



**International Convention on  
the Elimination of All Forms  
of Racial Discrimination**

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**Committee on the Elimination of Racial Discrimination**  
**Seventy-eighth session**

**Summary record (partial)\* of the 2072nd meeting**

Held at the Palais Wilson, Geneva, on Tuesday, 1 March 2011, at 10 a.m.

*Chairperson:* Mr. Kemal

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*Fifth and sixth periodic reports of Armenia (continued)*

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\* No summary record was prepared for the rest of the meeting.

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*The meeting was called to order at 10.10 a.m.*

**Consideration of reports, comments and information submitted by States parties under article 9 of the Convention** (*continued*)

*Fifth and sixth periodic reports of Armenia* (*continued*) (CERD/C/ARM/5-6; CERD/C/ARM/Q/5-6; HRI/CORE/1/Add.57)

1. *At the invitation of the Chairperson, the delegation of Armenia took places at the Committee table.*
2. **Ms. Soudjian** (Armenia) said that the Convention provisions on the protection of human rights were directly incorporated into Armenian legislation and that under the Nationality Act adopted in 1995 any individual had the right to obtain Armenian nationality. Her Government encouraged residents of Armenia to acquire Armenian nationality and did not hinder them from doing so. Any individual 18 years of age or older was entitled to apply for Armenian nationality, provided they had lived in the country for three consecutive years, spoke the national language and abided by the laws of the land. Persons 18 years of age or older could also apply for nationality on the basis of Armenian parentage or marriage to an Armenian national. All persons also had the right to renounce their Armenian nationality and, following an amendment to the Nationality Act, to hold the nationality of another country.
3. Representatives of national minorities had the right to participate in political life and to establish their own political party. The participation of minorities in the executive branch was regulated by national legislation, which did not discriminate in that regard. Citizens belonging to national minorities and meeting the established general criteria could hold political positions of responsibility at all levels. Furthermore, all Armenian citizens had a legal right to equal access to public services.
4. With regard to discrimination against women, in 2010 Armenia had taken legal and institutional measures to strengthen protection of women's rights, including a national action programme to improve the situation of women and to strengthen their role in society. The programme was also aimed at ensuring respect for the rights of the most vulnerable groups in society, particularly women refugees. In that regard, most of the women refugees in Armenia had been naturalized as Armenian citizens. In February 2010, the Government had adopted a policy framework document on parity, which was intended to ensure respect for the economic, social and cultural rights of women, particularly women belonging to ethnic or religious minorities.
5. Armenia attached great importance to human rights education for young people, which it considered a key factor in strengthening democracy. Since 2001, human rights had been included in primary and secondary school curricula, and human rights issues were also covered in universities and other higher education establishments. NGOs had contributed to initiatives in that field, including the establishment of the Armenian Human Rights School. Armenia also assigned great importance to human rights training for judges and police officers. With regard to implementation of the Durban Declaration, a programme to combat racism was currently being drawn up as part of a series to protect human rights and should be adopted by the end of 2011.
6. **Ms. Saratikyan** (Armenia) said that there were 11 national minorities in Armenia and none of them were stigmatized. According to figures from the latest census, there were 40,620 Yezidis, 14,660 Russians, 3,409 Assyrians, 1,633 Ukrainians, 1,519 Kurds and 1,176 Greeks in the country, along with minorities of fewer than 1,000 individuals whose exact numbers had not been established. The next census would be held in 2011 and would provide more detailed information on the composition of the population. The Roma

population had left the country mainly at the time of the collapse of the Soviet Union, owing to their nomadic way of life and to the country's then socio-economic situation.

7. The Coordinating Council of National Minorities had been established in March 2000 to ensure the safety of national minorities, promote community relations and endeavour to resolve legal, cultural and educational problems in those communities. In 2000, on the Council's recommendation, the Government had allocated an annual 10 million drams to organizations representing the Council's 11 member communities to support cultural and educational activities for national minorities. Since then an appropriation for that purpose had been included in the State budget.

8. The Union of Nationalities of the Republic of Armenia was a voluntary, independent and self-financing NGO. It was not affiliated with any political movement and did not pursue any particular political objective. It coordinated the activities of NGOs for national minorities residing in Armenia, with a view to strengthening cooperation and mutual understanding among those population groups. It contributed to the protection of civil, economic, social, cultural, and other rights of national minorities, in cooperation with State, non-governmental, religious and other organizations.

9. The Department for Ethnic Minorities and Religious Affairs, established in 2004, helped to draw up the Government Action Plan and formulated recommendations on its implementation and on changes to be made. The Department was authorized by the Government to manage relations between the State and religious organizations, as provided for in the Freedom of Conscience and Religious Associations Act, and ensured protection for the traditions of members of national minorities and for their right to the development of their language and culture.

10. On the basis of a 2008 presidential decision, the Government had recently established a new consultative body, the Public Council of Armenia, whose activities were based on the principle of voluntary participation by citizens and civil society organizations and were intended to build trust between citizens and government bodies. The Government had also set up a commission to examine issues related to protection of the rights of national minorities, including non-discrimination; it was composed of representatives of all the country's national minorities. Those two new bodies would be described in greater detail in the country's next periodic report.

11. As to school enrolment difficulties among children from the Yezidi community, those children were often unable to attend school on a regular basis because of their families' way of life, in which agricultural activity centred on seasonal migration. The problem had been resolved by the use of teacher representatives, who had informed parents of their children's need for schooling. As a result, all the children now regularly attended school. In 2006, the Ministry of Education had taken measures to provide preschool education, particularly for children living in rural areas who did not have the chance to learn Armenian. Preschool education in kindergartens had thereby made it possible to reach more children from different national minorities. The Ministry of Education had also set up a programme to develop schools for national minorities in order to encourage the teaching of the various communities' mother tongue, literature and history.

12. With regard to the Yezidi-Kurd dispute over the use of the Latin or Cyrillic alphabet, members of the two communities had opposing viewpoints but Armenian law left them free to use the alphabet of their choice.

13. With regard to textbooks on the history of the Armenian Apostolic Church, the inclusion of that subject did not infringe the rights of children from different communities because it was part of a history course covering the history of the various religions in the country without any proselytizing intention.

14. **Mr. Gevorgyan** (Armenia) said that the scope of the National Security Strategy was very broad, which was why it encompassed not only risks to national security, but also factors likely to encourage harmonious and peaceful relations among the various segments of society, which was why it included the preservation of the cultural, spiritual and historical values of national minorities and their identity. His Government saw multiculturalism as an asset and attached particular importance to the promotion and protection of the Yezidi, Kurd and Assyrian minorities, who had no State of their own. The Government was also doing all it could to promote the rights of Yezidis internationally, in which connection it had made a recommendation to Iraq encouraging the protection of the Yezidi minority living there. Armenia shared a common history with both the Yezidi and Greek minorities, both having sought refuge in Armenia in 1915.

15. Unlike ethnic Armenians, Yezidis had never been dispossessed by the Soviet Government because they had mostly arrived in the country only two or three years before the Soviet Union's invasion of Armenia. His delegation was therefore surprised that the Country Rapporteur had likened Yezidis to an indigenous people, because their presence in Armenia was recent. They could not therefore lay claim to ancestral land title. Under the land privatization process, Yezidis had acquired real estate at auctions, including pastureland, as stated in the report of the European Commission against Racism and Intolerance. The case referred to in that report, involving 30 Yezidi families in the village of Zovuni who had been refused property titles for the land on which they had built their houses illegally, was an isolated incident and had nothing to do with racial discrimination. The authorities' refusal was based solely on concern for their safety, as the land on which they had built their houses was situated directly under high-voltage cables. The local authorities would not evict those 30 families nor would they leave until an agreement had been reached. He wished to point out that all the other Yezidi families living in that village had obtained property titles, and that the European Commission in question had even recognized in its report that the Yezidis involved in the case had suffered no discrimination on the ground of ethnic origin.

16. The last census conducted while Armenia was still part of the former Soviet Union in 1989, had shown 84,000 Azeris living in the country. The next census had not been held until 2001. Consequently, all data from the period 1989–2001 were mere estimates, which was also true of the statistics provided in the core document of Armenia (HRI/CORE/1/Add.57), in which the number of Azeris was estimated at 7,900. His delegation would be interested to learn the source of the Country Rapporteur's statistics and how they had been arrived at. The respondents to the 2001 census had been perfectly free to choose whether or not to indicate their ethnic origin, which had not been the case under the Soviet regime. Hence, the statistics available to the authorities indicated only the number of persons identifying themselves as belonging to an ethnic minority, rather than the actual number. According to the 2001 census, there were fewer than 1,000 Azeris in the country, which was why they had been reclassified with other small minorities in the category "Others". In the forthcoming census, however, the authorities planned to disaggregate the statistics, including those on groups of fewer than 1,000 persons, in order to gather more accurate data on the composition of the population.

17. **Mr. Demirtshyan** (Armenia) said that the transition from the national Human Rights Commission to the Office of the Human Rights Defender had been gradual. It was only natural that the former should cede its place to the latter, as the Office of the Human Rights Defender had been established in implementation of a Constitutional amendment, endowing it with greater legitimacy. Its mandate was much broader than that of the Human Rights Commission.

18. **Ms. Abgarian** (Armenia) said that her Government had no plans at present to ratify the amendment to article 8, paragraph 6, of the Convention, adopted at the Fourteenth

Meeting of States Parties, nor to make the declaration provided for under article 14 of the Convention. Nevertheless, its position on the issue was not final. Given that Armenia had ratified the European Convention on Human Rights and its Protocol No. 12, any person or group of persons who believed that they were victims of racial discrimination in Armenia could file a complaint of violation of article 14 of that Convention with the European Court of Human Rights.

19. In the context of its collaboration with the Commonwealth of Independent States (CIS), Armenia had ratified more than 500 instruments, including the Convention on the Standards of Democratic Elections, Electoral Rights and Freedoms in the Member States of the Commonwealth of Independent States, the Framework Convention for the Protection of National Minorities, and the CIS Agreement on Issues Related to the Restoration of Rights of Deported Persons, National Minorities and Peoples.

20. Her Government had accepted the recommendation made following the universal periodic review encouraging it to ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. The relevant bodies were currently working to that end.

21. **Mr. Kirakossian** (Armenia) refuted the NGO allegations cited by the Country Rapporteur that members of the Armenian armed forces had committed acts of violence and pillage in villages in Georgia near the Armenian border inhabited by members of the Azeri minority. For one thing, the Armenian Government had no jurisdiction on Georgian territory. The Country Rapporteur had indicated that the Council of Europe Advisory Committee on the Framework Convention for the Protection of National Minorities had been informed of those incidents during its visit to Georgia, and yet it had never made any reference to violations committed on Georgian soil by members of the Armenian armed forces. The only case of that kind was that of two Armenians who had been involved in cross-border criminal activity. They had acted individually and were not State agents. Regarding those allegations, his delegation had contacted the relevant authorities who had insisted that they were unfounded. Armenia and Georgia maintained cordial relations and regularly held top-level bilateral consultations. In the event of incidents between the Armenian minority in Georgia and other individuals, the two countries would resolve the issue through consultations.

22. **Mr. Avtonomov**, observing that mastery of the Armenian language was one of the conditions for acquiring Armenian nationality, asked whether adult naturalization candidates had the opportunity to attend free language courses. Also, even if the Roma living in Armenia had all left the country as the delegation maintained, that did not preclude their return some day, especially given their nomadic way of life. That being so, the situation was not immutable, and the State party might at some point find Roma living on its territory once again, as had occurred in Uzbekistan. He hoped that the Armenian authorities would consider that possibility.

23. **Ms. Saratikyan** (Armenia) said that since 2000 the Ministry of Education had offered free Armenian language courses provided by the National Institute of Education, mainly for adults, for 10 months on average.

24. **Mr. de Gouttes** welcomed the Government's intention to ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. He requested further information on the mandate of the Office of the Human Rights Defender and wished to know in particular whether it had been established in accordance with the Paris Principles.

25. Recalling that the absence of complaints, prosecutions or convictions involving racial discrimination was not necessarily a positive sign, as victims might be insufficiently informed of their rights or found it difficult to establish proof of discrimination, he would

be interested to learn whether Armenian legislation contained provisions allowing for reversal of the burden of proof in civil cases, making the defendant responsible for proving that the evidence or facts invoked by the plaintiff were inaccurate or false.

26. **Mr. Demirtshyan** (Armenia) said that the Office of the Human Rights Defender had been established in 2002 in accordance with the Paris Principles, and that its mandate was protected under the Constitution. As to the last question, under criminal procedure in Armenia, the burden of proof lay with the prosecution.

27. **Mr. Kaprielyan** (Armenia) said that a standardized special procedure had been implemented throughout the country to receive and handle all reports of discrimination. Complaints from ethnic and national minorities were given priority and were thoroughly investigated by the police. Weekly training courses for police officers, including the top echelons, included modules focusing specifically on combating racial and ethnic discrimination and promoting tolerance.

28. **Mr. Gevorgyan** (Armenia) said that the small number of complaints of racial discrimination filed was partly explained by Armenian traditions and culture that preferred amicable settlements and peaceful solutions to conflicts.

29. **Mr. Lahiri** said that Armenia, having only 11 ethnic and national minorities, and small at that, was an ethnically homogeneous country that managed to provide satisfactory education services to minority groups with respect for their language and culture. However, it must be said that some of the Committee's previous recommendations were still pending, such as the recommendation to prohibit organizations that promoted and incited racial discrimination (A/57/18, para. 276).

30. The State party should also assign greater importance to the absence of complaints and legal action involving racial discrimination, which suggesting ignorance of available remedies, was mentioned repeatedly in NGO reports. While he welcomed the absence of widespread xenophobia against Muslims or other minorities living in Armenia, the Government should still examine the numerous claims that Armenian nationalism and the role of the Orthodox Church undermined the age-old Armenian tradition of multi-ethnic tolerance.

31. It would be desirable if, in the State party's next periodic report, the statistical data on ethnic and national minorities living in the country were disaggregated by socio-economic group rather than geographical area, so that the Committee could determine whether the authorities treated them justly and fairly. Differences had apparently also been observed in connection with loans and scholarships to various educational institutions, depending on the ethnocentricity or otherwise of their curricula. The media's hate and racist propaganda also warranted the State party's close attention.

32. **Mr. Demirtshyan** (Armenia) said that domestic legislation prohibited the registration of organizations that promoted and incited racial discrimination and that organized groups engaging in incitement to racial hatred and organized demonstrations of racial superiority were liable to 6 years' imprisonment. Furthermore, the Non-Governmental Organizations Act provided that if a fully-fledged organization engaged in incitement to racial violence, the relevant authority could seek its dissolution from the courts. The Political Parties Act provided that the authorities could refuse to recognize a party if its statutes showed that its membership was based solely on national, racial, or religious characteristics.

33. **Mr. Kirakossian** (Armenia) said that his country was small and ethnically homogeneous, and society upheld extremely tolerant traditions and beliefs.

34. **Ms. Crickley** commended Armenia for adopting the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. Pointing

out the falsity of the accepted wisdom that relatively demographically homogeneous countries were exempt from racism and racial discrimination, she asked whether the State party planned to set up a mechanism to which victims of acts of racial discrimination could appeal with reasonable certainty of success, gaining it the population's trust.

35. She would appreciate information on the mechanisms the State party had set up in support of women, particularly the most disadvantaged women belonging to minority groups.

36. The Committee would be grateful if the delegation could provide it with additional information on the content of human rights training courses for police officers, and indicate to what extent racial discrimination was included in such training.

37. **Ms. Abgarian** (Armenia) explained that Armenia was not yet party to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, but that the ratification process was under way.

38. No complaints of racial discrimination had ever been lodged in the country, even though Armenians were known as a people rarely satisfied with its lot and which did not hesitate to take issues to court. Many national anti-discrimination measures had been taken. Armenians knew that they could assert their rights before the European Court of Human Rights as a final court of appeal when all domestic remedies had been exhausted. And yet no complainant had ever brought a case of racial discrimination before that Court.

39. **Ms. Soudjian** (Armenia) said that an equal rights and opportunities bill was currently being considered by the National Assembly, and that the Council of Women, which comprised representatives of the relevant ministries and NGOs working in that field and was chaired by the Prime Minister himself, would shortly be mandated to monitor respect for women's rights. It could thus become an important tool for the promotion and protection of women's rights.

40. **Mr. Diaconu** said that he would appreciate it if the State party could indicate in its next periodic report the percentage of positions in local governments, and even in the central Government, held by members of the country's various minorities, as required by law.

41. Education measures must be continuously renewed in response to societal changes resulting from the passing of generations. He wished to know whether the courses on the Armenian Apostolic Church were history courses or religious education courses and whether they were also used to teach students about other religions.

42. Noting that the poor were often at a disadvantage in the land privatization process in Eastern European countries, he requested further information on the Yezidis' access to ownership of land and pastures, particularly through auctions.

43. He invited the State party to include in its next periodic report the statistical data it would gather on the Azeris and other population groups during the forthcoming census.

44. **Mr. Gevorgyan** (Armenia) said that the land privatization process of the 1990s had given all peasants affordable access to landed property regardless of their nationality. The World Bank had even congratulated Armenia on the success of that process and had welcomed the fairness of the land distribution, including among the poorest rural dwellers. Only pastureland had been auctioned in order to allow the Yezidi, whose livelihood depended on livestock farming, to buy at auction the vast pasturelands they needed without engendering a sense of unfairness among other local communities. The European Commission against Racism and Intolerance had in fact pointed out that the auctions had favoured the Yezidis, who had not been the victims of any discrimination and had even

secured more pastureland than Armenians. That would mean that the authorities had responded to the needs of the population.

45. **Mr. Kaprielyan** (Armenia) said that the training courses for police officers on citizens' human rights and freedoms did indeed cover racism and racial discrimination.

46. **Ms. Saratikyan** (Armenia) said that the courses for students were on the history of religion and were not religious education courses; the textbooks used were history books, not prayer books.

47. **Mr. Kirakossian** (Armenia) said that not all Armenians belonged to the Armenian Apostolic Church; some were Catholic, particularly those in France and Italy; others were Protestant, mainly in the United States of America; while still others were Muslim, especially in Turkey.

48. **Mr. Demirtshyan** (Armenia) said that in civil proceedings all parties were required to submit evidence, which was then taken into account in the judge's decision.

49. **Mr. Diaconu**, welcoming the fruitful dialogue with the delegation, which had provided a number of extensive replies as well as others that were less detailed and should be supplemented in writing or in the next periodic report, invited the Government to take into consideration the recommendations the Committee would formulate following its consideration of the fifth and sixth periodic reports with a view to helping to improve the situation in the country with regard to racial discrimination.

50. **Mr. Kirakossian** (Armenia) thanked Committee members for their interesting dialogue with his delegation, assuring them that his Government would give all due consideration to the Committee's concluding observations.

51. *The delegation of Armenia withdrew.*

*The discussion covered in the summary record ended at 12.10 p.m.*