



Flygtningenævnets baggrundsmateriale

Bilagsnr.:	144
Land:	Armenien
Kilde:	Amnesty International
Titel:	"Overview - covering events from January - December 2005"
Udgivet:	29. maj 2006
Optaget på baggrundsmaterialet:	1. juni 2006

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ARMENIA

REPUBLIC OF ARMENIA

Head of state: Robert Kocharian

Head of government: Andranik Markarian

Death penalty: abolitionist for all crimes

International Criminal Court: signed

UN Women's Convention: acceded

Optional Protocol to UN Women's Convention: not signed

Overview - Covering events from January - December 2005

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Conscientious objectors to compulsory military service remained in jail. A new law failed to introduce a genuine civilian alternative service despite Armenia's commitments made to the Council of Europe. The authorities reportedly ill-treated some residents who were peacefully protesting at the demolition of their homes.

Background

Opposition parties boycotted a 27 November referendum on constitutional reforms and contested official reports of an overwhelming turnout and "yes" vote. The Parliamentary Assembly of the Council of Europe concluded that although the referendum generally reflected the will of voters, serious abuses in several polling stations raised questions about official turnout claims. The authorities failed to prevent an opposition demonstration in the capital, Yerevan, on 29 November to protest that the constitutional reforms were not sufficiently far-reaching.

On 6 May the Constitutional Court ruled unconstitutional a provision in the Law on the Human Rights Defender that allowed the Ombudsperson to make recommendations to the courts to ensure the right to a fair trial. The Ministry of Justice had argued that it undermined the judiciary's independence. The Ombudsperson questioned whether the judiciary could be independent, given their direct appointment by the head of state, and said most complaints received by her Office were about unfair trials.

Conscientious objectors imprisoned

Armenia did not release jailed conscientious objectors, in defiance of its commitments to the Council of Europe. Although a law that came into force in 2004 provided for unarmed military service, this was not a genuinely civilian alternative to compulsory military service, and the authorities continued to imprison conscientious objectors.

At least six members of the Jehovah's Witnesses religious group who had begun but then abandoned unarmed military service were sentenced to prison terms of up to three years. They had objected to the service being under the control of the Ministry of Defence and not genuinely civilian. They complained of restrictions on their movements and of being forced to wear military-style uniforms.

- On 3 November, four conscientious objectors who had abandoned their unarmed military service were sentenced to three years' imprisonment for being absent without leave. They had been working in a psychiatric hospital. They were reportedly detained for five months in the hospital compound, forced to shovel snow with their bare hands and locked out in freezing rain with no outdoor clothes. Their appeal was pending at the end of 2005.

Alleged ill-treatment of peaceful protesters

In August the police allegedly used excessive force against peaceful protests by residents of Yerevan over demolition of their homes for an urban renewal scheme. Those who refused to vacate their homes had parts of their houses destroyed. One resident was allegedly removed by force and severely beaten. The police forcibly removed barricades. A lawyer representing several residents, Vahe Grigorian, was arrested on 10 October, reportedly on fabricated fraud charges based on evidence obtained under duress. He was still in pre-trial detention at the end of the year. The father of one of his clients told the Ombudsperson's Office that he had been ill-treated and forced to incriminate Vahe Grigorian. The protesters said the compensation paid was not adequate and their eviction illegal – claims supported by the Ombudsperson's Office, which received more than 200 complaints.

Armenia

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