



AMNESTY INTERNATIONAL

ARMENIA: APPEAL CASES

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Further information on Appeal Case sheet EUR 54/004/2001 (2 May 2001)

The death in custody of Artush Ghazarian

Lieutenant-Colonel Artush Ghazarian was tortured so severely by law enforcement officials that he died in custody in September 1999. At least eight officials subsequently stood trial, and six of them were reportedly sentenced to various terms of imprisonment on 13 June 2000. However, two prison officials of the medical department, who were convicted in June 2001, were included in an amnesty resulting in the reduction of the prison term of one and the release of the other official. Amnesty International is seeking information as to whether the seven officers who served prison terms are still in prison, and on what grounds the amnesty was applied to the medical staff.

On 17 September 1999 Lieutenant-Colonel Artush Ghazarian, who was the Military Commissar of Tashir district in the northern Lori region, was taken into custody at investigation-isolation prison No. 3 in the city of Vanadzor under charges of failure to execute an order and abuse of authority. He is said to have frequently protested his innocence, including by declaring a hunger strike.

Photo: Lieutenant-Colonel Artush Ghazarian; © Mikael

The following account of events leading to Artush Ghazarian's death was given to Amnesty International by the General Procurator's Office in Armenia, in its detailed letter of 30 March 2000.

As a result of the hunger strike and stress Artush Ghazarian's health deteriorated, to the point that on 27 September 1999 a psychiatrist diagnosed reactive depression and stressed that the prisoner needed to be hospitalized. The prison administration of the investigation-isolation prison ignored this recommendation, and decided to forcibly feed rather than hospitalize him.

At around 5pm on 27 September 1999 two prison doctors and three other officials took Artush Ghazarian from the punishment cell to room No. 1 in the prison, where they laid him on an iron bed with no mattress and tried to force him to eat. To facilitate this forcible feeding one of the officials tied Artush Ghazarian to the bed by his hands and feet. When Artush Ghazarian resisted, he was violently assaulted. As a result Artush Ghazarian suffered from bleeding in the brain and "softness" of the brain (encephalomalacia) - the direct cause of death - as well as a broken nose, six broken ribs, a ruptured lung and other injuries. Artush Ghazarian passed out, and died without regaining consciousness at 7pm on 29 September 1999.

On the same day the procurator of Lori region opened a criminal case into the death of Artush Ghazarian. On 30 September the Procurator General ordered that the case be transferred to the General Procuracy, and an investigatory group was established. During the course of the investigation investigators are said to have uncovered other instances in a period from 1996 to 1999 in which officials at Vanadzor

¹ Please use this Appeal Case sheet as the basis for your letter-writing and outreach until further notice.

investigation-isolation prison No. 3 had systematically beaten prisoners and extorted from them or their relatives sums of money, valuables, clothing and food.

On 13 June 2000, six officials of investigation-isolation prison No. 3 in Vanadzor were convicted on charges related to torture and ill-treatment of detainees, including the torture of Artush Ghazarian, and sentenced to between one and 10 years' imprisonment. One official was convicted on charges including "intentional infliction of grave bodily injury" (Art. 105). The others were convicted on charges not involving serious bodily injury, such as "abuse of power". On 21 June 2001, the head of the medical department at the detention centre as well as a medical practitioner were convicted to five and two years' imprisonment respectively. However, both officials were included in an amnesty: the prison term of the head of the medical department was reduced to three years and four months, and the medical practitioner was released from the court room.

On 12 July 2001, the Presidential Human Rights Commission of the Republic of Armenia heard the complaints of family members of military servicemen who alleged torture, ill-treatment and violations of due process in some 50 cases. The case materials were reportedly forwarded to the General Procuracy, and a special working group of seven senior procurators was created to investigate the allegations. Following the working group's investigations, the Presidential Human Rights Commission reportedly stated that the allegations of undue pressure on military servicemen by the Military Procuracy could be confirmed in at least four cases, including the case of Artush Ghazarian. Amnesty International is seeking information as to which steps were taken with regard to the case of Artush Ghazarian following the investigation by the special working group.

Recommended actions:

Please send politely worded letters in English, Russian, Armenian or your own language,

- expressing concern that Artush Ghazarian died in custody on 29 September 1999, as a result of physical assaults by prison officials and doctors at investigation-isolation prison No. 3 in Vanadzor;
 - asking the authorities to inform you of the exact charges and sentences of all officials convicted in connection with the death of Artush Ghazarian;
 - asking the authorities to inform you whether the six officials who were convicted on 13 June 2000 were still imprisoned and, if not, to inform you of the reasons of their release;
 - asking the authorities to inform you on what grounds an amnesty was applied to the medical staff, who were convicted on 21 July 2001;
 - asking the authorities to inform you what steps were taken following the investigation by the special working group set up by the General Procuracy in July 2001, which reportedly confirmed that undue pressure was exerted on Artush Ghazarian;
 - To stress your point remind the authorities of their obligations to prohibit torture under international human rights treaties such as the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the European Convention for the Protection of Human Rights and Fundamental Freedoms.
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Whom to write

<u>President</u>	<u>Procurator General</u>	<u>Presidential Human Rights Commission</u>	<u>Minister of Foreign Affairs</u>
Robert KOCHARIAN Respublika Armenia; 375019 g. Yerevan; pr. Marshala Bagramiana, d. 26; Prezidentu Respubliki Armeniya; KOCHARIANU, R. ARMENIA (CIS) Fax: + 374 1- 52 15 81; 52 17 96; 15 11 52	Aram TAMAZIAN Respublika Armenia; 375010 g. Yerevan; ploshch Shaumiana; Prokuratura RA; Generalnomu prokuroru; TAMAZIANU, A.; ARMENIA (CIS)	 Respublika Armenia; 375077 g. Yerevan; pr. Marshala Bagramiana, 26; Apparat Prezidenta RA; Komitet po pravam cheloveka pri Prezidente; Ispolnyayushchemu obyazannostey Predsedatelya, ARMENIA (CIS)	Vartan OSKANIAN Respublika Armenia; 375010 g. Yerevan; Pravitelstvenny d. 1; ploshch. Respubliki; Ministerstvo inostrannykh del RA; Ministru OSKANIANU, V.; ARMENIA (CIS) Fax: + 374 1- 50 72 50; 52 17 96; 151 042
Salutation: Dear President	Salutation: Dear Procurator General	Salutation: Dear Sir/Madam	Salutation: Dear Minister

Send copies of your letters to:

- the Director of the investigation-isolation prison where Artush Ghazarian died (name not known):

Respublika Armenia; g. Vanadzor; SIZO No.3; Direktoru uchrezhdeniya; ARMENIA (CIS)
- the Minister of Justice, Davit Harutyunian:

Respublika Armenia; 375010 g. Yerevan; ul. Khorudarani, 8; Ministerstvo yustitsii; Ministru HARUTYUNIANU D.; ARMENIA (CIS)
- the Ambassador of Armenia to your country (if there is one)

Send a copy of one of your letters to:

- the Helsinki Association, a human rights organization working on Artush Ghazarian's case:

Respublika Armenia; 375012 g. Yerevan; 24 Papazian Str., d. 11; Helsinki Association; Mikael Danielyan; ARMENIA (CIS)

PLEASE SEND ANY REPLIES FROM THE ARMENIAN AUTHORITIES AS SOON AS POSSIBLE TO THE INTERNATIONAL SECRETARIAT OF AMNESTY INTERNATIONAL. (South Caucasus and Central Asia Research and Campaign Team; Amnesty International; 1 Easton Street; London WC1 X ODW; United Kingdom)