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ARMENIA: "No change" for Jehovah's Witness conscientious objectors

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

As the Council of Europe's Commission against Racism and Intolerance condemned Armenia for continuing to imprison Jehovah's Witness conscientious objectors and deny the group registration, a court in Alaverdi sentenced Araik Bedjanyan on 2 July to one and a half years in labour camp for refusing military service. Now 24 Jehovah's Witnesses are serving sentences, while a further eight – two of them arrested on 3 July – await trial. Hovhannes Asyryan of the presidential human rights commission told Forum 18 News Service he was optimistic that parliament would adopt a new alternative service law this autumn in line with its commitment to the Council of Europe, but Jehovah's Witness lawyer Rustam Khachatryan was sceptical. "The authorities promise a lot but never fulfil their promises."

Since the beginning of July one Jehovah's Witness has been sentenced to a year and a half in a labour camp and two more have been arrested and are now facing prosecution for refusing military service because of their religious beliefs, Jehovah's Witness lawyer Rustam Khachatryan told Forum 18 News Service. The sentence brings to 24 the number of Jehovah's Witness men now serving sentences for refusing military service, with a further eight awaiting trial. Seven more have been freed early from labour camp but remain at home under arrest and have to report regularly to police. While Hovhannes Asyryan, chairman of the presidential human rights commission told Forum 18 he was optimistic that parliament would adopt a new alternative service law this autumn in line with its commitment to the Council of Europe, Khachatryan was sceptical. "The authorities promise a lot but never fulfil their promises," he told Forum 18 on 8 July. "They promised to free all the Jehovah's Witnesses but they are still sentencing them. I see no change."

Araik Bedjanyan was sentenced in the northern town of Alaverdi on 2 July under Article 75 part 1 of the criminal code, which punishes "evasion of active military service" with a penalty of up to three years' imprisonment. He is now in labour camp at Vanadzor in northern Armenia. Suren Hakopyan and Artur Torosyan were arrested in the capital Yerevan on 3 July and are awaiting trial in the labour camp at Nubarashen near Yerevan.

Although the level of arrests and sentences of conscientious objectors fluctuates (see F18News 1 April 2003), April was a record month, with five Jehovah's Witnesses sentenced to labour camp terms ranging from one and a half to three years' imprisonment. By contrast there were no sentences in May, and only one Jehovah's Witness, Ashot Hakopyan, was sentenced in June.

Khachatryan points out that Article 75 part 1 will be replaced under the new criminal code by Article 327, which prescribes a punishment of up to two years. The new criminal code, adopted by parliament on 2 May, comes into force on 1 August. But he believes the change will not halt continued sentencing.

Asyryan repeatedly declined to say whether the continued sentencing of Jehovah's Witnesses violated Armenia's commitments to the Council of Europe. On accession in January 2001, Armenia had pledged to adopt a law on alternative service within three years and in the meantime to free all conscientious objectors from prison. He said that judges have to enforce the law as it stands at present and if the law conflicts with Armenia's obligations "it should be changed".

"The human rights commission supports the adoption of a law on alternative civilian service that would allow anyone who does not wish to serve in the army to conduct alternative service outside the framework of the army," Asyryan told Forum 18 from Yerevan on 8 July. He said his commission had proposed the adoption of an alternative service law even before Armenia's entry into the Council of Europe. "We can only lobby and propose," he declared. "Parliament decides."

Asyryan said the parliamentary defence and internal affairs committee is handling the draft new law and expected it to be presented to the new parliament after 9 September, when it resumes work after the summer recess. "The Council of Europe deadline is close. This must be done soon."

Khachatryan complained that even if the law was adopted, it was likely that alternative service would be far longer than military service (Council of Europe principles ban alternative service of "punitive" length). "People are saying that if there is a new law, any

alternative service will be three and a half years. This is unacceptable."

The Jehovah's Witnesses – who claim some 7,500 adherents in Armenia and have been repeatedly denied registration as a religious organisation – are also sceptical that the authorities' ban on registration will be lifted.

In a report adopted on 13 December 2002 and made public on 8 July, the Council of Europe's European Commission against Racism and Intolerance (ECRI) criticised the Armenian authorities' attitude to the Jehovah's Witnesses as "unsatisfactory". "Firstly, ECRI considers that steps should be taken to solve the difficulties raised in connection with military service, so that conscientious objectors are provided with a civilian alternative service, the practice of imprisoning conscientious objectors is ceased, and any barriers to the registration of the Jehovah's Witnesses resulting from the issue of military service are removed," the report declared.

"ECRI also feels that the climate of opinion within society towards this group might be improved once it is seen that the authorities are not taking legal steps against them; in this context, ECRI also stresses the important role political and other leaders have to play in not using language or rhetoric which might increase societal prejudices against minority religions."

The ECRI said it was "pleased to learn" that the prosecution of Jehovah's Witness Levon Markaryan for "offences against the person" had been overturned in April 2002.

A police order issued last December insisted that no members of any faith other than the Armenian Apostolic Church are allowed to serve in the police, as such faiths are "totalitarian" and "destructive". The order – of which Forum 18 has received a copy - called for members of religious minorities to be identified and for "explanatory, educational" work to be conducted with them "so that they resign of their own freewill from membership of such religious organisations". If that fails, they are to be sacked. The order led to an attempt to sack Jehovah's Witness Zemfira Voskanyan from her job with the Lori regional police (see F18News 25 April 2003).

Forum 18's repeated fax enquiries to Edik Kazaryan, chief of staff of the National Police Service in Yerevan, have gone unanswered, while further calls to Nune Manukyan of the National Police Service secretariat on 8 July have been unable to establish whether the order is still in force.

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