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U.S. Department of State Annual Report on International Religious Freedom for 2003 – Armenia – December 2003

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Released by the U.S. Department of State Bureau for Democracy, Human Rights and Labor on December 18, 2003, covers the period from July 1, 2002, to June 30, 2003.

The Constitution provides for freedom of religion; however, the law specifies some restrictions on the religious freedom of adherents of minority faiths, and there were some restrictions in practice. The Armenian Apostolic Church, which has formal legal status as the national church, enjoys some privileges not available to adherents of other faiths.

There was no overall change in the status of respect for religious freedom during the period covered by this report. In March 2002, the Government abolished the State Council on Religious Affairs (CRA) by presidential decree. The Government continued to reject the application by the Jehovah's Witnesses for legal recognition as a registered religion, and members of the group reported individual acts of discrimination. Other denominations occasionally report acts of discrimination, usually by mid-level or lower level government officials.

The generally amicable relationship among religions in society contributed to religious freedom; however, societal attitudes towards some minority religions are ambivalent.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

Section I. Religious Demography

The country has a total area of 11,496 square miles, and its population is approximately 3 million.

The country is ethnically homogeneous, with approximately 95 percent of the population classified as ethnic Armenian. Approximately 90 percent of citizens nominally belong to the Armenian Apostolic Church, an Eastern Christian denomination whose spiritual center is located at the cathedral and monastery of Etchmiadzin. Religious observance was discouraged strongly in the Soviet era, leading to a sharp decline in the number of active churches and priests, the closure of virtually all monasteries, and the nearly complete absence of religious education. As a result, the number of active religious practitioners is relatively low, although many former atheists now identify themselves with the national church.

For many citizens, Christian identity is an ethnic trait, with only a loose connection to religious belief. This identification was accentuated by the conflict over Nagorno-Karabakh in 1988-94, during which Armenia and Azerbaijan expelled their respective Azeri Muslim and Armenian Christian minorities, creating huge refugee populations in both countries. The head of the Church, Catholicos Garegin II (alternate spelling Karekin), was elected in 1999 at Etchmiadzin with the participation of Armenian delegates from around the world.

There are comparatively small, but in many cases growing, communities of other faiths. The Government does not provide figures for religious adherents, but the congregants themselves offered the following estimates: Yezidi (a Kurdish religious/ethnic group which includes elements derived from Zoroastrianism, Islam, and animism, with approximately 30,000 to 40,000 nominal adherents); Catholic, both Roman and Mekhitarist (Armenian Uniate) (approximately 180,000 adherents); Pentecostal (approximately 25,000); Greek Orthodox (approximately 6,000); Jehovah's Witnesses (approximately 7,500); Armenian Evangelical Church (approximately 5,000); Baptist (approximately 2,000); unspecified "charismatic" Christian (approximately 3,000); Seventh-day Adventist; the Church of Jesus Christ of Latter-day Saints (Mormons; 1,500 to 2,000); Jewish (500 to 1,000), and Baha'i (over 200). In addition, small Muslim, Hare Krishna, and pagan communities exist in the country. Yezidis are concentrated

primarily in agricultural areas around Mount Aragats, northwest of Yerevan. Armenian Catholic and Greek Orthodox Christians are concentrated in the northern region, while most Jews, Mormons, and Baha'is are located in Yerevan. There is a remnant Muslim Kurdish community of a few hundred persons, many of which live in the Abovian region; a small group of Muslims of Azeri descent live primarily along the eastern or northern borders. In Yerevan there are approximately 1,000 Muslims, including Kurds, Iranians, and temporary residents from the Middle East.

Members of Jehovah's Witnesses continue their missionary work fairly visibly and reported gains in membership during 2000 and 2001. Evangelical Christians and Mormons also are engaged in missionary work.

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Section II. Status of Religious Freedom

Legal/Policy Framework

The Constitution provides for freedom of religion; however, the law specifies some restrictions on the religious freedom of adherents of faiths other than the Armenian Apostolic Church. The Constitution also provides for freedom of conscience, including the right either to believe or to adhere to atheism. The 1991 Law on Freedom of Conscience, amended in 1997, establishes the separation of church and state, but grants the Armenian Apostolic Church official status as the national church. A 1993 presidential decree, later superseded by the 1997 law, supplemented the 1991 law and further strengthened the position of the Armenian Apostolic Church.

The 1991 law requires all religious denominations and organizations other than the Armenian Apostolic Church to register with the CRA. However, a March 2002 presidential decree abolished the CRA, which had been inactive except for registering religious groups, largely due to lack of resources. A presidential spokesman announced that an office attached to the Prime Minister would take over the Council's former functions, and a high-ranking official from the former CRA was appointed as the Prime Minister's Advisor on Religious Affairs. The function of registering religious groups was transferred to the Office of the State Registrar, with the Advisor on Religious Affairs holding a consultative role in the registration process.

Petitioning organizations must "be free from materialism and of a purely spiritual nature," and must subscribe to a doctrine based on "historically recognized Holy Scriptures." To qualify a religious organization must have at least 200 adult members. A religious organization that has been refused registration may not publish newspapers or magazines, rent meeting places, broadcast programs on television or radio, or officially sponsor the visas of visitors. No previously registered religious group has been denied reregistration, and all existing registered denominations have been reregistered annually except the Hare Krishnas, whose membership is below the membership threshold of 200, and the Jehovah's Witnesses.

The Government still denies registration to Jehovah's Witnesses, although there are enough members to qualify; the group was in the process of providing requested information to experts in the Government at the end of the period covered by this report. Several other religious groups are unregistered, including the Molokhany, a branch of the Russian "Old Believers," and some Yezidis. According to a government official, those two groups, which number in the hundreds, have not sought registration. According to the leadership of the Yezidi community, appeals to officials on their behalf regarding alleged societal discrimination elicited only a vague, non-committal response. By the end of the period covered by this report, the Government registered 48 religious organizations, some of which are individual congregations from within the same denomination. All previously registered denominations have been reregistered annually. The Hare Krishnas do not have enough members to qualify, as their numbers had dropped below even the previous membership threshold of 50.

There is no formally operating mosque; however, Yerevan's one surviving 18th century mosque, which was restored with Iranian funding, is open for regular Friday prayers. While its legal basis is tenuous since it is not registered as a religious facility, the Government does not create any obstacles for Muslims who wish to pray there.

The law permits religious education in state schools only by instructors appointed by the Armenian Apostolic Church. If requested by the school principal, the Armenian Apostolic Church sends priests to teach classes in religion and religious history in those schools; however, students may choose not to attend such classes. In 2002 many schools introduced the history of the Armenian Apostolic Church as part of mandatory coursework on religion, covering global religions in elementary

school and the Armenian Apostolic Church in middle school. Other religious groups are not allowed to provide religious instruction in schools, although registered groups may do so in private homes to children of their members.

As a result of extended negotiations between the Government and the Armenian Apostolic Church, a memorandum was signed in 2000 that provided for the two sides to negotiate a concordat. This was scheduled to occur in time for the 1,700th anniversary celebrations in 2001 of the country's conversion to Christianity; however, disagreements in some areas precluded this and negotiations were in progress at the end of the period covered by this report. The document is expected to regulate relations between the two bodies, settle disputes over ecclesiastical properties and real estate confiscated during the Soviet period, and define the role of the Armenian Apostolic Church in such fields as education, morality, and the media.

The Government's Human Rights Commission, together with the Commission on National Minorities, continued to meet with many religious minority organizations during the period covered by this report.

Local nongovernmental organizations (NGOs) organized at least two nationwide seminars on religious freedom during the period covered by this report. The meetings brought together national representatives of religious groups and government representatives.

Restrictions on Religious Freedom

During the period covered by this report, most registered religious groups reported no serious legal impediments to their activities. However, members of faiths other than the Armenian Apostolic Church are subject to some government restrictions. In particular the 1991 law forbids "proselytizing" (undefined in the law), except by the Armenian Apostolic Church, and required all other religious denominations and organizations to register with the Government. The Government continued to deny registration to the Jehovah's Witnesses during the period covered by this report, despite their six attempts to register since 1995. The CRA previously had stated that the denial was due to the group's opposition to military service; however, in 1999 and 2000 the Council defended its refusal to accept applications by the Jehovah's Witnesses by stating that the group cannot be registered because "illegal proselytism" is allegedly integral to its activities. Discussions between Jehovah's Witnesses and the CRA were suspended in 2001 due to a lack of progress on this issue. No

further discussions between Jehovah's Witnesses and the CRA regarding registration took place in 2001 and 2002 prior to the CRA's abolition. In October 2002, the newly appointed Advisor on Religious Affairs sent a compromise proposal to the Jehovah's Witnesses, suggesting changes in their administrative by-laws that would allow for the group's registration. The Jehovah's Witnesses are considering the proposals, pending the decision of the Assembly of Jehovah's Witnesses.

Although the law bans foreign funding for foreign-based churches, the Government has not enforced this ban and considers it unenforceable. The law also mandates that religious organizations other than the Armenian Apostolic Church need prior permission from the Government to engage in religious activities in public places, travel abroad, or invite foreign guests to the country. However, in practice travel by religious personnel is not restricted, and at the end of the period covered by this report it was not clear how the CRA's abolition would affect such travel. No action has been taken against missionaries. A 1993 presidential decree required the CRA to investigate the activities of the representatives of registered religious organizations and to ban missionaries who engage in activities contrary to their status. However, religious groups did not report any investigations of missionaries during the period covered by this report.

Abuses of Religious Freedom

At the end of the period covered by this report, 23 members of Jehovah's Witnesses remained in prison and 7 in pretrial detention charged with draft evasion or, if forcibly drafted, with desertion due to refusal to serve. During the reporting period, eight members who had been serving terms were released to house arrest after serving one-third of their sentences. Representatives of Jehovah's Witnesses said that those imprisoned were members of their community who had been called for military service and went directly to police to turn themselves in rather than waiting until induction to declare conscientious objection. Between mid-2001 and 2002, Amnesty International reported that at least 16 conscientious objectors were released from detention after serving only part of their sentences, although they were required to report regularly to the police. Others were released under the terms of an amnesty.

As part of its required undertakings for joining the Council of Europe (COE), the Government pledged in January 2001 to pass a new law conforming to European standards on alternatives to military

service within 3 years. Government officials stated that, according to their interpretation of COE regulations, those presently in prison as conscientious objectors were not required to be released until the new law was passed. However, COE officials stated that their interpretation was that the Government's undertaking required immediate release of such conscientious objectors. At the end of the period covered by this report, two different drafts of proposed legislation were circulating within the Government for comments. A local official of Jehovah's Witnesses said that they had no objection to any alternative forms of civil service; however, they could not take part in anything categorized as military service even if it did not involve bearing arms.

There are reports that hazing of new conscripts is more severe for Yezidis and other minorities and that military and civilian security officials' treatment of members of Jehovah's Witnesses is even harsher, because their refusal to serve in the military is seen as a threat to national survival.

By law, a religious organization that has been refused registration may not publish newspapers or magazines, rent meeting places, broadcast programs on television or radio, or officially sponsor the visas of visitors. During the period covered by this report, members of Jehovah's Witnesses did not report experiencing difficulty renting meeting places as in the past. Lack of official visa sponsorship means that Jehovah's Witnesses visitors must pay for tourist visas. In previous years, there were reports that government officials seized Jehovah's Witness publications at the border. Although members of Jehovah's Witnesses supposedly were allowed to bring in small quantities of printed materials for their own use, Jehovah's Witnesses officials reported that "spiritual letters" from one congregation to another, which they said were meant for internal rather than proselytizing purposes, continued to be confiscated by customs officials.

The International Helsinki Federation reported that in recent years there have been numerous allegations that members of non-traditional religions, including Jehovah's Witnesses, have been dismissed from their jobs or physically attacked due to their faith. In May the country's highest court reinstated Zemfira Voskanyan to her position as financial controller for a regional police division after having been fired for her membership in the Jehovah's Witnesses. Voskanyan returned to work but appealed the decision, challenging the constitutionality of an internal law enforcement regulation requiring all officers to be members of

the Armenian Apostolic Church. The appeal was eventually dismissed on technical grounds. In 2001, Jehovah's Witnesses official Levon Markarian was arrested and charged under a Soviet-period antireligious law, which remains in force pending adoption by Parliament of a new Criminal Code, with "influencing people to refuse their civic duties" (i.e., service in the military) and "leading children astray" by inviting them to unsanctioned religious meetings. In 2001 a court acquitted Markarian of the charge after a lengthy trial, and in 2002 the Appeals Court and the Court of Cassation, the country's highest court, rejected the Procurator General's appeal and upheld the acquittal. The Organization for Security and Cooperation in Europe (OSCE) closely monitored the case.

Other than Jehovah's Witnesses who were conscientious objectors, there were no other reports of religious prisoners or detainees.

Forced Religious Conversion

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.



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Section III. Societal Attitudes

The generally amicable relationship among religions in society contributed to religious freedom; however, societal attitudes towards some minority religions are ambivalent.

The Armenian Apostolic Church is a member of the World Council of Churches and, despite doctrinal differences, has friendly official relations with many major Christian denominations, including the Eastern Orthodox churches, the Roman Catholic Church, the Anglican Church, and major Protestant churches. In 2001, the Armenian Apostolic Church celebrated the 1,700th anniversary of the official conversion of Armenia to Christianity. For this occasion, Pope John Paul II paid the first visit to the country by a head of the Roman Catholic Church, and Orthodox Patriarchs Bartholomew I of Constantinople and Aleksey II of Moscow, along with numerous other religious figures, also visited Yerevan.

Suppressed through 70 years of Soviet rule, the Armenian Apostolic Church has neither the trained priests nor the material resources to fill immediately the spiritual void created by the demise of Communist ideology. Nontraditional religious organizations are viewed with suspicion, and foreign-based denominations operate cautiously for fear of being seen as a threat by the Armenian Apostolic Church.

Societal attitudes toward most minority religions are ambivalent. Many citizens are not religiously

observant, but the link between religion and Armenian ethnicity is strong. As a result of the Karabakh conflict with Azerbaijan, most of the country's Muslim population was forced to leave the country. Antipathy towards Muslims remains a problem, and the few Muslims remaining in the country keep a low profile, despite generally amicable relations between the Government and Iran.

There was no officially sponsored violence reported against minority religious groups during the period. Yezidi children on occasion reported hazing by teachers and classmates. Some observers reported increasingly unfavorable attitudes toward members of Jehovah's Witnesses among the general population, both because they are seen as "unpatriotic" for refusing military service and because of a widespread but unsubstantiated belief that they pay money to the desperately poor for conversions. The press reported a number of complaints lodged by citizens against members of Jehovah's Witnesses for alleged illegal proselytizing. Jehovah's Witness representatives reported a few cases during the year in which the Prosecutor General's office sent official warnings to individual members regarding their proselytizing activities, and the group was at times the focus of religious attacks and hostile preaching by some Armenian Apostolic Church clerics.

Although it is difficult to document, it is likely that there is some informal societal discrimination in employment against members of certain religious groups.

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Section IV. U.S. Government Policy

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. The U.S. Ambassador and Embassy officials maintain close contact with the Catholicos at Etchmiadzin and with leaders of other major religious and ecumenical groups in the country. During the period covered by this report, Embassy officials met with the Military Prosecutor to discuss, among other topics, hazing of minority conscripts and the status of Jehovah's Witnesses, and continued to meet with the government officials to urge that progress be made towards registering Jehovah's Witnesses. The Embassy also maintains regular contact with traveling regional representatives of foreign-based religious groups such as the Mormons and Jehovah's Witnesses and raises their concerns with the Government. Embassy officials closely monitor trials related to issues of religious freedom and take an active role in policy forums and NGO roundtables regarding religious freedom.

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