

Appendix ...
(Item 4.3b)

Resolution ResCMN(2007)5
on the implementation of the Framework Convention for the Protection of National Minorities
by Armenia

*(Adopted by the Committee of Ministers on 7 February 2007
at the 986th meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Articles 24 to 26 of the Framework Convention for the Protection of National Minorities (hereinafter referred to as “the Framework Convention”);

Having regard to Resolution (97) 10 of 17 September 1997 setting out rules adopted by the Committee of Ministers on the monitoring arrangements under Articles 24 to 26 of the Framework Convention;

Having regard to the voting rule adopted in the context of adopting Resolution (97) 10;¹

Having regard to the instrument of ratification submitted by Armenia on 20 July 1998;

Recalling that the Government of Armenia transmitted its state report in respect of the second monitoring cycle under the Framework Convention on 24 November 2004;

Having examined the Advisory Committee’s second opinion on Armenia, adopted on 12 May 2006, and the written comments of the Government of Armenia, received on 24 October 2006;

Having also taken note of comments by other governments,

1. Adopts the following conclusions in respect of Armenia:

a) Positive developments

Armenia has adopted a number of measures to improve the implementation of the Framework Convention since the adoption of the Advisory Committee’s first opinion on 16 May 2002 and the Committee of Ministers’ resolution on 15 January 2003. This has included a number of institutional and legislative developments in areas of direct concern to persons belonging to national minorities, as well as changes in practice.

Legislative and institutional developments include the establishment of the Human Rights Ombudsperson’s Office. The first Ombudsperson paid specific attention to discrimination issues, including discrimination based on ethnic origin, and has become an important remedy and a source of awareness-raising on minority rights.

Moreover, a Department for Ethnic Minorities and Religious Issues was set up in the government in 2004, to initiate and co-ordinate policy-making on issues relevant to national minorities. A draft law “on the Republic of Armenia citizens of non-Armenian ethnicity and ethnic minorities” is being prepared by this Department, in consultation with those concerned.

Efforts have been made to raise awareness on minority concerns and to mainstream minority issues in national programmes, especially in the field of culture. Moreover, further support has been provided to activities aimed at promoting the culture, language and traditions of national minorities. The legal basis for the use of minority languages in dealings with the administrative authorities was improved in 2004.

¹ In the context of adopting Resolution (97) 10 on 17 September 1997, the Committee of Ministers also adopted the following rule: “Decisions pursuant to Articles 24.1 and 25.2 of the Framework Convention shall be considered to be adopted if two-thirds of the representatives of the Contracting Parties casting a vote, including a majority of the representatives of the Contracting Parties entitled to sit on the Committee of Ministers, vote in favour”.

Further steps have been taken to respond to the needs of persons belonging to national minorities in the field of education. The authorities have also taken measures with a view to ensuring that the ongoing process of “rationalisation” of schools does not undermine minority language education.

The authorities have continued to support the Co-ordinating Council for National Minorities and the Department for Ethnic Minorities and Religious Issues has made efforts to develop further working relations with representatives of national minorities.

b) Issues of concern

Although Armenia has developed its legal and institutional framework for the protection of national minorities, the financial difficulties affecting many fields of relevance to the protection of national minorities have an impact on the effective implementation of the measures adopted by the authorities. Further efforts should be made to promote equal opportunities of persons belonging to national minorities. Existing imbalances in state support to the different national minorities should also be addressed.

A general climate of tolerance continues to prevail in Armenia. It is nevertheless important that the authorities remain vigilant with regard to any incident of discrimination based on ethnic origin, especially against persons belonging to the Yezidi minority. More detailed information, including statistical data, would help the process of designing further measures to improve the situation.

The presence of minorities and minority languages remains limited in the media and there remain legislative restrictions on the use of minority languages in public radio and television.

Despite the efforts made to support the preservation of minority languages through education, some shortcomings continue to be reported with regard to teaching of minority languages. These shortcomings include insufficient availability of qualified teachers and textbooks for education in minority languages, of pre-school education and substantial drop-out rates among students from some minority groups, in particular among girls and young women. Moreover, the increasing emphasis on education in Armenian needs to be pursued so that it takes into account the views of persons belonging to national minorities, including those who have Russian as their preferred minority language and favour education in Russian for their children.

Participation of persons belonging to national minorities in public affairs continues to be limited, especially at national level.

The draft law “on the Republic of Armenia citizens of non-Armenian ethnicity and ethnic minorities” has received criticism from representatives of national minorities. The aspects of the law which have been criticised include the perceived attempts to limit the channels of communication with minority interlocutors.

Problems stemming from the conflict related to Nagorno Karabakh continue to hamper transfrontier co-operation.

2. Adopts the following recommendations in respect of Armenia:

In addition to the measures to be taken to implement the detailed recommendations contained in chapters I and II of the Advisory Committee's opinion, the authorities are invited to take the following measures to improve further the implementation of the Framework Convention:

- further increase awareness-raising measures among the public, politicians and the media regarding national minorities;
- find ways to increase the participation of minorities in the media and remove legislative obstacles to broadcasting in minority languages on public radio and television;
- continue to support mechanisms to consult with national minorities, with due regard for their diversity;

- increase efforts to ensure the availability of sufficient and qualified teachers and textbooks for education in minority languages; take measures to establish pre-school education, especially in areas where persons belonging to national minorities live in substantial numbers; take more resolute action to reduce drop-out rates affecting in particular students belonging to some national minorities;
 - continue to provide opportunities for persons belonging to national minorities to opt for Russian language education;
 - undertake more systematic monitoring of incidents of discrimination based on ethnic origin, with the involvement of the Human Rights Ombudsperson's Office;
 - ensure that any forthcoming law on national minorities is fully in line with the provisions of the Framework Convention.
3. Invites the Government of Armenia, in accordance with Resolution (97) 10:
- a.* to continue the dialogue in progress with the Advisory Committee;
 - b.* to keep the Advisory Committee regularly informed of the measures it has taken in response to the conclusions and recommendations set out in section 1 and 2 above.