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ARMENIA: 82 religious prisoners of conscience is new record

By Felix Corley, Forum 18 (<https://www.forum18.org>)

With 82 Jehovah's Witnesses imprisoned for refusing military service and the military-controlled alternative service on grounds of religious conscience, the Armenian authorities have reached a new record. Jehovah's Witnesses told Forum 18 News Service that 73 of them are serving terms of 18 to 36 months' imprisonment, while nine more are awaiting trial. Seven are due for trial on 15 October, while the new call-up about to begin is likely to bring more arrests. "Alternative service is under the control of the Defence Ministry – I believe this should not be the case," Armen Harutyunyan, Armenia's Human Rights Ombudsperson, told Forum 18. But Artur Agabekyan, chair of the parliamentary Defence Committee, rejects this. "The alternative civilian service has no connection with the Defence Ministry," he claimed to Forum 18. Local journalist Vahan Ishkhanian says there is no appetite for change within Armenia. "They say we already have a law that meets European standards. I believe any change depends on the Council of Europe."

When Aghan Vartanyan was sentenced to two years' imprisonment by the court of Yerevan's Shengavit District on 29 August, he became the 73rd Jehovah's Witness currently serving a prison sentence for refusing military service on grounds of religious conscience. A further nine were arrested in August and are in prison awaiting trial, Lyova Markaryan of the Jehovah's Witnesses told Forum 18 News Service from Yerevan on 24 September. This brought the total imprisoned to a record 82. Seven of the nine are due to be tried on 15 October. Another Jehovah's Witness is serving a two year suspended sentence. Markaryan fears the number of prisoners will only rise as the autumn call-up begins next month.

Armenia has violated its commitment to the Council of Europe to bring in a fully civilian alternative to military service. It has also been criticised by the Organisation for Security and Co-operation in Europe (OSCE) (see F18News 2 May 2007 http://www.forum18.org/Archive.php?article_id=949).

Markaryan complained that the most recent prisoner amnesty was not applied to Jehovah's Witnesses. "Nor are Jehovah's Witnesses released from prison after serving one third of their imprisonment," he told Forum 18. He said he believes Jehovah's Witness young men would be ready to do a genuinely civilian alternative service, though he insisted the decision is up to each individual member.

"No-one here in Armenia wants to change the system," Vahan Ishkhanian, a journalist from ArmeniaNow.com who has long followed the cases of imprisoned conscientious objectors, told Forum 18 on 25 September. "They say we already have a law that meets European standards. I believe any change depends on the Council of Europe." He reports that no young men are now doing the alternative service.

On 23 January 2007, the Parliamentary Assembly of the Council of Europe adopted Resolution 1532, which declared: "The Assembly urges the Armenian authorities to revise the law on alternative service in accordance with the recommendations made by the Council of Europe experts currently studying this issue and, in the meantime, to pardon the young conscientious objectors currently serving prison sentences."

Twenty-two Jehovah's Witnesses have lodged cases at the European Court of Human Rights in Strasbourg over their prosecution for refusing to serve in the armed forces or perform military-controlled alternative service. One of those who has brought his case to Strasbourg, Haik Bukharatyan, was told by a prosecutor: "People like you should be destroyed. Hitler was right when he tried to exterminate you!"

Armen Harutyunyan, Armenia's Human Rights Ombudsperson, told Forum 18 there has been "no progress" towards meeting the country's obligation to introduce a genuinely civilian alternative service or to reduce the length of time alternative service lasts. "Alternative service is under the control of the Defence Ministry – I believe this should not be the case," he told Forum 18 from Yerevan on 26 September. "Members of various religious groups have complained about this."

Harutyunyan said that if there is no progress he will include the failure to introduce a genuine civilian service into his next annual report to parliament. "Parliament is already informed about this issue and it must amend the law."

But Artur Agabekyan, a parliamentary deputy from the Armenian Revolutionary Federation party who chairs the parliamentary Defence Committee, rejects Harutyunyan's assessment. "There is alternative military service and alternative civilian service," he told

Forum 18 from Yerevan on 26 September. "The alternative civilian service has no connection with the Defence Ministry." He said the only connection is that conscripts are initially called up through local military conscription offices.

The Jehovah's Witnesses and the Molokans reject such assertions, insisting that those conducting the alternative "civilian" service are supervised by the Military Police under regulations laid down by the Defence Ministry. They are ordered to wear uniform provided by the military and fed by the military. All breaches of orders or regulations are dealt with by the Military Prosecutor's Office.

Order No. 142, issued by the then Deputy Defence Minister Mikael Harutyunyan on 20 December 2004, ordered the Military Commissariat and the Military Police to ensure that there is weekly military supervision of everyone performing "civilian" alternative service. Monthly written reports were ordered to be submitted to the Chief of the General Staff, and the military was ordered to search for anyone who attempts to evade the "civilian" alternative service. The Head of the Mobilisation Administration of the General Staff was given the responsibility of ensuring that Order No. 142 is obeyed (see F18News 22 February 2006 http://www.forum18.org/Archive.php?article_id=732).

Agabekyan of the parliamentary Defence Committee rejected this, insisting that this decree must have been superseded. He promised to find out and tell Forum 18. "Some mistakes were made by the Defence Ministry," he conceded. "They don't have the right to control alternative civilian service." He maintained that the Social Care and Health Ministries are in charge of those doing alternative service.

Forum 18 has been unable to find out why the Defence Ministry controls a service that is supposed to be civilian. Col. Sedrak Sedrakyan of the Ministry's Legal Department was not in his office on 25 and 26 September and questions submitted to Lt Suren Aloyan of the press office early on 25 September had not been answered by the end of the working day on 26 September.

No one in the administration of President Robert Kocharyan was available to explain to Forum 18 on 26 September to explain what steps – if any – the president intends to take to bring Armenia's position into line with its Council of Europe commitments, which should have been enacted by January 2004. Also unavailable when Forum 18 called were Justice Minister Kevork Danielyan and parliamentary speaker Tigran Torosyan.

Despite the current alternative service being under Ministry of Defence control, Armenian officials have repeated to Forum 18 their insistence that they are meeting their obligations. "Our law did introduce an alternative service," Tigran Samvelyan, who heads the Council of Europe Department at the Foreign Ministry, told Forum 18 from Yerevan on 25 September. "I can't see any failure in fulfilling our commitments to the Council of Europe."

Told that the alternative service is under military control, thus violating Council of Europe requirements and making the alternative service unacceptable to those whose conscience does not allow them to support the military, Samvelyan brushed these concerns aside. "The law was adopted by parliament, not the Foreign Ministry," he maintained. Told that more than 80 Jehovah's Witnesses are currently in prison for refusing military and alternative service he insisted this is not his ministry's responsibility.

All but one of the 73 sentenced Jehovah's Witnesses were prosecuted under Article 327 Part 1 of the Criminal Code, which punishes evasion of the call-up to military or alternative service. The maximum sentence under this article was increased to three years' imprisonment in December 2005. The Jehovah's Witness prisoners are serving sentences of between 18 and 36 months' imprisonment.

Markaryan of the Jehovah's Witnesses complained to Forum 18 that in six recent cases where sentences were at the lower end of the range, prosecutors successfully appealed and had the sentences lengthened.

As well as the hundreds of Jehovah's Witness prisoners in recent years, a young Molokan Pavel Karavanov was freed from prison in summer 2006 after serving a sentence for refusing military and alternative service on grounds of religious conscience. Molokans are a Russian Protestant church, established in the 17th century and known for their pacifism. There are about 4,000 Molokans in Armenia.

A member of Yerevan's Molokan community confirmed to Forum 18 on 25 September that no Molokan young men are currently imprisoned for refusing military service. Other religious communities where pacifism has a long tradition – such as the Seventh-day Adventists and the Pentecostal Churches – confirmed to Forum 18 from Yerevan that their young men are prepared to serve in the Armenian armed forces.

Ishkhanian, the journalist, reports some flexibility within the armed forces to meet concerns on grounds of conscience. "Some young men serve within the military but without handling weapons," he told Forum 18.

Mamikon Kazaryan, bishop of a Pentecostal denomination with links to the Church led in Russia by Bishop Ivan Fedotov, said that about forty young men in their congregations across Armenia are now doing military service. "Some of them won't swear the military oath on grounds of conscience, but are allowed instead to give their word," he told Forum 18 from Yerevan on 25

September. "In recent years none of our young men have been punished in relation to their service and they are treated well." (END)

More coverage of freedom of thought, conscience and belief in Armenia and the unrecognised entity of Nagorno-Karabakh is at <http://www.forum18.org/Archive.php?query=&religion=all&country=21>

A compilation of Organisation for Security and Co-operation in Europe (OSCE) freedom of religion or belief commitments can be found at http://www.forum18.org/Archive.php?article_id=1351.

A printer-friendly map of Armenia is available at <http://www.nationalgeographic.com/xpeditions/atlas/index.html?Parent=asia&Rootmap=armeni>.

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