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## Resolution CM/ResCMN(2018)5 on the implementation of the Framework Convention for the Protection of National Minorities by Armenia

*(Adopted by the Committee of Ministers on 2 May 2018  
at the 1315<sup>th</sup> meeting of the Ministers' Deputies)*

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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 Res(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 Res(97)10;<sup>1</sup>

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

Recalling that the Government of the Republic of Armenia transmitted its State report in respect of the fourth monitoring cycle under the Framework Convention on 2 December 2014;

Having examined the Advisory Committee's fourth opinion on the Republic of Armenia adopted on 26 May 2016,

Adopts the following conclusions in respect of the Republic of Armenia:

The authorities are invited to take account of the observations and recommendations contained in Sections I and II of the Advisory Committee's fourth opinion. In particular, they should take the following measures to improve further the implementation of the Framework Convention:

Recommendations for immediate action:<sup>2</sup>

- engage in a wide consultation process with civil society and national minority organisations prior to and during the drafting of the Law on National Minorities and other legislation impacting on the enjoyment of rights of persons belonging to national minorities; ensure that such legislation is fully compatible with international standards;
- develop a proactive approach to promote minority rights protection in accordance with the Framework Convention; ensure that policies affecting the enjoyment of rights under the Framework Convention are elaborated in consultation with minority representatives to reflect their real needs;
- redouble efforts to eliminate without further delay difficulties experienced by Yezidi children, in particular girls, in access to education; continue efforts to provide preschool education to all children; review legislation, in line with international human rights standards with a view to criminalising forced marriages conducted without the valid consent of both spouses, where pressure or abuse is used;

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<sup>1</sup> In the context of adopting Resolution Res(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".

<sup>2</sup> The recommendations below are listed in the order of the corresponding articles of the Framework Convention.

➤ consult with local representatives of national minorities to assess the demand for the use of minority languages in relations with administrative authorities and for topographical indications in the geographical areas inhabited by a substantial number of persons belonging to national minorities; carry out an awareness-raising campaign encouraging the use of minority languages in contacts with local administration.

Further recommendations:

- ensure that appropriate procedures are in place for future censuses, as well as other forms of data collection, in order to provide reliable data on the situation of persons belonging to national minorities; introduce a possibility of declaring multiple ethnic affiliations in line with the applicable international standards;
- promote positive relations between various minority groups; create and encourage opportunities for dialogue between the Yezidi and Kurdish minorities;
- ensure, in consultation with the officeholder, that the Human Rights Defender (Ombudsperson) has all the resources necessary to carry out the new functions and powers that may be entrusted to him or her under the Law on Ensuring Equality;
- further review criminal legislation with the view to make racial hatred and other hate motives an aggravating circumstance for all crimes; adopt legislative provisions to criminalise the distributing, or otherwise making available, of racist and xenophobic materials through a computer system and other cyber-hate acts; carry out awareness campaigns in society to raise awareness of various forms of hate crimes and set up accessible mechanisms for reporting hate crimes;
- ensure that the culture and history of national minorities are adequately portrayed and taught in all schools, including those attended by majority population children and that they convey all aspects of national minority cultures as an integral part of Armenian society;
- ensure that public radio continues to produce and disseminate minority language programmes in line with relevant provisions of the Framework Convention; create opportunities for radio and television broadcasting in minority languages; consider programming in minority languages as a criterion when allocating radio frequencies and television channels to private bidders;
- ensure the effective implementation of the Electoral Code affecting national minorities; ensure in the new Law on National Minorities that necessary conditions for the effective participation of persons belonging to national minorities in public affairs are put in place.