radio broadcasts for 30 minutes daily in Yezidi. There are no public television programmes in Yezidi.

456. The Committee of Experts considers this undertaking partly fulfilled concerning public radio and not fulfilled regarding public television.

The Committee of Experts urges the Armenian authorities to make adequate provisions so that public broadcasters offer television programmes in Yezidi, including programmes for children.

b. ...

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

457. There are no private radio programmes in Yezidi.

458. The Committee of Experts considers this undertaking not fulfilled. It encourages the Armenian authorities to facilitate the broadcasting of private radio programmes in Yezidi.

c. ...

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

459. There are no private television programmes in Yezidi.

460. The Committee of Experts considers this undertaking not fulfilled. It encourages the Armenian authorities to facilitate the broadcasting of private television programmes in Yezidi on a regular basis.

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

461. The Committee of Experts underlines that, in conformity with its regular interpretation, a “newspaper” in the sense of this undertaking has to be published at least weekly.¹⁷

462. In the second evaluation report, the Committee of Experts considered this undertaking not fulfilled.

463. According to the third periodical report, there still exists no newspaper in Yezidi.

464. The Committee of Experts considers this undertaking not fulfilled. It urges the Armenian authorities to consult representatives of the Yezidi speakers as to how this undertaking shall be implemented in practice.

The Committee of Experts urges the Armenian authorities to facilitate the creation of at least one newspaper in Yezidi.

Paragraph 2

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

465. This undertaking was considered fulfilled in the previous monitoring cycles and remains so.

Paragraph 3

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

466. In the second evaluation report, the Committee of Experts considered this undertaking not fulfilled. It encouraged the Armenian authorities to ensure that the interests of the users of the minority languages are taken into account in the National Commission of Television and Radio.

467. In light of the information contained in the third periodical report, the Committee of Experts understands that the National Commission of Television and Radio, which is the body guaranteeing the freedom, independence and diversity of broadcasting media, neither comprises representatives of the national minorities, nor specifically deals with their interests.

468. The Committee of Experts considers this undertaking not fulfilled. It urges the Armenian authorities to ensure that the interests of the users of Yezidi are taken into account in the National Commission of Television and Radio.

Article 12 – Cultural activities and facilities

Paragraph 1

With regard to cultural activities and facilities – especially libraries, video libraries, cultural centres, museums, archives, academies, theatres and cinemas, as well as literary work and film production, vernacular forms of expression, festivals and the cultural industries, including inter alia the use of new technologies – the Parties undertake, within the territory in

¹⁷ See for example 1st Report of the Committee of Experts on Romania, ECRML(2012)3, paragraph 174

which such languages are used and to the extent that the public authorities are competent, have power or play a role in this field:

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

469. In the second evaluation report, the Committee of Experts considered this undertaking fulfilled as a number of festivals, stage plays, literature and other cultural manifestations had been supported. The Committee of Experts looked forward to receiving information about the increase in the funding for cultural activities. The Committee of Experts also encouraged the Armenian authorities to assess with the speakers of the minority languages their needs in order to further develop schemes and support projects for the preservation and development of their languages and cultures.

470. As the Committee of Experts observed under Article 7.1.c above, the volume of the financial means allocated to cultural activities of national minorities has remained unchanged, at a level which seems to be insufficient for the promotion of the Yezidi language.

471. The Committee of Experts considers this undertaking partly fulfilled. It encourages the Armenian authorities to increase their financial support provided to cultural activities and facilities in Yezidi.

- 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.*

472. This undertaking was considered fulfilled in the previous monitoring cycle and remains so.

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

473. This undertaking was considered fulfilled in the previous monitoring cycle and remains so.

Paragraph 2

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

474. This undertaking was considered fulfilled in the previous monitoring cycle and remains so.

Paragraph 3

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

475. In the second evaluation report, the Committee of Experts considered this undertaking not fulfilled.

476. In light of the information contained in the third periodical report, the Committee of Experts understands that no relevant activities have been carried out. The Committee of Experts reiterates that the present undertaking puts an obligation on the Armenian authorities to reflect the presence of the minority languages in Armenia in activities which present the country abroad.

477. The Committee of Experts considers this undertaking not fulfilled. It urges the Armenian authorities to make appropriate provision, in pursuing their cultural policy abroad, for the Yezidi language and the culture it reflects.

Article 13 – Economic and social life

Paragraph 1

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

...

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

478. This undertaking was considered fulfilled in the previous monitoring cycles and remains so.

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

479. This undertaking was considered fulfilled in the previous monitoring cycle and remains so.

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

480. In the second evaluation report, the Committee of Experts considered this undertaking not fulfilled. It encouraged the Armenian authorities to facilitate and/or encourage the use of Yezidi in economic and social activities.

481. The information contained in the third periodical report regarding this undertaking deals with culture rather than economic and social activities. The Committee of Experts was not informed of any measures that would qualify this undertaking for fulfilment.

482. The Committee of Experts considers this undertaking not fulfilled. It urges the Armenian authorities to facilitate and/or encourage the use of Yezidi in economic and social activities.

Paragraph 2

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

...

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

483. In the second evaluation report, the Committee of Experts was not in a position to conclude on the fulfilment of this undertaking. It asked the Armenian authorities to provide information on the use of Yezidi in sectors which provide a public service mission, such as public transport, postal services and airports in the next periodical report.

484. In light of the information contained in the third periodical report, the Committee of Experts understands that no relevant activities have been carried out.

485. The Committee of Experts considers this undertaking not fulfilled. It encourages the Armenian authorities to organise activities to promote the use of Yezidi in the economic and social sectors directly under their control, for example transport and postal services.

- 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.*

486. In the second evaluation report, the Committee of Experts considered this undertaking not fulfilled.

487. According to the third periodical report, Yezidi is not used in hospitals. The Committee of Experts reiterates that according to the undertaking chosen by Armenia, measures have to be taken to ensure that staff (doctors, nurses, etc) in hospitals or retirement homes have the necessary skills to serve those who are in need of care in their minority language. The Armenian authorities should find ways to progressively implement the present undertaking based on a more structured approach.

488. The Committee of Experts considers this undertaking not fulfilled.

The Committee of Experts urges the Armenian authorities 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 Yezidi who are in need of care on grounds of ill-health, old age or for other reasons.

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;***

489. This undertaking was considered fulfilled in the previous monitoring cycle and remains so.

- 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.***

490. This undertaking was considered fulfilled in the previous monitoring cycles and remains so.

Chapter 4 Findings of the Committee of Experts in the third monitoring cycle

A. The Committee of Experts expresses its gratitude to the Armenian authorities for the good cooperation with regard to the preparation and organisation of the on-the-spot visit. However, the Committee of Experts regrets the fact that the third periodical report was submitted with a delay of nearly 20 months and that it did not always provide comprehensive and updated information on the application of the Charter.

B. The Committee of Experts is aware of the financial difficulties the Armenian authorities are faced with when implementing certain undertakings of the Charter and thanks the authorities for their efforts, despite difficult economic conditions. However, the Armenian authorities provide only very limited funding to the national minorities represented in the Coordinating Council for National Minorities.

C. Armenia has developed a legal and institutional framework for the protection and promotion of its minority languages. However, the Committee of Experts has found that the implementation of the legal framework is incomplete in a number of areas covered by the Charter. Structured policies are needed to ensure the use of minority languages, in practice, in the fields of education, judiciary, administrative authorities, social and economic life.

D. In the field of education, the situation of the Russian language seems to be satisfactory. The Armenian authorities have published new teaching materials in certain minority languages. However, despite the efforts made, shortcomings persist. Teaching materials for the whole curriculum are not yet available in Assyrian, Greek, Kurdish and Yezidi, and there is a shortage of properly trained teachers. This seems partly due to the current system of employment and payment that does not take into account the specificities of teaching minority languages. Also, the minority languages are largely absent from pre-school education.

E. The authorities have clarified that, in court proceedings, interpretation and translation is provided free of charge. However, it is not fully clear which minority languages have actually been used before criminal, civil and administrative courts in reality. The domestic legislation concerning the use of minority languages before courts needs to be clarified. Measures to promote the use of these languages before courts are needed, including information campaigns for court personnel and the public.

F. The use of minority languages in dealings with administrative authorities is marginal. A structured policy is needed to facilitate the practical implementation of the undertakings under Article 10 and to ensure that minority languages are used in dealings with local and regional authorities in regions where there is a presence of minority language speakers.

G. The unsatisfactory situation of broadcasting in minority languages has not improved. An appropriate presence of minority languages on radio and especially television needs to be ensured. Newspapers in Russian are published, but for the other minority languages there are no weekly newspapers.

H. In the field of culture, an increase in the financial support provided to cultural activities is necessary.

I. Minority languages are very marginally used in economic and social life. Russian, however, is widely used.

J. On the basis of new information, the Committee of Experts considers that Ukrainian and German are regional or minority languages in the sense of the Charter and covered by Part II. Further clarification by the authorities is needed about whether Georgian, Polish and Yiddish comply with the Charter's definition of regional or minority languages.

K. Regarding Part II, the Armenian authorities provide financial support for news bulletins, the publication of books and cultural events using minority languages. German is taught as an optional

subject in state education and can be studied at university. In addition, minority associations organise so-called Sunday schools.

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

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

At its 1188th meeting on 15 January 2014, the Committee of Ministers adopted its Recommendation addressed to Armenia, which is set out in Part B of this document.

Appendix I: Instrument of ratification



Armenia:

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

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

Period covered: 1/5/2002 -

The preceding statement concerns Article(s): 3

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

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

Article 8 - Education

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

Article 9 - Judicial authorities

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

Paragraph 3.

Article 10 - Administrative authorities and public services

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

Paragraph 5.

Article 11 - Media

Sub-paragraphs 1.a.iii; 1.b.ii; 1.c.ii; 1.e.

Paragraphs 2 and 3.

Article 12 - Cultural activities and facilities

Sub-paragraphs 1.a.d.f. (*)

Paragraphs 2 and 3.

Article 13 - Economic and social life

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

Article 14 - Transfrontier exchanges

Paragraphs a and b.

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

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

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

Period covered: 1/5/2002 -

The preceding statement concerns Article(s): 2

Appendix II: Comments from the Armenian authorities

Article 8. Education

47. Within the framework of National Institute of the Ministry of Education and Science of the Republic of Armenia, a training for teachers of the Assyrian language for all levels with modern educational materials has been planned.

The Decision of the Government of the Republic of Armenia No 892-N of 18 July 2013 establishes the action plan and priorities for 2013. According to this document, 2 units of textbooks for the schools of national minorities and training for teachers of the schools of national minorities are envisaged in the field of education in 2013.

51. The Assyrian pupils study in the secondary schools which also carry out high school programme.

53. Within the priorities for 2013 of the Government of the Republic of Armenia (point 39), increase in the availability of pre-school education is enshrined as a priority issue, which aims to organise pre-school educational services in the communities of the marzes of the Republic of Armenia without pre-school establishments or with kindergartens having incomplete staffing and poor capacities.

At the present stage, renovation and furnishing works in areas allocated for pre-school establishments are being carried out in 72 institutions of 10 marzes of the Republic of Armenia during 2013.

The institutions will be replenished with educational visual materials, accessories, as well as curriculum and methodological literature. New pre-school establishments will start operation where over 1800 children are envisaged to be engaged, including children of socially vulnerable and national minority families. Education costs for groups put in operation in accordance with a new short-term model, based on the need of implementation of pre-school educational criterion, are funded from State budget means of the Republic of Armenia.

As for the pre-school educational programmes of the Kurdish and Assyrian languages, development and publication of educational-methodological manuals thereof, it should be stated that the development of the educational-methodological manuals for different age groups is currently being processed, which is enshrined in the 2008-2009 strategy programme for pre-school educational reforms (N 10 Protocol Decision) of the Government of the Republic of Armenia of 13 March 2008. After the process has ended, pre-school educational complex programmes for the national minorities, including for the Assyrian, Kurdish and Yezidi languages, will be envisaged and carried out.

In the same context the training of relevant pedagogical staff shall also be carried out in the National Institute of Education of the Ministry of Education and Science of the Republic of Armenia.

54. The Ministry of Education and Science of the Republic of Armenia, in cooperation with native speakers of the Assyrian language, headmasters and teachers of the schools, has provided hours for teaching Assyrian in the elementary grades.

Article 11.Media

Point 117 of paragraph 1 of Article 11 of the Report specifies the following:

"Under the Law of the Republic of Armenia "On television and radio" (**Article 28**) limitation is, however, provided for the air time for broadcasts transmitted in the languages of national minorities, according to which the total amount of hours for the programmes **in each language** must be not more than 2 hours a week on television and not more than 1 hour a day on radio".

Not only the number of the mentioned Article is incorrect here (Article 28 instead of Article 26), but also the content has been subjected to a serious semantic change, as Article 28 of the Law "On television and radio" sets that air time shall be allotted for transmitting special programmes and broadcasts in the languages of the national minorities of the Republic of Armenia. **The total amount of hours for these broadcasts** (not for each language) must be not more than 2 hours a week on television and not more than 1 hour a day on radio.

Article 26(1) and (2) of the Law "On television and radio" lay down the following:

"1. Public Television and Radio Company is a state institution with a special status, the peculiarities of the legal status of which shall be prescribed by this Law. For the purpose of ensuring the constitutional right of a person, the state shall create an independent public television and radio company, the operation of which shall ensure a diversity of broadcasts of informational, political, economic, educational, cultural, youth, scientific, sports, entertainment and of other significant informational nature, as well as broadcasts on Armenian language and history.

Public Television and Radio Company shall operate in accordance with this Law, its statute and other legal acts of the Republic of Armenia.

2. The Public Television Company shall operate in the field of production and broadcast of television programs of the Public Television and Radio Company, while the Public Radio Company - in the field of radio broadcasting. The governing body of the Public Television Company and of the Public Radio Company shall be the Council of Public Television and Radio Company."

Part 5 of the above mentioned Article establishes that the Public Television and Radio Company shall be obliged to allocate air time for transmitting special programmes and broadcasts in the languages of national minorities of the Republic of Armenia. Thus the Council of Public Television and Radio Company should also be engaged in the issues mentioned in the Report.

Article 14.1 of the Constitution of the Republic of Armenia lays down the following:

"All human beings shall be equal before the law.

Discrimination based on sex, race, skin colour, ethnic or social origin, genetic features, language, religion, ideology, political or other views, membership to a national minority, property status, birth, disability, age, or other personal or social circumstances shall be prohibited."

The principle of formation of National Commission on Television and Radio (NCTR) is enshrined by the Constitution and laws of the Republic of Armenia. Four of the members of the National Commission are appointed by the President of the Republic of Armenia, and the other four are elected by the National Assembly of the Republic of Armenia. The National Assembly holds the elections of the members of the National Commission on Television and Radio by the decision of the National Assembly as prescribed by the Law of the Republic of Armenia "Rules of Procedure of the National Assembly", while the President of the Republic appoints, in accordance with the competitive procedure approved by him, the successful candidate as a member of the National Commission on Television and Radio. The information thereon, with necessary substantiation, shall be publicised in the press and through other mass media. Non-governmental organisations also participate in the process of appointing members of the National Commission on Television and Radio, who provide them with letters of recommendation for participation in the competition.

Thus, such a selection of the member composition of the National Commission on Television and Radio, without any discrimination, ensures representation of all groups of society in the composition of the National Commission on Television and Radio.

In 2010 NCTR held 25 competitions for carrying out on-air broadcasting of television programmes through the digital broadcasting network in accordance with the Law "On television and radio". As a result, there were 21 winners for broadcasters and 4 winners for re-broadcasters. During the selection of licensee, the NCTR took into consideration the conditions prescribed by Article 49 of the Law "On television and radio"; other conditions were not brought forward to the participants of the competition. However, this doesn't mean that the broadcasting television and radio companies are limited in transmitting programmes in the languages of national minorities. Besides, almost all the companies have mentioned in their tender that they are ready to find cultural, historical, informative and other programmes for communities of national minorities and, at the same time, are ready to provide air time therefor.

All television and radio companies periodically broadcast programmes about communities of national minorities of the Republic of Armenia - relating to their history, education, culture, language, and rights. It is worth mentioning that there are no mass media in the Republic of Armenia that spread negative stereotypes about national minorities, and, in accordance with Article 22 of the Law "On television and radio", it is prohibited to use television programmes to spread national, racial and religious hostility or discord.

Article 12. Cultural activities and institutions

The following activities shall be carried out within the framework of liabilities prescribed by paragraph 3 of Article 12 - "Cultural activities and institutions" - submitted by the experts to the Committee of Ministers of the Council of Europe on the issues relating to the cultural sphere of the 3-rd Periodic Report of the Republic of Armenia on the European Charter for Regional or Minority Languages of the Council of Europe:

- In 2011 state assistance was rendered to "Harmony" International Centre of Russian Culture NGO for participation in the **"Belaruskaya Zorka"** ("Belarusian Star") festival held in Belarus;

- In 2012, within the framework of "Through Culture to Tolerance" project, the Ministry of Culture of the Republic of Armenia provided assistance to ensure participation of the composer Willy Weiner, pianist Anahit Nersisyan, and art director Armen Arnautov-Sargsyan in the concerts organised in the conservatories of Moscow and Saint-Petersburg, as well as in Willy Weiner's concerts in Tbilisi, Jerusalem and Tel Aviv.

Article 13. Economic and Social Life

With regard to point 150, point 151, point 257, point 260, point 261, point 351, point 353, point 354, point 485 of the report adopted by the Committee of Experts of the European Charter for Regional or Minority Languages of the Council of Europe, we would like to inform that 19 pensioners of non-Armenian origin reside in Vardenis neuropsychological boarding house, in the boarding houses of Nork and No. 1 in Yerevan, and in Gyumri boarding house which operate under the Ministry of Labour and Social Affairs of the Republic of Armenia. Thirteen out of the mentioned pensioners are Russian, 3 are Yezidi, 1 is Assyrian, 1 is Azeri, 1 is Latvian, who, having resided in the Republic of Armenia for many years, mastered the Armenian language and don't have any problems in communication.

With regard to the Point 19 of the report, where the Committee of Experts concluded that Ukrainian and German are regional languages in the sense of the Charter, the RA Government would like to present the following tables containing data from the Population Census of Armenia (2011).

Population Census of Armenia 2011

Permanent population by age and ethnicity

Ethnicity	Total	Age						
		0-9	10-19	20-29	30-39	40-49	50-59	60+
RA	3,018,854	387,501	411,712	564,163	410,426	388,024	412,290	444,738
Armenians	2,961,801	379,155	403,277	553,964	402,434	380,840	405,656	436,475
Yezidis	35,308	5,984	6,236	6,795	5,193	4,645	3,624	2,831
Russians	11,911	1,160	1,088	1,669	1,481	1,299	1,745	3,469
Assyrians	2,769	371	374	514	331	320	394	465
Greeks	900	79	71	112	121	100	121	296

Ukrainians	1,176	65	55	101	131	167	199	458
Kurds	2,162	437	373	398	300	255	198	201
Georgians	617	36	43	94	110	77	98	159
Persians	476	44	51	175	93	71	26	16
Poles	124	9	10	21	19	11	13	41
Belaruses	214	10	7	18	25	23	34	97
Jewes	127	18	11	18	9	10	15	46
Germans	67	5	7	3	8	12	16	16
Other	1,102	116	100	257	158	177	137	157
Refused to answer	100	12	9	24	13	17	14	11

Permanent population by ethnicity and native languages

Ethnicity	T o t a l	Native language																
		A R M E N I A N	Y E Z I D I	R U S S I A N	A S S Y R I A N	G R E E K	U K R A I N I A N	K U R D I S H	P O L I S H	B E L O R U S S I A N	G E O R G I A N	H E B R E W	E N G L I S H	F R E N C H	G E R M A N	P E R S I A N	O T H E R	Refused to answer
RA	3,018,854	2,956,615	30,973	23,484	2,402	332	733	2,030	64	107	455	14	491	94	85	397	549	29
Armenians	2,961,801	2,948,766	249	11,862	124	78	106	22	21	21	14	5	357	44	33	4	88	7

Yezidis	35,308	4,271	30,628	79	1	0	0	323	0	0	0	0	2	0	0	0	4	0
Russians	11,911	1,372	47	10,466	5	2	6	1	2	1	0	0	2	0	0	0	6	1
Assyrians	2,769	418	2	81	2,265	0	1	0	1	0	0	0	0	0	0	0	1	0
Greeks	900	557	3	88	1	249	1	0	0	0	0	0	0	0	0	0	1	0
Ukrainians	1,176	208	0	357	1	2	606	0	0	0	0	0	0	0	0	0	2	0
Kurds	2,162	406	39	24	2	0	0	1,684	0	0	0	0	0	0	4	0	3	0
Poles	124	52	0	32	0	0	2	0	35	0	0	0	1	0	0	0	2	0
Belarusians	214	41	0	85	0	0	3	0	0	85	0	0	0	0	0	0	0	0

Georgians	617	94	0	75	0	1	0	0	0	0	440	0	6	0	1	0	0	0
Jews	127	87	0	31	0	0	0	0	0	0	0	9	0	0	0	0	0	0
Germans	67	19	0	19	0	0	0	0	0	0	0	0	9	0	20	0	0	0
Persians	476	41	3	1	0	0	0	0	0	0	0	0	8	26	0	393	4	0
Other	1,102	225	2	267	2	0	7	0	5	0	1	0	106	24	27	0	429	7
Refused to answer	100	58	0	17	1	0	1	0	0	0	0	0	0	0	0	0	9	14

Permanent population by ethnicity and knowledge of foreign languages

Ethnicity	T o t a l	knowledge of foreign languages																			
		A R M E N I A N	Y E Z I D I	R U S S I A N	A S S Y R I A N	G R E E K	U K R A I N I A N	K U R D I S H	P O L I S H	B E L O R U S S I A N	G E O R G I A N	H E B R E W	E N G L I S H	F R E N C H	G E R M A N	S P A N I S H	P E R S I A N	T U R K I S H	O T H E R	Refused to answer	Lack of know ledge of foreign lang uages
RA	3,018,854	43,420	5,370	1,591,246	1,468	2,136	1,151	1,309	1,133	225	6,151	434	107,922	10,106	6,342	1,767	4,396	3,465	3,315	0	1,227,498
Armenians	2,961,801	7,486	3,026	1,585,567	1,365	1,996	1,006	956	1,112	202	5,974	414	107,013	10,056	6,216	1,731	4,352	3,420	3,234	0	1,216,675
Yezidis	35,308	26,524	2,317	2,022	10	5	6	16	0	2	85	5	47	9	22	4	3	1	1	0	4,229
Russians	11,911	5,317	17	1,026	8	7	56	0	6	7	25	1	349	15	70	1	0	6	26	0	4,974

Assyrians	2,769	1,126	0	1,193	82	0	1	2	0	0	4	0	13	0	1	0	1	1	1	0	344
Greeks	900	223	1	343	3	125	1	0	1	0	0	0	29	2	0	2	1	1	1	0	167
Ukrainians	1,176	487	0	408	0	1	72	2	3	0	3	0	23	1	4	0	1	0	1	0	170
Kurds	2,162	1,520	6	59	0	0	0	333	1	0	2	4	4	0	1	0	9	16	0	0	207
Poles	124	35	0	46	0	0	2	0	10	0	0	0	5	2	1	0	0	0	0	0	23
Belarusians	214	99	1	54	0	0	1	0	0	13	1	0	8	0	0	0	0	0	0	0	37
Georgians	617	129	0	147	0	0	0	0	0	0	57	7	12	1	2	0	0	0	0	0	262
Jews	127	20	0	52	0	0	1	0	0	0	0	3	6	1	2	0	0	3	2	0	37
Germans	67	28	0	13	0	0	0	0	0	0	0	0	7	0	10	2	0	0	1	0	6

Persians	476	127	1	34	0	0	2	0	0	0	0	0	184	1	0	1	28	14	2	0	82
Other	1,102	292	1	237	0	1	3	0	0	1	0	0	216	18	12	26	1	3	45	0	246
Refused to answer	100	7	0	45	0	1	0	0	0	0	0	0	6	0	1	0	0	0	1	0	39

Thus, taking into account the small number of Germans (67) and Ukrainians (1176) permanently living in Armenia, out of which only 20 Germans and 606 Ukrainians consider German and Ukrainian as their mother tongue, as well as the fact that Germans and Ukrainians were not traditionally used in the territory of Armenia as required by the Article 1 of the Charter, the mentioned languages cannot be considered regional or minority languages.

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

Recommendation CM/RecChL(2014)2 of the Committee of Ministers on the application of the European Charter for Regional or Minority Languages by Armenia

*(Adopted by the Committee of Ministers on 15 January 2014,
at the 1188th meeting of the Ministers' Deputies)*

The Committee of Ministers,

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

Having regard to the instrument of ratification submitted by Armenia on 25 January 2002;

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

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

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

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

1. promote the use of Assyrian, Kurdish and Yezidi in pre-school education and extend the offer of teaching Assyrian, Greek, Kurdish and Yezidi at primary and secondary levels;
2. ensure adequate teacher training for Assyrian, Kurdish and Yezidi;
3. make adequate provisions so that broadcasters offer television programmes in Assyrian, Greek, Kurdish and Yezidi and improve the presence of the Part III languages on the radio;
4. develop a structured policy and provide a clear legal basis for the use of minority languages before courts and public bodies, in order to facilitate the practical implementation of the undertakings under Articles 9 and 10;
5. provide adequate funding to the national minority associations so as to ensure the promotion of the minority languages in conformity with the Charter.