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ARMENIA: New wave of Jehovah's Witness sentences begins

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

Shaliko Sarkissian became the first Jehovah's Witness who abandoned alternative service because it remains under defence ministry control to be punished. On 15 September a court in the capital Yerevan imprisoned him for two years and eight months for "desertion". The trial of another, Garik Bekjanyan, is imminent, while a further dozen await trial. An OSCE official expressed alarm to Forum 18 at the "growing number" of Jehovah's Witness prisoners. The Council of Europe and the OSCE have condemned Armenia's failure to introduce a genuine civilian alternative to military service. But Sedrak Sedrakyan of the Defence Ministry's legal department rejects all complaints, insisting that his ministry has "no control" over the alternative service. He dismisses all concerns about the Jehovah's Witnesses. "We believe all this has been organised to make a show," he told Forum 18.

All 22 Jehovah's Witnesses who abandoned their alternative military service because it remains under defence ministry control and does not provide a genuine civilian alternative to military service now face severe punishment. First to be punished was Shaliko Sarkissian, sentenced to two years and eight months' imprisonment on 15 September by a court in the capital Yerevan, Jehovah's Witness sources told Forum 18 News Service on 20 September. Most of the others have already been arrested and are awaiting trial. But Lieutenant Colonel Sedrak Sedrakyan, head of the Defence Ministry's legal department, dismissed concern about their fate. "We believe all this has been organised to make a show," he told Forum 18 from Yerevan on 21 September. "We did all we could to allow them to serve their alternative service quietly." He denied categorically that the alternative service is under military control, an assertion rejected by the Jehovah's Witnesses and the Yerevan office of the Organisation for Security and Cooperation in Europe (OSCE).

Sarkissian was one of two Jehovah's Witnesses doing his alternative service at Nork infectious diseases hospital and one of thirteen Jehovah's Witnesses to abandon their alternative service in August. He was found guilty by Yerevan's Nork-Marash District Court of violating Article 362(1) of the Criminal Code, which punishes "desertion".

"Shaliko Sarkissian was one of our people who had accepted alternative service but left when he realised that alternative service came under the control of the military," Jehovah's Witnesses told Forum 18. "These conscientious objectors are prepared to perform genuine alternative civilian service."

An official of the OSCE in Yerevan expressed alarm at the "growing number" of Jehovah's Witness prisoners. "This is a worrying trend as their imprisonment violates Armenia's Council of Europe commitment," the official, who preferred not to be named, told Forum 18 from Yerevan on 20 September. "This certainly will not help Armenia's international reputation."

On joining the Council of Europe in 2001, Armenia committed itself to adopting a genuine civilian alternative to military service for those not able to serve on grounds of conscience, but failed to meet this commitment. "The recent steps taken by the Armenian government certainly are alarming and show blatant disregard for their adopted obligations before the Council of Europe," the Jehovah's Witnesses complain.

The alternative service law - which came into force on 1 July 2004, and was amended by parliament on 22 November 2004 and again on 24 December 2004 - provides for "alternative military service" of 36 months and "alternative labour service" of 42 months, both under the ultimate oversight of the defence ministry, thus failing to meet its commitments.

The OSCE official expressed concern about the law. "We think the alternative service law was not drafted and implemented in good faith. The OSCE was involved in the drafting process but the Armenian authorities disregarded our views." The official said the law must ensure a genuine civilian alternative to military service and must not be punitive in length.

The Council of Europe agrees. "We believe there should be a clear civilian alternative to military service in Armenia," Krzysztof Zyman of its directorate general for human rights told Forum 18 from Strasbourg on 20 September. He regretted that repeated requests to the Armenian government and its representation at the Council of Europe for copies of the latest amendments to the alternative service law have been ignored. "We are urging the Armenian authorities to cooperate with the Council of Europe so that the alternative service law meets European standards," Zyman added.

Article 6 of the law states that issues related to alternative service are dealt with by the military. Article 13 mentions that workers are assigned by the Military Conscription Committee. Article 14 says that the alternative service call-up is organised and supervised by the military. Those doing alternative service are required to wear uniforms, are clothed and fed by the armed forces, have identity cards reading "Armed Forces of the Republic of Armenia", are under military supervision and control and subject to military punishment if they fail to meet their obligations.

However, Sedrakian of the defence ministry denies this. "Those doing alternative service are under the control of the Social Care Ministry and the Health Ministry," he claimed to Forum 18. "The Defence Ministry has no control over them and has nothing to do with them. Passports are routinely taken off conscripts when they are called up and the same goes for those doing alternative service. But their identity cards make no reference to the armed forces. That is impossible." He denied that those doing alternative service are fed or clothed by the army, insisting that the defence ministry receives no financial allocation for these purposes.

Sedrakian insisted that army officers have no right to give orders or instructions of any sort to those doing alternative service. "In the first few days as the system was being established there were contacts with the Defence Ministry, but no control," he maintained. "We simply checked where they were housed to make sure everything was OK."

He claimed that for the autumn call-up due shortly, each applicant for alternative service will be considered by a commission. "Only one member of this commission will be from the Ministry of Defence – the rest will be officials of the government administration."

The first Jehovah's Witnesses to abandon the alternative service quit in May (see F18News 17 May 2005 http://www.forum18.org/Archive.php?article_id=563).

Of the other Jehovah's Witnesses who abandoned their alternative service in August, on 17 August the Republic Court of Appeal reversed the decision of the Centre-Marash District Court to release Garik Bekjanyan and ruled to arrest him. He faces charges under Article 361(1) of the Criminal Code and his trial is expected imminently. On 17 August the Gegarkunik Region Prosecutor's Office charged Vagarshak Margaryan, Boris Melkumyan, Gagik Davtyan and Artur Chilingarov under Article 361(5). They were arrested the same day.

On 22 August, the Gegarkunik regional prosecutor's office instituted criminal cases against seven more, Tigran Abrahamyan, Garazat Azatyan, Vahe Grigoryan, Hayk Khachatryan, Gegarin Melkonyan, Henrik Safaryan, and Karlen Simonyan. All were charged under Article 361(4). Other regional prosecutor's offices have summoned other Jehovah's Witnesses who had refused to continue the alternative civilian service to which they were assigned.

Meanwhile, other Jehovah's Witnesses called up since the extent of military control over the alternative service became clear continue to be sentenced. In the town of Talin in western Armenia, Hakop Muradyan was sentenced on 15 September to one and a half years' imprisonment under Article 327 of the Criminal Code, which punishes refusal to perform military service. Muradyan, who was arrested on 2 August, does not intend to appeal against the sentence.

Other such sentences earlier this year include two years' imprisonment handed down to Yenok Ivanyan on 1 July and a prison term of one and a half years handed down to Hrachya Sarkissian on 16 August. Both were sentenced under Article 327.

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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