

*Recommendations on Language Policy to Protect
Linguistic Minorities*

Tbilisi

2008

Publisher: Centre for Civil Integration and Inter-Ethnic Relations

The document was compiled within the framework of the project “development recommendations on language policy and protection of linguistic minorities; the experience of Poland for Georgia” funded by Polish Aid.

Project Implementing Partners:

Young Republican Institute (YRI)

Centre for Civil Integration and Inter-Ethnic Relations (CCIIR)

Civil Education Centre of Public Defender
Office of Georgia

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ISBN 978-9941-0-1062-0

Abstract

Language policy is an important issue for political, economic and social development of the state. Accordingly, all states try to develop and implement proper language policy. Georgia, a multicultural state is not an exception too. Multilingualism and diversity are historical characteristics of Georgian society. The goal of this document is analysis of the existing language situation in Georgia and elaboration of recommendations for developing proper language policy.

The document consists of four sections. The first part generally describes existing language situation in Georgia; the second part analyzes Georgian legislation in terms of language policy; the third part illustrates practical problems due to existing language policy and situation in Georgia and develops specific recommendations for solving these problems; the fourth part of the document is devoted to language situation of Georgia in connection with the *European Charter for Regional or Minority Languages of 1992*. The recommendations are considered on undertaking obligations for ratification of this Charter.

I. Introduction

Analysis of language situation

The Georgian language is the state language throughout the whole territory of Georgia (in Abkhazia the status of state language is also granted to Abkhazian language – thus, there are two state languages in the Autonomous Republic of Abkhazia). Naturally, the researchers are analyzing relationship of the state language to other languages spread on the territory of Georgia with the socio-linguistic viewpoint.

In general, the socio-linguistic research does not mean analysis of a language and its internal structure-consistence, but describes use of the given language by different social groups of people. The internal structure of the language is taken as an initial existing data, therefore does not necessitate special analysis. Sociolinguistics is more interested in the domains of the social life in which the languages are mostly used: how do they interrelate in terms of status and functional distribution; which language dominates (“governs”), i.e. which is the state language or which is the main (though informal) means of communication for different ethnic groups; which languages are used for the religious, daily relationship and other family-life purposes...

It is quite complicated to find answers for the above questions and the research of these issues has started only

recently. It should also be mentioned, that the existing surveys were mainly focused on diachronic sociolinguistics, which deals with the language development process in the context of social development. Due to various objective or subjective reasons, the development of synchronic sociolinguistics was not supported, especially in the Soviet period.

Georgia is a diverse (multi-ethnic) country. According to the 2002 census of population, the ethnic Georgians made up 83.8% of total population, while other ethnic groups made up 15.2% (results of the 2002 census). The complexity with ethnical minorities is connected with the significant differences in their number, types of accommodation (compact and dispersive) and the degree of their integration into the social life of the country.

The results of two censuses (1989 and 2002) of Georgian population according to the ethnic features are given below:

	2002	1989	Share in total population (in %)	
			2002	1989
Total Population	4371535	5400841	100.0	100.0
Georgian	3661173	3787393	83.8	70.1
Azerbaijani	284761	307556	6.5	5.7
Armenian	248929	437211	5.7	8.1
Russian	67671	341172	1.5	6.3
Ossetian	38028	164055	0.9	3.0

Abkhazian	3527	95853	0.1	1.8
Yezid	18329	0	0.4	
Greek	15166	100324	0.3	1.9
Kist	7110	0	0.2	0.0
Ukrainian	7039	52443	0.2	1.0
Uzbek	81	1305	0.0	0.0
German	651	1546	0.0	0.0
Tatar	455	4099	0.0	0.1
Belarusian	542	8595	0.0	0.2
Korean	22	242	0.0	0.0
Turk (Osman)	441	1375	0.0	0.0
Polish	870	2014	0.0	0.0
Kurdish*	2514	33331	0.1	0.6
Kazakh	70	2631	0.0	0.1
Chechen	1271	609	0.0	0.0
Tajik	15	1193	0.0	0.0
Bashkir	36	379	0.0	0.0
Moldovan	864	2842	0.0	0.1
Ingush	9	170	0.0	0.0
Mordva	19	415	0.0	0.0
Chuvash	28	542	0.0	0.0
Kirgiz	113	225	0.0	0.0
Udmurt	13	209	0.0	0.0
Lithuanian	134	977	0.0	0.0
Bulgarian	138	671	0.0	0.0
Jewish	3772	24720	0.1	0.5

Mari	10	424	0.0	0.0
Roma	472	1744	0.0	0.0
Lezgian	44	720	0.0	0.0
Chinese	47	110	0.0	0.0
Persian	46	123	0.0	0.0
Turk (Meskhetian)	53	0	0.0	0.0
Estonian	59	2316	0.0	0.0
Latvian	91	530	0.0	0.0
Turkmen	74	361	0.0	0.0
Avar	1996	4230	0.1	0.1
Tatar (Crimean)	15	615	0.0	0.0
American	27	41	0.0	0.0
Arab	44	76	0.0	0.0
Assyrian	3299	6206	0.1	0.1
Afghani	52	28	0.0	0.0
Circassian	22	185	0.0	0.0
Spaniard	78	91	0.0	0.0
French	40	43	0.0	0.0
Gagauz	32	206	0.0	0.0
Dutch	105	28	0.0	0.0
British	25	5	0.0	0.0
Italian	31	24	0.0	0.0
Luki	210	426	0.0	0.0
Romanian	22	62	0.0	0.0
Udian	203	93	0.0	0.0

Hungarian	32	244	0.0	0.0
Kabardian	23	293	0.0	0.0
Kumyk	42	155	0.0	0.0
Czech	46	101	0.0	0.0
Others	504	7264	0.01	0.1

Note: The results of census of 2002 do not reveal the situation of Abkhazia and South Ossetia - by that time there was no Georgian state jurisdiction there.

In parallel to ethnic diversity, Georgia is also characterized with linguistic diversity, as the ethnic minorities represent a broad spectrum of language groups. The Georgian language (as well as Mingrelian-Laz and Svan) belongs to the Kartvelian (South Caucasian) language family. Languages spoken in Georgia belong to various groups of Indo-European languages, namely, the Russian language belongs to the Slavic branch, Armenian and Greek form their own branches in the Indo-European language family, Ossetian belongs to the Iranian branch. The Azerbaijani language belongs to the Turkic branch of the Altaic language family. The map below well reflects linguistic diversity in Georgia:



The map was prepared by Professor Iost Gippert from Goette University in Frankfurt (<http://titus.uni-frankfurt.de>)

Four regions compactly settled with representatives of minorities should be particularly outlined: **Abkhazians** (Abkhazia), **Ossetians** (South Ossetia), **Azerbaijani** (Kvemo Kartli) and **Armenians** (Samtskhe-Javakheti and Tsalka district of Kvemo Kartli).

1. Abkhazians live in the North-Western part of Georgia – between the Enguri river and the Phsou river, along the Black Sea coast. According to the census of 1989, the number of Abkhazians reached 100,000 (including dispersed settlements

throughout the whole territory of Georgia). Today this number is twice as small (due to wars and migration processes).

Ossetians are compactly settled on the territory of Shida Kartli - in the northern part, as well as in several other villages of southern Georgia and Kakheti. A significant number of Ossetians is dispersed all over the territory of Georgia. According to the census of 1989, their number reached 165,000 people. Later conflicts resulted in major reduction of the Ossetian population.

The issue of Abkhazians and Ossetians is extraordinary (considering current political situation) and it is not easy to speak about the language situation in those regions. Therefore, development of recommendations until the situation in the conflict regions is stabilized will be ineffective and useless. However, some suggestions can still be worked out in that respect.

2. According to the last census, there are two large groups of minorities that are **compactly settled** on the territory of Georgia and notably exceed other ethnic groups in number:

a. **Azerbaijani** are mainly settled in Kvemo Kartli (southern part of Georgia) and Shida Kartli. The Azerbaijani population of Shida Kartli significantly differs from those from Kvemo Kartli. The fact that the ethnic groups of Azerbaijani living in Shida Kartli and Kvemo Kartli are getting general education in different

languages (in Shida Kartli – in Georgian, in Kvemo Kartli - in Azerbaijani) is very important.

b. **Armenians** are mainly settled in Samtskhe-Javakheti and Tsalka district of Kvemo Kartli (South-Eastern part of Georgia). They take the second place among minority groups after Azerbaijani, as far as their number is concerned.

It should be noted that compact settlements of these ethnic groups border with their ethnic homelands. For instance, the region of Kvemo Kartli, where ethnic Azerbaijani are compactly settled, adjoins the state of Azerbaijan, whereas Samtske-Javakheti, where ethnic Armenians are compactly settled adjoins the state of Armenia. We assume that the status of the two languages (considering their number and type of settlement) requires different approach.

3. Apart from the compact settlements, there are other **dispersed settlements** of the Russian, Greek, Ukrainian, Polish, Kurd, Yezid, Jewish, Assyrian ethnic groups. There are also settlements of the speakers of the North-Caucasian languages: the Kists, Chechens, Leks, Udis, Kabardians, Circassians and others.

4. The Zanic-Svanic-Georgian sociolinguistic interrelation requires special attention. Traditionally Georgian and Mingrelian-Lazic (Zanic as well as Kolchic were used as their common name) languages are referred as Kartvelian languages. Some

researchers deem Lazic (the same as Chanic) as a separate language.

The ethnic (sub)group speaking the Mingrelian dialect/variety of Zanic inhabits throughout the whole territory of Georgia. They are compactly settled in the western part of the country, on the Kolkheti lowlands and Odishi highlands, in the historical places of Mingrelia and Samurzakano between the Tskenisiskali and Galidzga rivers. The historical territory of Samurzakano (including the regions of Gali and Ochamchire) is now on the territory of Abkhazia, which makes the situation very specific in sociolinguistic terms.

Only one village (Sarpi) populated with the Laz is located on the territory of Georgia, namely in the Autonomous Republic of Adjara. Laz are mostly settled in Turkey, along the Black Sea coast, almost up to the town of Rize.

The Svans are compactly settled in the northwestern part of Georgia, on the southern slopes of the Caucasus, along the upper parts of the Enguri and Rioni rivers. In the west, the Svan-populated Kodori gorge (so called *Dal-Svaneti*) is intruded into the territory of Autonomous Republic of Abkhazia, Svaneti is adjoined by Racha from the East and by Mingrelia and Lechkhumi from the South.

It is actually impossible to obtain accurate statistical data on (the) Svan(s), Mingrelian(s) and Laz due to several reasons.

Firstly, the state censuses conducted until now did not account for internal diversification of the Georgian language(s). Secondly, the Georgian-Abkhazian conflict and urban processes entirely changed the settlement structure of these ethnic groups. Only during Georgian-Abkhazian conflict, up to 300,000 Zanik speaking Georgians were turned into internally displaced persons and forced to change their dwelling places. They are currently scattered throughout the whole territory of Georgia.

Georgia gained independence in 1991 after the collapse of the Soviet Union. Communist policies of forced migration have engendered numerous ethnic problems in the former Soviet Union countries. During the Soviet era, the language of communication of ethnic groups was Russian. As a result of Soviet educational and language policy, the residents of the republic of Georgia with other ethnic origin – Russians, Armenians, Azerbaijani, Abkhazians, Ossetians, Greeks, Kurds and others became members of the Russian-speaking political and language society. The collapse of the Soviet Union, and the resulted independence, required that Georgia build a new strategy toward ethnic minorities, as the political reality was absolutely different. It was important to strengthen the status of the state language, and on the other hand to support development of minority languages. Two ethnic conflicts started in Georgia after the collapse of the Soviet Union. Naturally the primary

background of conflicts with Abkhazia and South Ossetia was political, but it is indisputable also that ethnic hatred gave them a fiercer nature. At the same time, the language issue was one of the important causes for starting ethnic tensions; indeed some experts refer to it as “the war of languages”. The proper language and educational policy on the territory controlled by the Georgian government can be an important guarantee for settlement of these conflicts.

II. Legislative context of language policy

The language issues are regulated in Georgian legislature. It is worth mentioning, that there is no separate law regulating language policy. The language issues are scattered in different legislative and normative acts. There was an effort to adopt law on state language in 2001; however this effort was unsuccessful due to several different reasons. The international conventions, which were signed and ratified by Georgia, are important in the context of legislature as well. Georgia ratified the *Framework Convention on National Minorities* of Council of Europe in 2005. Georgia signed the *European Charter for Regional or Minority Languages* of the Council of Europe in 1998. The ratification of this Charter is one of the non-fulfilled obligations of Georgia.

The legislation on language policy has two main directions in Georgia: 1) Strengthen the status of the state language; 2) Protection and development of minority languages. We will review the legislative context of language policy in these two directions.

1) Strengthen the status of the state language

According to article 8 of the Constitution of Georgia the state language of Georgia is Georgian and Abkhazian also on the territory of Abkhazia.

According to Article 85.2 of the Constitution of Georgia, court proceedings are held in the State language Criminal, administrative and civil proceedings are hold in state language according to Civil, Administrative and Criminal Proceedings Codes. According to Article 14 of the General Administrative Code, the language of administrative proceedings is Georgian, as well as Abkhaz language in Abkhazia.

According to the article 12 of the law on Civil Service the language of public service is Georgian in Georgia. Article 98 of the same law states that civil servants have to know the state language. Lack of knowledge of state language can become the reason for dismissal. Article 8 of “Regalement of Parliament” states that sessions, hearings are hold in state language in Parliament of Georgia;

Article 92 of election code defines that Member of Parliament has to know the state language to be elected in the Parliament of Georgia. Articles 27-33 of the same code states that members of

central, precinct and distinct election commissions have to know the state language;

Article 9 of the Law of Georgia on Local Self Governance stipulates that Georgian is the official working language of local governance as well as Abkhaz language on the territory of Abkhazia.

Article 7 of the Law of Georgia on the Names of Geographic Objects, toponymy on the territory of Georgia shall be assigned in the State language, as well as in Abkhaz language in Abkhazia.

The policy on state language in the field of education is regulated by the Law of Georgia on General Education. Article 4 of this Law defines the language of instruction as follows: “The language of instruction in public educational institutions is Georgian and Georgian and Abkhazian languages in the Autonomous Republic of Abkhazia”. According to Article 4 of the Law of Georgia on Higher Education, the language of instruction in higher educational institutions is Georgian, as well as Abkhazian language in Abkhazia.

By virtue of the Governmental Decree No. 37 dated 21 May 2004 adopted pursuant to Article 2.2.C1 of the Statute of the Ministry of Education and Science of Georgia, the Ministry of Education and Science implements the State language policy and facilitates and promotes the teaching of the State language and monitors its appropriate use, as permitted by the law. Pursuant to

subsection “L” of this section, the Ministry facilitates the development of the Georgian language, as well as of the Abkhazian language in the territory of the Autonomous Republic of Abkhazia.

According to the Statute, the Department for National and Regional Programs of the Ministry of Education and Science synchronizes the implementation of the State language policy and educational process, facilitates the dissemination of the State language in the entire territory of Georgia by developing and implementing relevant civil integration projects.

According to the Law on Citizenship of Georgia, any alien or stateless person at full legal age may apply for Georgian citizenship if he or she meets the following criteria:

- a) Permanently resides in Georgia during the past ten years (if a person is a spouse of citizen of Georgia – during past three years);
- b) knows the State language within the established standards;
- c) knows the history and law of Georgia within the established standards;
- d) Is employed in Georgia or owns real estate.

The Law on Advertisement establishes specific criteria with respect to the use of language in advertising. More specifically, Article 4.2 stipulates that advertisement in the territory of Georgia shall be made in the State language. This requirement

does not extend to programs or editions disseminated in other languages, or signs on the product, except for the trade mark: the owner of a product or service located in Georgia who has registered this product (logo mark) in another language is obliged to transliterate it into Georgian language.

2) Protection and development of minority languages

According to the article 38 of the Constitution of Georgia”Citizens of Georgia shall be equal in social, economic, cultural and political life irrespective of their national, ethnic, religious and linguistic belonging; in accordance with universally recognized principles and rules of international law, they shall have the right freely to develop, without any discrimination and interference, their culture, to use their native language in private and public life”.

Criminal Proceedings

According to Article 85.2 of the Constitution of Georgia, court proceedings are held in the State language. Interpreting services shall be provided to any person who does not understand the State language. This is also guaranteed by the Criminal and Civil Procedure Codes. According to the Criminal Procedure Code, an accused, suspect or other party to the procedure who

does not understand the State language shall be assigned an interpreter, interpreter's fees will be paid from the State budget (Articles 17 and 94 of the Criminal Procedure Code).

In accordance with Article 297 of the Criminal Procedure Code of Georgia, if the investigator determines that the interrogated person cannot understand the language of the proceedings, the suspect/accused shall be provided with an interpreter. Pursuant to Article 17, and in accordance with the requirements of the law, all the investigation and court documents shall also be translated into the language understandable by this person.

The legislation does not contain any provision on the use of the State language in prisons. The law instead determines the principles and rules of the penitentiary. According to Article 21, of the law on detention upon arrival of the convict at the penitentiary institution the administrative personnel shall inform him/her in writing and in a language s/he understands about his/her rights and his/her treatment by the personnel, as well as about the procedures of receipt of information and appeal, disciplinary and other. The law makes the penitentiary institution responsible for creating conditions for a person who does not understand the state language, to learn it.

Civil Proceedings

Interpretation is also guaranteed by the Civil Procedures Code of Georgia (14 November 1997, No 1106) and the payment of interpretation fees shall be covered by the losing party (Articles 9.4 and 53.1).

Administrative Proceedings

According to Article 14 of the General Administrative Code, the language of administrative proceedings is Georgian, as well as Abkhazian language in Abkhazia. If a person submits an application or a document in another language, the relevant administrative body allows additional time for presenting a notarized translation of the document (Article 73).

Language and education

The language issues in education are mainly regulated by the law on general education and law on higher education. According to the article 4.3 of the Law on General Education, citizens of Georgia for whom Georgian is not the native language shall have the right to obtain full public education in their native language following the curriculum elaborated in accordance with the law. In these public schools learning the State language is compulsory and in the Autonomous Republic of Abkhazia learning both State languages is required. Furthermore, pursuant to paragraph 4 of

this article, in some cases regulated by international treaties and agreements to which Georgia is party, teaching in foreign languages is also allowed. In those public schools learning the State language is compulsory, and in the Autonomous Republic of Abkhazia both State languages should be taught.

According to the law, national minorities may found educational institutions as private legal entities. To do so, they shall obtain relevant license for carrying out higher, elementary or secondary educational activities in accordance with the provisions of the law.

Irrespective of the language of instruction, all public schools in Georgia are funded equally. The Constitution stipulates that full public secondary education shall be financed by the government. During the last three years of the educational reform, the educational system of Georgia moved to the principle of *per capita funding*, according to which every school, whether public or private, whether of Georgian language or not, shall obtain a voucher per student.

The article 5 of law on general education is very important. The article defines the subjects of national curricula; specifically paragraph 3 of the article states: “National curriculum shall include the following disciplines and disciplinary groups:

a) Georgian (in Abkhazian Autonomous Republic – Abkhazian and Georgian) language and literature; b) History of Georgia, Geography of Georgia and other social sciences;

c) Mathematics;

d) Natural science;

e) Foreign languages;

f) Physical, labor and aesthetic education;

The paragraph 4 of the same article and paragraph 5 of article 58 indicate that in schools where the language of instruction is not Georgian, social sciences should be taught only in Georgian language at latest from 2010-2011. These provisions create some legislative framework for bilingual education in Georgia; however the formulation caused several problems, which will be discussed in the next chapter.

In accordance with Article 7 of the Law on Public Education, the State ensures the right of every student to obtain public education in his or her own language in the vicinity of his residence. In case the exercise of this right is not possible through a standard voucher, the State provides a student with an enhanced voucher and/or additional financing, as approved by the Ministry of Education of Georgia through a specifically tailored program. The number of enhanced vouchers and additional financing programs shall ensure access to education within small-contingent public schools, specialized or corrective schools, or

linguistic minority school or class if there are at least three students at the primary level, six students at basic level and 21 students at secondary level.

The Law on Public Education protects all students from any type of coercion and allows freedom of expression in their native language, specifically paragraph 2 of article 13 of the law states: “The use of the learning process at public school for purposes of religious education, proselytism or forcible assimilation is prohibited. This norm does not limit the right to celebrate public holidays and historical events, as well as to carry out of activities directed at strengthening national and universal values”. According the paragraph six of the same article schools shall protect and promote tolerance and mutual respect among students, parents and teachers irrespective of their social, ethnic, religious, linguistic or other belonging. Paragraph 7 of the same article states:» The school shall protect individual and collective rights of minorities to freely use their native language, and to preserve and express their cultural origin on the basis of equality of all”.

The decree of the Ministry of Education and Science dated 22 May 2005 No. 452, “Statute of the certification of external (distance) learning“, a student shall be entitled to obtain education through distance learning program in Georgian, Russian, and Armenian or Azerbaijani languages. For external (distance) learners who take exams in Russian, Armenian or

Azerbaijani languages but take the exam in the Georgian language and literature according to the approved test, the translation from Georgian into Russian, Armenian or Azerbaijani language shall be provided by the National Examinations Centre. In addition, those external (distance learners) taking tests in the Russian language may not be allowed to take the test in Russian language as a foreign language.

By decree of the Minister of Education and Science dated 28 March 2005 No. 127, the Statute of the Unified National Entrance Examinations was approved. According to Article 5.2 of this Statute, all students enrolling in the accredited higher educational institutions (irrespective of their language of instruction) are obliged to take tests in Georgian language and literature, one foreign language at student's choice (English, German, French, Russian), and test on general abilities. In addition, pursuant to section 7 of the same Article, students enrolling in higher educational institutions (irrespective of their language of instruction) accredited by the State may take tests in general skills, mathematics, history of Georgia and social sciences (physics, chemistry, biology) either in Georgian or in Russian. In such cases, applications shall be submitted in advance.

According to Article 4 of the Law of Georgia on Higher Education, the language of instruction in higher educational institutions is Georgian, as well as Abkhazian language in

Abkhazia. Instruction in any other language is admissible provided it is regulated by an international treaty or agreement with the Ministry of Education and Science. The latter requirements do not apply to individual teaching courses. Where Georgia signed relevant international treaties or agreements on the matter, instruction in foreign language in some institutions is allowed, and in those institutions instruction of the Georgian language is compulsory, while in the Autonomous Republic of Abkhazia both languages are compulsory.

Social, civil, political and economic life

According to the Decree of the Government of Georgia No.140 dated 19 July 2006, 300.000 Georgian Lari (GEL) have been allocated for citizens who obtained full public education in the schools located in conflict zones, Azerbaijani or Armenian schools, schools in the mountainous zones and zones concerned by ecological migration, for children of persons deceased in connection with the territorial integrity of Georgia, as well as for the descendents of the persons deported from Georgia during the communist regime. According to Article 6.1.c and Article 52.8, as well as Article 47 of the Law on State Budget of Georgia, those enrolled in higher educational institutions shall be entitled to this financial aid for the first year of their studies.

Pursuant to the existing social program this amount may be allocated to:

a) 20 students who studied in Azerbaijani schools during the past three years and obtained the certificate of completion of public education. However not more than 10 of these students must be from Tbilisi;

b) 20 students who studied in Armenian schools during the past three years and obtained the certificate of completion of public education. However, not more than 10 of these students must be from Tbilisi.

In addition, 20 grants per each were made available to the students who graduated from Armenian and Azerbaijani schools. Twelve students applied for this grant and all of them obtained 100% funding (their university tuition fees will be fully covered during the next 4 years of their studies).

The Law on Entrepreneurship does not establish any constraints on choosing the name of a company. According to Article 6.5, a limited liability partnership or joint stock company may be named as desired.

The issue of changing of names is regulated by Chapter IX of the Law of Georgia on the Registration of Civil Acts. In relation with national minorities there are no exceptions as such. Foreign (or minority-language) names and surnames must be recorded so

as to protect their pronunciation in original language, but there is no law regulating this issue.

Changing of names and surnames is permitted for all citizens irrespective of their nationality. There are no restrictions under the law, and the law does not provide specific national minority-oriented provisions.

Changing of names and surnames is possible irrespective of the national minority background, on the following grounds: if the name or surname is hard to pronounce or sounds humiliating; if an applicant wishes to change or add his/her surname during the matrimony; if an applicant wishes to obtain the surname of his/her guardian; if a person wants to recover his/her pre-matrimonial surname in case this was not done during the registration of the divorce; if an applicant wishes to take the surname of one's ascending relative's family tree.

Civil legislation establishes the right of every person to have a name and surname. Currently, the problem is to enter surnames in the birth certificates in the areas populated by the Azerbaijani minority. A part of the population does not have surnames, which is problematic when issuing personal identification documents. The name and surname shall be indicated in the personal identification documents, and the law currently does not foresee acquiring surnames for people who do not have any.

The Ministry of Justice ensures that the population is informed about the procedures for obtaining the required documents. There is a proactive campaign in the areas populated by national minorities. In 2005, trilingual (Russian, Armenian and Azerbaijani) information booklets and posters have been printed containing information about the number of documents, deadlines and payments required for obtaining personal identification documents.

The government of Georgia did not amend the relevant legislation to capture the use of the Georgian language or the language of national minorities on the streets and topographic settlements in the regions densely populated by those national minorities. Article 11.3 of the *Framework Convention on Protection of National Minorities*, ratified by Georgia, requires to make such amendments in the legislature.

The electoral code was amended in 2003. According to article 51 of electoral code ballots are printed in State language The ballots can be printed in native language of ethnic minorities too in the region of their compact settlement Local self governance elections of 5 October 2006 amendments were introduced in the Electoral Code of Georgia (Article 1293, section 18 of the Electoral Code of Georgia) according to which the Electoral Commission is obliged to ensure translation of the electoral lists and ballots into the Armenian, Azeri and Russian languages in

the regions populated by national minorities (Akhalkalaki, Ninotsminda, Marneuli and Gardabani).

Language and media

Article 16 of the Law entrusts the public broadcasting with enhancing integrity, spiritual values and cultural diversity and with encouraging information in the languages of national minorities and with preparing programs on their problems or allowing allow them to prepare their own projects.

The Department of Information and Social-Political Policy prepares a news program called *Moambe* in five languages of other ethnic groups: Abkhazian, Ossetian, Armenian, Azerbaijani and Russian. The national information program lasts for 25 minutes and is broadcast at 16:00. The sequence of the news is as follows: Monday – news in Abkhazian language, Tuesday – Ossetian language, Wednesday – Armenian, Thursday – Azerbaijani, and Friday – Russian.

In addition to central TV channels, local TV channels are broadcast in the regions densely populated by Armenian and Azerbaijani minorities. The TV channel *ATV12* is broadcast in Armenian language and is available in Akhalkalaki and partially in Ninotsminda regions. The broadcasting of this channel is available three hours a day. Five times a day a news program presented by locally hired journalists is transmitted by this

channel. Another TV channel in Javakheti region is *Parvana TV*, however, neither ATV12 nor Parvana TV have licenses. They are broadcasting without the required licensing.

TV Imperia LLC is active in Samtskhe-Javakheti. It translates into Armenian language the news program *Courier* by Rustavi 2, and airs it at 23:00 every day.

Marneuli TV broadcasts in Azerbaijani and is available in Marneuli region. This channel does not offer regular broadcasting. The news program is broadcasted only once a week on Fridays by this channel. Kvemo Kartli also offers one TV channel called *Kvemo Kartli*, which in Georgian and Azerbaijani languages.

The Ministry of Culture, Monument Protection and Sport finances the following newspapers: *Gurjistan* in Azerbaijani, *Vrastan* in Armenian, *Svobodnaya Gruziya* in Russian.

III. The problems of language policy and legislature/recommendations

Language policy is important for all states and is frequently linked with economic policy of the country. The importance of designing and implementation of language policy is obvious in Georgian reality as well; however, the language policy is not systematic in Georgia; there are no institutional and legislative mechanisms for implementation of it.

It is worth mentioning that language issues are too much politicized in the Georgian reality. The politisation of the issue prevents the formation of the adequate decision-making process. For instance, the Georgian Parliament refused to adopt law on state language in 2002 due to politisation of the issue. As a result the legislative regulations of the language policy as well as the institutional mechanisms of its implementation have not been developed yet.

To form proper language policy and linguistic environment it is crucially important to set up the definitions of **state language**, **regional and minority languages**, **languages without territory**, **non-written languages**, and **foreign languages** and develop legislative regulation of linguistic issues on systemic level.

It was mentioned earlier, that language policy in Georgia consists of two directions: (a) promotion of the state language; (b) protection and development of minority languages. This approach ignores the process of globalization and does not respond to the state economic policy.

To improve the language policy planning and implementation the following general recommendations can be set up

Firstly, it is recommended to increase the components of the language policy and to work on four directions in terms of language policy:

- 1) promotion of status of state language;
- 2) protection and development of minority languages;
- 3) policy toward foreign languages;
- 4) development of the policy of Georgian as a foreign language.

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Secondly, it is crucial to adopt separate law on languages in order to develop unified system of language policy. The law will regulate different and principle aspects of language issues. Nowadays the legislature on language issues is spread in different legislative acts..

Thirdly, the development of institutional mechanisms for implementation of language policy will be parallel process of development separate law on languages. The language policy

issues are mainly associated with educational system nowadays and institutionally only the Ministry of Education and Science deals with language issues. Accordingly, even these limited legislative regulations of the language issues are unimplemented and there is no structure within the government of Georgia responsible for language policy. Based on above mentioned arguments, it is crucially important to establish structural unit within the government of Georgia, which will be responsible for designing and implementation of language policy.

Fourthly, a de-politisation of language issues is another important general recommendation. Politisation of language issues is often an obstacle to solve and regulate language policy issues.

Fifthly, it is essential to collaborate with minorities during the process of designing and implementation of language policy, even more collaboration within the minorities is significant as well. Ethnic minorities have to develop their own strategies on protection and development their native language and the strategy of ethnic minorities can be reflected in language state policy.

Language Policy in Education

We have to admit that language issues are quite well regulated in the field of education, however several problems still exist.

The State provides ethnic minorities with an opportunity to get general education in their native language. However, the paragraph three of article five of the law on general education lists the subjects, which are the part of curriculum. The native language of ethnic minorities is not included in the list. Even though the native language of ethnic minorities are taught in non-Georgian schools (furthermore, almost all subjects are taught in native language of ethnic minorities) this reality is not reflected in Georgian legislature. This fact has practical implications; for instance, the Ministry of Education and Science in partnership with the OSCE High Commissioner on National Minorities developed curricula of Armenian as native tongue and Azerbaijani as native tongue. However these curricula are not adopted and are not implemented in non-Georgian schools. Teachers' Professional Development Centre of the Ministry of Education and Science developed standards for teachers'. The standards for Armenian and Azerbaijani language teachers have not been developed yet. Accordingly, these teachers will not be certified and will not be a part of the whole educational system and reform. Above-mentioned facts can have the negative consequences in the process of school accreditation and bilingual educational reforms.

The most problematic is the paragraph four of the article 5 of law on General Education. According to this, History and

Geography of Georgia, as well as other subjects of social sciences have to be taught in Georgian. According to paragraph 5 of article 58 the above mentioned regulations should be implemented step by step, and have to be finished at the latest by the 2010-2011 academic year. These regulations of the law are unrealistic and can not be implemented in Kvemo Kartli and Javakheti regions. The above-mentioned regulations can not be justified neither methodologically and pedagogically nor politically. First, high language competences are needed to learn History and Geography as well as other subjects of social sciences in Georgian language. Accordingly, if legislators wanted to develop foundations for bilingual teaching by this regulation it is unacceptable and unrealistic approach. To teach the subjects of social sciences in Georgian language is realistic only for students with high Georgian language competences. Thus, instead of the raising the motivation of students to learn state language, this initiative was resulted in dropping state language classes and clases of social sciences by minority students. Even more, the attempt of practical realization of this initiative caused the political problems in the regions of Kvemo Kartli and Javakheti. The population perceived this initiative as forced assimilation.

It is crucial the problems of admission system in higher education of Georgia. The education reform introduced by the

Ministry of Education of Georgia in 2004, aimed at introducing equal conditions and requirements for all school graduates entering Georgian universities. In this effort, a system of standardized entrance examinations was launched. Requirement in Georgian language test are leveled for Georgian and non-Georgian university entrants. This means, that state requires from the student the knowledge, which was not designed by school curriculum.

The statistical data about the enrollment of ethnic minority students in higher educational institutions are alarming. Even more; the number of ethnic minority university entrants applied for admissions in higher education in Georgia is very low as well. The difference in data is obvious before the unified national exam and after it. The number of graduates from non-Georgian schools, who applied to be enrolled in higher educational institution of Georgia as well as number of enrolled students decreased dramatically after 2005. According to the statistical data the ethnic minority students compose of less than 1% of the whole student population. In Javakheti the number of applications of non-Georgia university entrants decreased even from 2005 to 2007.

The number of enrolled and granted students is more critical. The number of granted students of ethnic minorities constituted only 0.1% of the whole granted student population. The situation was improved a little in 2007, however, the data is still critical...

It should be mentioned that non-Georgian school students are entitled additional financial aid under the social program.

The above-discussed difficult situation in terms of higher education enrollment has been created due to several reasons:

1) non-Georgian school students do not master state language, as the state has not created proper conditions to learn the state language; accordingly, the graduates from non-Georgian schools prefer to get higher education abroad (Azerbaijan, Armenia and Russia);

2) graduates of non-Georgian schools can not compete with their Georgian counterparts during the unified national exams due to lack of knowledge of state language;

3) non-Georgian schools, students and their parents were not prepared for the unified national exams. It resulted in distrust toward the reform and belief that it was impossible for representatives of ethnic minorities to enter Georgian higher educational institutions;

4) higher educational institutions in the regions of Kvemo Kartli and Javakheti were not able to pass the process of accreditation. As a result there is no higher educational institution in Kvemo Kartli (in the districts of compact settlements of ethnic minorities) and there is just one college (instead of university) in Javakheti;

The above-mentioned problems created discriminative environment for graduates of non-Georgian public schools, what resulted in nihilism among the ethnic minority students to get higher education in Georgia. As results from statistical data, almost 53 % of the graduates of Georgian public schools apply to higher education in Georgia. The same data is very low for the graduates of non-Georgian public schools in Kvemo Kartli and Javakheti and does not exceed 10%. Even more, the drop-out rate is the highest in Azerbaijani schools. More than 30 % of the drop-outs are recorded in the region of Kvemo Kartli (region of compact settlement of ethnic Azerbaijani). An average school drop-out rate in Georgia is less than 0.3 %, while in Kvemo Kartli there are public schools with more than 15% of school drop-out rate.

A significant problem is connected with changing the financing system of general education. The public schools were funded from the local budget before the reform. Based on the decree #449, 2005 of the Minister of Education and Science of Georgia and the provisions of the new law on General Education, public schools were established as legal entities of public law. This legislature guaranteed administrative and financial autonomy of public schools. Per capita funding was introduced in general education. Public as well as private schools receive vouchers based on the number of their students from central budget. Some

schools were over funded, while others under funded as a result of educational financing system reform. This problem does not characteristic only non-Georgian schools, it is a problem for all public schools in Georgia; However, non-Georgian schools need additional financial subsidies for their linguistic component. It is worthwhile to mention that existing legislature encompasses those factors, specifically the article 7 of the law on general education states “The state shall guarantee the right of a student to receive general education in the state or native language as close as possible to his residence. In case it is impossible to use the right stipulated by the present Clause, article 1, the state shall provide such students with increased voucher. Volume of the increased voucher shall guarantee implementing of the right stipulated by the present Clause, first article - within the frames of small-contingent public, special, corrective or linguistic minority schools or classes, if at the primary level there are 3 students, at the basic level – 6 students and at the secondary level – 21 students”. These provisions are implemented only with regard of small-contingent public schools. The provisions do not have practical realization in case of linguistic minority schools. The organization CIMERA (Switzerland) implemented pilot project on bilingual education. 12 non-Georgian schools were involved in the project. The project was funded by OSCE HCNM. The schools were not able to continue the implementation of bilingual educational models due

to lack of funding after the completion of the project. Thus, it is crucially important to include linguistic needs of ethnic minorities directly in voucher system.

Georgian language teachers left the region Samtskhe-Javakheti due to changes in financing system of general education. The Georgian language teachers from Tbilisi and other regions were sent to the regions of Kvemo Kartli and Samtskhe-Javakheti in 1998 and in 2004 due to lack of local human resources. The visiting teachers received grants in addition to their salaries. The grant was an incentive for them to leave their house and settle in the regions of Kvemo Kartli and Samtskhe-Javakheti. Teachers did not receive additional grants after the per capita funding reform and as a result 43 teachers of Georgian as second language left Samtskhe-Javakheti region (the total number of Georgian language teachers is 230 in Samtskhe-Javakheti). Thus the problem of shortage of qualified human resources of Georgian language teachers became much more severe after the reform.

Significant problems exist in terms of pre-service teachers' preparation for non-Georgian schools in higher educational institutions. The number of the university entrants from Kvemo Kartli and Samtskhe-Javakheti, who continue higher education in the field of education is very low. The departments of Azerbaijani and Armenian languages at higher educational institutions are at the edge of cancellation. The higher

educational institutions do not prepare teachers for non-Georgian schools nowadays. At the same time the tendency of “growing old” in non-Georgian schools teachers is obvious (62% percent of non-Georgian school teachers is more than 40 years old). Thus, it is crucially important gradually to replace the teachers with new human resources; otherwise non-Georgian schools can be left without teachers in the nearest future. The lack of teachers is obvious even now. For example, there are several vacancies of Georgian language teachers as well as teachers of natural sciences in non-Georgia schools in Samtskhe-Javakheti and the schools are not able to fill the vacancies due to lack of qualified human resources.

Recommendations on language issues in education

It is important to implement the following recommendations in order to solve the above-mentioned problems in the educational system of Georgia.

RECOMMENDATION I

- *I(A) PROVISIONS ON TEACHING NATIVE LANGUAGES BE ADDED IN THE LEGISLATURE;*
- *I(B) CURRICULUM AND ASSESSMENT CENTRE OF THE MINISTRY OF EDUCATION AND SCIENCE OF GEORGIA*

ADOPTS NATIONAL STANDARDS FOR TEACHING NATIVE LANGUAGE;

- I(C) TEACHERS PROFESSIONAL DEVELOPMENT CENTRE DEVELOPS TEACHING STANDARDS FOR NATIVE LANGUAGE TEACHERS.

It is important that provisions on native language teaching are included in the legislature. It is recommended that additional point is added to the Article 5 of the Law on General Education. This new point should specify that in the schools, where language of instruction is not Georgian, in addition to the subjects listed under the point 3 of the Article 5, national curriculum should include the native language of the non-Georgian students. For the implementation of this provision, National Curriculum and Assessment Center of the Ministry of Education and Science of Georgia should approve the standards of the Armenian and Azerbaijani as native languages which were developed under the joint project of the OSCE HCNM and Ministry of Education & Science and should launch the procedures for developing textbooks according to approved standards, as well as for establishing new standards at the school level. In addition to this, Teacher Professional Development Center should create professional standard of Azerbaijani and Armenian languages teachers and should ensure involvement of

respective teachers in teacher certification and professional development process. The above-mentioned policy measures are of particular importance in the context of the bilingual education reform.

RECOMMENDATION 2.

- *2(A) TO POSTPONE TEACHING OF SOCIAL SCIENCES IN THE STATE LANGUAGE UNTIL 2016 AND MERELY ON SECONDARY SCHOOL LEVEL;*

- *2(B) BILINGUAL TEACHING MODELS ARE DEVELOPED AND/OR APPROVED BY THE NATIONAL CURRICULUM AND ASSESSMENT AND ACCREDITATION CENTERS OF THE MOES*

The requirement of teaching History and Geography of Georgia, as well as other subjects in social sciences should be postponed until 2016 and this policy change should apply only to the secondary level of general education. For the purposes of raising the language competency of the non-Georgian students and preparing them for learning the above-mentioned subjects in the state language, the non-Georgian schools should implement various models and programs of bilingual education. Bilingual teaching models may vary from teaching Georgian as a second language as the only separate subject to teaching native

language(s) of ethnic minorities just as separate subject(s). School should also be able to develop their own model of bilingual teaching. Bilingual teaching models are developed and/or approved by the National Curriculum and Assessment and Accreditation Centers of the MoES. Schools should have the right to select any of the approved models on the basis of their preference and available resources.

RECOMMENDATION 3.

3(A) TO CREATE THE ENTRANCE EXAMINATION SYSTEM WHICH CORRESPONDS TO THE EXISTING REALITY;

3 (B) TO CREATE ADDITIONAL UNIVERSITY PREPARATION PROGRAMS FOR ETHNIC/LANGUAGE MINORITIES;

- 3 (C) TO CONDUCT AWARENESS-RAISING CAMPAIGN (MAINLY FOR THE PARENTS OF THE UNIVERSITY ENTRANTS) ON THE PERSPECTIVES OF THE HIGHER EDUCATION OF NON-GEORGIAN YOUTH AND IN GENERAL OF THEIR FUTURE PERSPECTIVE IN GEORGIA;

3 (D) TO SUPPORT THE FUNCTIONING OF HIGHER EDUCATION INSTITUTIONS IN GEORGIA IN THE REGIONS COMPACTLY RESIDED BY ETHNIC MINORITIES.

Create the Entrance Examination System which Corresponds the Existing Reality

It is important to differentiate both the Georgian language exam requirements and test results among the graduates of Georgian and non-Georgian schools (non-Georgian students which take the general aptitude tests in their native languages). The second or alternative measure of addressing the already analyzed problems in the transitory period is to allocate additional slots in higher educational institutions in those specializations which are of strategic importance for Kvemo Kartli and Samtskhe-Javakheti. These additional slots should be allocated exclusively for the representatives of ethnic minorities (i.e. positive discrimination). It is important to mention that under such policy the representatives of ethnic minorities do not get favorable conditions compared to the ethnically Georgian university entrants at the expense of the existing slots. Instead the government allocates and subsidizes additional slots for the ethnic minorities (For example, for avoiding teacher shortage in non-Georgian schools, such system can be introduced at the B.A. and M.A. programs in education for a certain period of time).

Create Additional University Preparation Programs for Ethnic Minorities

One of the effective ways to facilitate admission of ethnic minorities in higher education institutions is to create intervention programs. By intervention programs we mean creation or improvement of the university preparation programs for ethnic minorities. These programs should be developed and financed by the Ministry of Education & Science of Georgia. Intervention programs should cover intensive courses of basic (as minimum) language and aptitude skills in Georgian. Effective implementation of these programs requires the following:

- a) to select appropriate study program
- b) to select qualified teachers and to train them additionally
- c) to organize territorial set up of the courses
- d) to create effective monitoring and evaluation system
- e) to research the impact of the programs, to develop indicators to measure the results.

Conduct Awareness-raising Campaign

Parent involvement and their awareness raising is one of the important components of the education programs for ethnic minorities. Therefore, it is important to raise the awareness of the parents on the perspectives of their children in higher

educational institutions and general on their future perspectives in Georgia. On one hand, parents can have a significant impact on creating positive or negative climate with regard to the university entrance exams and accordingly they can influence the readiness of ethnic minority pupils to stay and receive higher education in Georgia. On the other hand, parent education and involvement has social value which is important for ethnic minorities not only in the education sphere, but for the future success. Accordingly, it is important to plan and implement various public relation activities for the parents.

Support the Functioning of Higher Education Institutions in the Regions Compactly Resided by Ethnic Minorities

It is important to support the functioning of higher educational institutions based on the analysis of socio-economic situation and human capital needs of these regions. It is recommended to strengthen Javakheti College. It is also possible to create university centers in these two regions.

RECOMMENDATION 4.

- TO PUT LINGUISTIC NEEDS OF ETHNIC MINORITIES IN PER CAPITA FUNDING FORMULA OF GENERAL EDUCATION;

Existing legislature sets the provision for increased voucher or additional target financing of non-Georgian schools. However, this regulation is not enforced into practice. Therefore, it is recommended that linguistic needs become one of the components of vouchers and are calculated based on the assigned coefficient. This approach works in Poland. Pupils in schools with minority/regional linguistic needs receive 120 % of the standard voucher. Schools with small number of pupils and minority/regional linguistic needs receive up to 170% of standard voucher. Another alternative for addressing the inadequate financing of the non-Georgian schools is to create the special program for ethnic minorities and fund the school projects on various linguistic needs. This can be aligned with the school accreditation process meaning that accredited minority programs receive additional target funding.

RECOMMENDATION 5.

- *5(A) SALARY SUPPLEMENTS FOR TEACHERS OF GEORGIAN LANGUAGE, AS WELL AS THE BILINGUAL TEACHERS OF VARIOUS SUBJECTS;*

- *5(B) TO ALLOCATE ADDITIONAL VOUCHERS LINGUISTIC NEEDS FOR THE TEACHERS OF NON-GEORGIAN SCHOOLS;*

- 5 (C) TO ALLOCATE INCREASED VOUCHERS FOR NON-GEORGIAN SCHOOL TEACHERS PROFESSIONAL DEVELOPMENT PROGRAMS.

Certification of the teachers from non-Georgian schools should become the part of the teacher certification process currently being implemented in the country. It is crucial to maintain the balanced teacher in-service training program. On one hand, the certification process should set high standards for teachers. On the other hand, it should provide incentives for them. Teacher incentives may include salary supplements for teachers of Georgian language, as well as the bilingual teachers of various subjects. Such incentives will be an effective mechanism for teachers' attraction and retention.

It is important to allocate additional vouchers linguistic needs for the teachers of non-Georgian schools. The voucher will be used for Georgian language courses for non-Georgian school teachers.

Teacher in-service training is based on the principals of the market economy. Teacher training organizations receive accreditation of the programs from the Ministry of Education & Science and then recruit teachers for their trainings programs. Training programs for teachers of non-Georgian schools may

become cost-ineffective due to additional costs the provider may face. Specifically, the providers have to hire interpreters as these teachers do not speak and understand the state language. Therefore, providers may decide to refuse the trainings for non-Georgian teachers. To avoid the shortage of training programs for such teachers, the government may consider subsidizing the in-service training programs for them.

RECOMMENDATION 6.

- 6 (A) TO FACILITATE THE ELABORATION OF PRE-SERVICE TEACHERS TRAINING PROGRAM IN HIGHER EDUCATIONAL INSTITUTIONS;

- 6(B) TO FACILITATE THE DEVELOPMENT OF PRE-SERVICE BILINGUAL TEACHERS PREPARATION PROGRAM IN HIGHER EDUCATIONAL INSTITUTIONS OF GEORGIA;

- 6 (C) TO FACILITATE FUNCTIONING OF SCHOLARLY INSTITUTIONS AND RESEARCH DEPARTMENTS OF MINORITY LANGUAGES;

- 6 (D) TO DEVELOP A SYSTEM OF AFFIRMATIVE ACTION FOR GRADUATES OF NON-GEORGIAN SCHOOLS APPLYING IN THE FIELD OF EDUCATION AT HIGHER EDUCATIONAL INSTITUTIONS;

- 6 (E) TO DEVELOP AN AGREEMENT SYSTEM WITH STUDENTS ENROLLED BASED ON AFFIRMATIVE ACTION

The agreement system should be developed with those students who intend to enroll as students in the field of education based on affirmative action and who will receive financial aid (scholarship) for their study. They can be obliged to work in non-Georgian schools of Kvemo Kartli and Santskhe-Javakheti during 5 years. The involvement of regional and local authorities in this process is important as well.

Language and judicial proceedings/language and state administration

There are several provisions in the legislature to strengthen the status of the state language. These provisions either are not implemented or violate the fundamental human rights of international law. For instance, the provisions of the law on civil service are not enforced in Kvemo Kartli and Javakheti. The state agencies in these regions operate in languages other than the state language. The working language in self-governmental bodies of Kvemo Kartli and Javakheti is not Georgian, even though the law requires this imperatively. It is impossible to enforce these provisions nowadays, as the majority of population of these regions does not master the state language. The provision of electoral code which states that elected Member of Parliament should know the state language violates the fundamental principals of human rights, specifically

the electoral rights. The paragraph 3 of the article 23 of the Universal Declaration on Human rights states that language proficiency should not violate the electoral rights of citizens, which implies to elect and to be elected.

The language of judicial proceedings is Georgian according to the Constitution of Georgia; however the strict implementation of these regulations is not feasible in Javakheti. The oral proceedings are often held in minority languages. The translators/interpreters play important role in such a case, as the mistake in translation can impact the court decision. Thus the main principle of the court (fair trial) can be lost.

Recommendations on the use of languages in Legal (Judicial) Proceedings, Civil Service and Local Self-Governance Bodies

RECOMMENDATION I:

- TO AMEND LEGISLATURE, WHICH REQUIRE STATE LANGUAGE PROFICIENCY FROM ELECTED POLITICAL OFFICIALS

TO AMEND THE ELECTORAL CODE AND THE LAW ON SELF-GOVERNANCE AND TO ABOLISH THE PROVISIONS IN THE LEGISLATURE, WHICH REQUIRE STATE LANGUAGE

PROFICIENCY FROM ELECTED MEMBERS OF PARLIAMENT AND MEMBERS OF SELF-GOVERNMENT MEMBER OF PARLIAMENT AND SELF-GOVERNMENT ARE ELECTED POSITIONS AND ANY RESTRICTION ON ELECTION RIGHTS VIOLATES FUNDAMENTAL PRINCIPALS OF INTERNATIONAL LAW.

RECOMMENDATION 2:

- SAKREBULO – THE REPRESENTATIVE BODY OF LOCAL SELF-GOVERNANCE – SHALL BE AUTHORISED TO VOTE, BY MAJORITY OF ITS FULL MEMBERSHIP, FOR THE USE, IN THE MANNER PRESCRIBED BELOW, OF A LANGUAGE UNDERSTANDABLE TO THE MAJORITY OF LOCAL POPULATION, ALONG WITH THE STATE LANGUAGE, IN THE ACTIVITIES OF SAKREBULO AND RELEVANT EXECUTIVE AGENCIES SUBORDINATED THERETO. THIS PROVISION SHOULD BE IN FORCE UNTIL 2015.

In the case the decision on using a non-state language is reached, local self-governance bodies in addition to the use of the State Language have the right:

- a) to hold sessions and other oral hearings in the respective non-state language;
- b) to hold official relations, whether orally or in writing, with an individual permanently residing on the territory of

Sakrebulo's jurisdiction in the corresponding non-state language;

c) to maintain internal documentation and information in the corresponding Non-State Language;

d) to translate and use other documentation and materials for official contacts within Georgia in the State Language.

In the event the decision on use of non-state languages is reached, relevant local self-governance bodies must:

a) ensure that those members of Sakrebulo and public employees of self-governance bodies who do not know the relevant non-state language or are willing to exercise their authority or perform their duties in the state language, are provided with all relevant conditions required to exercise the authority and perform duties in the state language, namely translation services during sessions and hearings, as well as translation of documents and information presented in a non-state language into the state language and vice versa, certified translations etc.

b) translate agendas and protocols of sessions held in a non-state language into the state language and submit it no later than two weeks after the sessions in the relevant governmental structure;

c) upon request of the authorised state agency, provide translation into the state language, at their own cost and expense, of documents created in a non-state language

d) establish official relations, whether oral or written, with individuals permanently residing beyond the jurisdiction of Sakrebulo and legal entities only in the state language;

e) if requested, establish relations, whether written or oral, with an individual permanently residing on the territory of Sakrebulo's jurisdiction in the state language;

f) maintain relations, correspondence and co-operation with the state and other administrative and territorial bodies of self-governance only in the state language.

RECOMMENDATION 3

3(A) THE REQUIREMENTS FOR CIVIL SERVANTS TO MASTER STATE LANGUAGE CAN BE POSTPONED TILL 2015;

3(B) TO DEVELOP RULES OF EXAMINATION AND CERTIFICATION OF CIVIL SERVANTS FOR EVALUATIONS PERSON'S STATE LANGUAGE PROFICIENCY;

3(C) TO DEVELOP AND IMPLEMENT STATE LANGUAGE TRAINING PROGRAM FOR CIVIL SERVANTS.

It is important to change the formulation of the article 98 of the law on civil service about the dismissal of civil servants in

case of lack of knowledge of the state language. The implementation of this provision can be postponed till 2015. The evaluation of a person's language proficiency compatible with the requirements of positions provided by the law can be carried out by State Examinations Commission created within the Public Service Bureau. Successful examinees shall receive relevant certificates, presentation of which is necessary for employing them for civil service. The state language courses should be organized for interested civil servants and candidate civil servants in parallel to the certification process. This would enable civil servants to prepare and pass examination by 2015. The requirement for certification should not be extended to the elective political positions (Members of Parliament, members of Sakrebulo);

RECOMENDATION 4:

-THE ORAL CIVIL PROCEEDINGS CAN BE ORGANIZED IN MINORITY LANGUAGE ALONG WITH STATE LANGUAGE

The oral civil proceedings can be organized in minority language along with state language in the territory of Sakrebulo, where decision to use non-state language is reached. The oral hearing in non-state language can be organized in case of agreement between parties and judge. At the same time the court

should be obliged to translate court decision in 24 hours in state language and officially issue it only in state language.

RECOMMENDATION 5:

- NAMING OF GEOGRAPHIC OBJECTS CAN BE WRITTEN IN MINORITY LANGUAGE AS WELL IN THE TERRITORY OF SAKREBULO, WHERE DECISION TO USE NON-STATE LANGUAGE IS REACHED. THE EXPERIENCE OF POLAND CAN BE USED TO REGULATE THIS ISSUE.

Language and media

It should be mentioned that a lot of positive steps were undertaken by the government of Georgia recently in respect of language issues in mass-media. Ethnic minorities are able to receive the information in their native language(s); however, the source of information for ethnic minorities remains the mass-media of the corresponding kin states. It is important to undertake further measures to make the information available for ethnic minorities. These measures are crucial for formation of civil identity of Georgian citizens.

Recommendations on language in media

In order to increase the availability of information for ethnic minorities it is important to undertake the following measures:

RECOMMENDATION I:

- *TO FACILITATE THE ESTABLISHMENT AND DEVELOPMENT OF BILINGUAL MASS-MEDIA (NEWSPAPERS, MAGAZINES, WEB-SITES ETC.);*

- *TO ESTABLISH AND DEVELOP LOCAL AND REGIONAL MEDIA SOURCES - THE INVOLVEMENT OF REGIONAL AND LOCAL AUTHORITIES IN THIS PROCESS BEING IMPORTANT AS WELL.*

To recommend state regulation commission to assist local TV companies to get licenses; to promote institutional development of local mass-media, particularly to re-train local staff and journalist (including the availability of the state language teaching programs).

Language and cultural activities

In the paragraph 1.a of the **European Charter on Regional or Minority Languages** states are asked in general to encourage initiatives typical of the modes of cultural expression

specific to regional or minority languages. The means for this support are those usually drawn on for cultural promotion purposes. The expression "the different means of access to works..." covers - depending on the type of cultural activity concerned - publication, production, presentation, diffusion, transmission, and so on. With regard to the functioning of cultural institutions, that is to say bodies whose function it is to undertake or support cultural activities in a variety of forms, states are asked to see that such institutions accord sufficient importance in their programmes to the knowledge and use of regional or minority languages and to their attendant cultures (Article 12, paragraph 1.d to f). The Charter cannot of course specify how regional or minority languages are to be incorporated in the activities of these institutions. It speaks simply of making "appropriate allowance" for them. The role of states in this sphere is generally one of guidance and supervision, they are not asked to further this objective themselves, but merely to "ensure" that it is pursued

Based on above-mentioned provisions of the *European Charter for Regional or Minority Languages* it is important to take the following measures:

RECOMMENDATION 1:

- THE STATE FOSTERS PUBLICATIONS IN MINORITY LANGUAGES

The state should foster publications in regional or minority languages. Specifically, the special department should be created at the Ministry of Culture which will publish the works of the non-Georgian authors. The same department should be in charge of organizing various presentations which will be broadcasted by the public broadcasting.

Given the fact that relatively small portion of the population speaks regional or minority languages, it is necessary to develop the translatory practice and increase the availability of the non-Georgian works for the wide population.

RECOMMENDATION 2:

- FACILITATION TRANSLATION ACTIVITY.

Language and Programs Department of the Ministry of Education & Science and Rustaveli Foundation should be given recommendations to allocate sufficient resources for translation projects on the annual basis. As a precondition, bilingual dictionaries should be created.

Every state makes effort for the popularization of the national culture abroad. The culture and languages of minorities should be a full part of this process.

RECOMMENDATION 3:

- TO GIVE SUFFICIENT ATTENTION TO REGIONAL OR MINORITY LANGUAGES AND CULTURES IN INTERNATIONAL CULTURAL RELATIONS.

RECOMMENDATION 4:

- TO PROMOTE ORGANIZATIONS OF MULTICULTURAL ACTIVITIES

Language and Economic and Social Life

In the economic and social systems of the states belonging to the Council of Europe intervention by the public authorities in economic and social life is mainly confined to the promulgation of laws and regulations. In these circumstances, the possibilities of action on the part of the authorities to monitor that regional or minority languages receive due consideration in these sectors are limited. Nevertheless, the Charter provides for a certain number of measures in this field. It seeks, on one hand, to eliminate measures to ban or discourage the use of such

languages in economic and social life and proposes, on the other hand, a number of positive measures.

Article 13, paragraph 2, of the Charter lists various concrete measures in support of regional or minority languages in this sector. For practical reasons, they are confined to the geographical areas in which these languages are used.

Based on above-mentioned provisions of the *European Charter for Regional or Minority Languages* it is important to take the following measures:

RECOMMENDATION I:

- TO ENSURE THAT SOCIAL INSTITUTIONS, SUCH AS HOSPITALS, ORPHANAGES ETC. HAVE THE CAPACITY OF COMMUNICATING WITH MINORITY MEMBERS IN THEIR NATIVE LANGUAGES. IN ADDITION TO THIS, THEY SHOULD BE RECOMMENDED TO CREATE SAFETY INSTRUCTIONS IN REGIONAL OR MINORITY LANGUAGES.

Language and Transfrontier Exchanges

In many fields transfrontier relations develop between the neighboring states of Turkey, Armenia and Azerbaijan. Such inter-state cooperation presents an opportunity for the states to employ a "cultural factor" to enhance their mutual understanding. The Council of Europe has drawn up an outline convention on transfrontier cooperation at local and regional level. While it is desirable that such cooperation should develop in a general manner, paragraph *b* underlines that this is particularly the case where one and the same regional language is spoken on either side of the border (Azerbaijani population of Kvemo-Kartli and Azerbaijan, Samtskhe-Javakheti and Armenia).

RECOMMENDATION I.

- TO DEVELOP AND IMPLEMENT TRANSFRONTIER EXCHANGE PROGRAMS

Such co-operation may extend to such matters as school twinning, teachers' exchanges, mutual recognition of diplomas and qualifications, joint organisation of cultural activities, further circulation of cultural assets (books, films, exhibitions,

etc) and transfrontier activities of cultural agencies (theatre companies, lecturers, etc).

In some circumstances, it may also be satisfactory (and less expensive) to implement undertakings mentioned by other articles of the Charter: for example, with respect to the provision of higher education facilities as laid down in Article 8, paragraph 1.e, a bilateral agreement could make arrangements for students concerned to attend appropriate institutions in a neighboring state. The Ministry of Education and the Ministry of Culture already work in this direction, however, they need to expand their activities. The Ministry of Education and the Ministry of Foreign Affairs should foster networking among the speakers of these languages in the spheres of culture, education, information, professional development and lifelong learning.

IV. Georgian language policy and the European Charter for Regional or Minority Languages

Georgia undertook the obligation to ratify *the European Charter for Regional or Minority Languages of 1992*. According to the Charter, the signatory state undertakes to apply the general provisions of Part II, while for the Part III the state can select the provisions to fulfil, based on the spheres. Nevertheless, the Charter establishes the minimal criteria. The forth part of this document analyzes the Georgian language policy in connection with the European Charter for Regional or Minority Languages.

The Charter does not determine a language as communication tool of one or another social or ethnic group, neither in social-political or ethnical context. Thus, the Charter does not identify the definition of language minorities, as it does not aim to define the rights of ethnic and/or cultural minorities, but to protect and support regional and minority languages.

According to the Charter, "regional or minority languages" means languages that are:

- i. traditionally used within a given territory of a State by nationals of that State who form a group numerically smaller than the rest of the State's population; and

ii. different from the official language(s) of the State; it does not include either dialects of the official language(s) of the State or the languages of migrants.

“European Charter on Regional or Minority Languages”, Strasbourg, 5.XI.1992; Part I – General Provisions, Article 1^a

The "regional" denotes languages spoken in a limited part of the territory of a state, within which, moreover, they may be spoken by the majority of the citizens.

The "minority" refers to situations in which either the language is spoken by persons who are not concentrated on a specific part of the territory of a state or it is spoken by a group of persons, which, though concentrated on part of the territory of the state, is numerically smaller than the population in this region which speaks the majority language of the state. Hence, both terms therefore refer to factual criteria and not to legal notions and in any case relate to the situation in a given state. According to the Charter, **each state independently determines which regulations will be attributed to individual languages applied within their territory.**

According to the given definition, languages from the presented 4 groups will be allocated in the following order:

1. **State languages** – Georgian, in parallel with Abkhazian and Ossetian in the autonomic republics. It should be noted that Abkhazian already has the status of state language. The

suggestion to grant state language status to Ossetian within the territory of the autonomous republic was made by the President of Georgia in 2005. Therefore, issues related to the state language will be regulated by the internal legislation (in case of different political attitude towards so-called “South Ossetian” separatist regime, status of the Ossetian language, as a State Language, would be changed).

2. **Regional and Minority languages** - Armenian and Azerbaijani will get the status of regional and minority languages. Namely, Armenian will be granted regional language status in two regions of Samtskhe Javakheti: Akhalkalaki and Ninotsminda, where Armenian is the native language for the majority of population, and the state language is their second language. We consider Tsalka – one of the regions of Kvemo Kartli in the same area, since the majority of the local population also speak Armenian.

Regions of Kvemo Kartli densely populated by the Azerbaijani are: Gardabani, Marneuli, Bolnisi, and Dmanisi. For the majority of inhabitants of these 4 regions, Azerbaijani is the mother tongue, while the state language is their second language. For the abovementioned areas (which do not coincide with the regional division of Georgia), the provisions of Part II on Minority or Regional Languages, as well as selected articles and paragraphs of Part III (see below) will be applied.

3. "**Non-territorial languages**" dispersed (large and small) ethnic groups, which will be granted status of languages without territory. "Non-territorial languages" are excluded from the category of regional or minority languages because they lack a **territorial base**, i.e. a specified geographical area of dispersion. Nevertheless, these languages correspond to the definition contained in Article 1 paragraph a, being languages traditionally used on the territory of the state by ethnic groups. Consequently, certain provisions defined in the Charter will be applied to them. Two factors can be used as separating criteria for non-territorial languages in Georgia:

a) Quantitative indicator (more than 0.1% of citizens of Georgia)

b) Historical factor (the Charter does not include languages of migrants; it does not cover the situation of languages arisen by recent migrations on the territories of states participating in the Charter, including migrations caused by economic motives).

Based on the abovementioned criteria, in Georgia, the following languages could be considered non-territorial languages: **Russian, Greek, Hebrew (Ivrit), Kurdish** (among them the **Yezidi** - they differ from the Kurds as far as their religion is concerned), **Ukrainian, Chechen** (among them the **Kists** – they speak a dialect of Chechen/closely related language), **Assyrian, Avar**. The provisions of the Part II of the

European Charter for Regional or Minority Languages will be spread on the abovementioned languages. Part II can more easily be applied to non-territorial languages, but only *mutatis mutandis* and on the terms set out in Article 7 paragraph 5.

4. Non-written languages – Svan and Mingrelian-Laz (non-written languages) belong to the fourth group in language classification that indicates on their special status and requires relevant (different) undertakings from the state. We consider Kartvelian languages – Svan and Mingrelian-Laz with special attitude in respect to the Charter. It should be noted that the status of these languages was and is still being disputed. Unfortunately these discussions often acquire political character that does not enable the researchers to make adequate conclusions. Due to political motives, the Kartvelian ethnic groups – Mingrelians and Svans were being announced as separate nations, with the right to separate in autonomy (political autonomy). Motivated scientific researchers governed by Russian special services were especially active in this regards. Political attitude towards this issue resulted in the recent opinion, as if Zan (Mingrelian-Laz) and Svan were dialects of Georgian language (as far as their linguistic status is concerned), and therefore, they should not be considered as languages (thus, the State will not have to undertake any obligations for their protection and development)...

In terms of synchronic sociolinguistics, language development and problem of its differentiation is not actual; However, difference emerges in terms of sociolinguistic relations of Kartvelian languages and other languages with state language. It is obvious that attitude of Zan-Svan and for instance, compactly settled Azerbaijani towards use-functioning of state language is different; and the reasons should be found in history of these languages.

From sociolinguistic perspective, Zan and Svan are characterized as non-written languages – relation of these languages towards Georgian is characterized as diglosia (unlike, for instance, Armenian or Azerbaijani population living in Georgia, whose attitude towards Georgian/state language is defined as bilingualism in sociolinguistics).

Diglosia in sociolinguistics is applied for designation of facts of using given language in different situations and relations.

The question of **written language** in relation to **spoken language** should also be considered. It is accepted that literary language (which is a sub-code to the general national language) has two sub-codes: codified language (which is used in writing and in the literature spheres) and a spoken language of intercommunication. As a rule, the Mingrelians and Svans own a spoken sub-code, but part of them (their number is decreasing)

without basic education, do not have the written sub-code. The same situation is in case of Georgian dialects.

The charter does not concern local variants or different dialects of one and the same language. However, it does not pronounce on the often disputed question of the point at which different forms of expression constitute separate languages. This question depends not only on strictly linguistic considerations, but also on psycho-sociological and political phenomena which may produce a different answer in each case. Accordingly, it will be left to the authorities concerned within each state, in accordance with its own democratic processes, to determine at what point a form of expression constitutes a separate language

The protection of Kartvelian languages should be regulated by internal legislature based on above-discussed sociolinguistic issues. Internal legislation should consider the provisions that need to be undertaken by the State. Namely,

1. Complete description of sociolinguistic situation within the groups speaking on “non-written” (Kartvelian) languages, on the territory of Georgia. Precise identification of spheres, where certain language sub-systems (communication code) are applied, and presentation of dispersion picture; complete description of process of diglosia (the first steps were already made within the project *Language Situation in Modern Georgia* funded by the

Volkswagen Foundation. Nevertheless, the State has to plan and implement effective activities in this direction).

2.Complete registration and recording of folklore and ethnographic heritage created in the “non-written” Kartvelian languages (the recommendation to develop special state programs should be given to the Ministry of Culture and Sport and Ministry of Education and Science);

3.Scientific analysis and research of the Kartvelian languages: the recommendation should be given to the Ministry of Education and Science and to relevant scientific research institutes to strengthen and support, on high scientific level, the linguistic research of these language systems, comparative-historic analysis and lexicology aspects of the relative languages (filling-enrichment of existing traditional Zan and Svan dictionaries, and stimulation of new editions);

4.Support publication of artistic and musical works in the Zan (Mingrelian-Laz) and Svan languages and their acceptance as the indivisible part of the Georgian culture; recommendation should be given to the Ministry of Education and Science, the Ministry of Culture and Sport, and to relevant scientific institutions to support their publication and popularization.

5.Special attention should be paid to sociolinguistic research of the Laz population living in Turkey and Mingrelians on the territory of Abkhazia. The language situation needs to be

identified and specified, in order to preserve and develop language and cultural heritage and consciousness of persons living outside the Georgian territory.

* * *

As it was mentioned above, the provisions of the Charter will cover second (**regional and minority languages**) and third (**non-territorial languages**) groups of languages in our classification. Provisions of Part II of the Charter will apply to all languages in this classification, while Part III will be used for Armenian and Azerbaijani languages. Therefore, the following articles of Part III of the Charter can be undertaken in the existing situation, in case of fulfilling the abovementioned recommendations:

Article 8 – Education

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

- a.
 - i. to make available pre-school education in the relevant regional or minority languages; or
- b.

i. to make available primary education in the relevant regional or minority languages; or

c.

i. to make available secondary education in the relevant regional or minority languages; or

d.

ii. to make available a substantial part of technical and vocational education in the relevant regional or minority languages; or

e.

ii. to provide facilities for the study of these languages as university and higher education subjects; or

f.

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

g. to make arrangements to ensure the teaching of the history and the culture which is reflected by the regional or minority language;

h. to provide the basic and further training of the teachers required to implement those of paragraphs a to g accepted by the Party;

i. to set up a supervisory body or bodies responsible for monitoring the measures taken and progress achieved in establishing or developing the teaching of regional or minority languages and for drawing up periodic reports of their findings, which will be made public.

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

Article 9 – Judicial authorities

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

a. in criminal proceedings:

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

necessary by the use of interpreters and translations involving no extra expense for the persons concerned;

b. in civil proceedings:

iii. to allow documents and evidence to be produced in the regional or minority languages, if necessary by the use of interpreters and translations;

c. in proceedings before courts concerning administrative matters:

iii. to allow documents and evidence to be produced in the regional or minority languages, if necessary by the use of interpreters and translations;

d. to take steps to ensure that the application of subparagraphs 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.

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.

Article 10 – Administrative authorities and public services

1. Within the administrative districts of the State in which the number of residents who are users of regional or minority languages justifies the measures specified below and according to

the situation of each language, the Parties undertake, as far as this is reasonably possible:

a.

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

b.

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

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:

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;

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.

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.

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:

a. translation or interpretation as may be required;

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.

Article 11 – Media

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

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

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

b.

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

c.

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

d.

to encourage and/or facilitate the production and distribution of audio and audiovisual works in the regional or minority languages;

e.

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

f.

ii. to apply existing measures for financial assistance also to audiovisual productions in the regional or minority languages;

g. to support the training of journalists and other staff for media using regional or minority languages.

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.

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.

Article 12 – Cultural activities and facilities

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

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;

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

g. to encourage and/or facilitate the creation of a body or bodies responsible for collecting, keeping a copy of and presenting or publishing works produced in the regional or minority languages;

h. if necessary, to create and/or promote and finance translation and terminological research services, particularly with

a view to maintaining and developing appropriate administrative, commercial, economic, social, technical or legal terminology in each regional or minority language.

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

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

Article 13 – Economic and social life

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:

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;

d. to ensure by appropriate means that safety instructions are also drawn up in regional or minority languages;

e. to arrange for information provided by the competent public authorities concerning the rights of consumers to be made available in regional or minority languages.

Article 14 – Transfrontier exchanges

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;

Based on the existing situation, if our recommendations are enforced, Georgia will undertake to apply 38 paragraphs and/or sub-paragraphs from the provisions of Part III of the Charter. Among them, 8 paragraphs and/or sub-paragraphs of Article 8 (Education); 5 paragraphs and/or sub-paragraphs of Article 9 (Judicial authorities); 7 paragraphs and/or sub-paragraphs of Article 10 (Administrative authorities and public services); 8 paragraphs and/or subparagraphs of Article 11 (Media); 6 paragraphs and/or sub-paragraphs of Article 12 (Cultural

activities and facilities); 3 paragraphs and/or sub-paragraphs of Article 13 (Economic and Social Life); and 1 paragraph and/or sub-paragraph of Article 14 (Transfrontier Exchanges). Hence, the requirements of Article 2 paragraph 2 will be met; it states that “each Party undertakes to apply a minimum of thirty-five paragraphs or sub-paragraphs chosen from among the provisions of Part III of the Charter, including at least three chosen from each of the Articles 8 and 12 and one from each of the Articles 9, 10, 11 and 13”.

Conclusion

The present document attempts to analyse important issues of language policy. As it was mentioned above, formation and institutionally proper implementation of unified language policy is most important. Attitudes and opinions on certain issues will be sophisticated over time and will become adequate to the reality. At the same time, it should be noted that this document considers language policy only within the following two directions:

- a) development of state language status;
- b) protection and development of regional and minority languages.

As it was mentioned in the document, it is important to lead language policy in four directions and to define relevant policy towards foreign languages, as well as policy towards Georgian, as a foreign language. Work on these two directions and elaboration of recommendations can be subject of future researches.

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