



# AMNESTY INTERNATIONAL

## ARMENIA: APPEAL CASES

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### Death in custody of Artush Ghazarian

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 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, and broken the internal regulations of prison, for which he was placed in a punishment cell. He is also said to have declared a hunger strike.

Photo: Lieutenant-Colonel Artush Ghazarian; © Private

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 investigation-isolation prison No. 3 in Vanadzor ignored this recommendation, and decided to forcibly feed Artush Ghazarian 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. As a result of the investigation, one of the officials (whose name is known to Amnesty International) who participated in the beatings was taken into custody. He was charged with "intentional infliction of grave bodily injury", "exceeding his authority or official powers" and "extortion".

However, the General Procurator's Office did not report on any charge or charges faced by the other officials, including two prison doctors, who have reportedly been present during the beating of Artush Ghazarian. Unofficial sources have reported that they were detained initially, but then subsequently released.

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<sup>1</sup> Please use this "Appeal Case" sheet as the basis for your letter-writing until further notice.

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

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### **Recommended actions:**

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

- express concern that Artush Ghazarian died in custody as a result of forcible feeding and physical assaults by prison officials and doctors at investigation-isolation prison No. 3 in Vanadzor;
  - ask the authorities to inform you of any results of the investigation opened into Artush Ghazarian's death;
  - ask the authorities to inform you in which detention facility the prison official who was charged with "intentional infliction of grave bodily injury" (Article 105 of the criminal code), "exceeding his authority or official powers" (Article 183) and "extortion" (Article 94) in connection with Artush Ghazarian's death is currently kept;
  - ask the authorities on which grounds the other prison officials and the doctors who reportedly also forcibly fed and assaulted Artush Ghazarian were released on 6 October 1999 after they had been detained in the context of the investigation;
  - stating that impunity for those prison officials and doctors who caused Artush Ghazarian's death would send a wrong signal to society.
  - 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

<b><u>President</u></b>	<b><u>Procurator General</u></b>	<b><u>Minister of Foreign Affairs</u></b>	<b><u>Minister of Internal Affairs</u></b>
Robert KOCHARIAN	Aram TAMAZIAN	Vartan OSKANIAN	Lt-General Haik HARUTIUNIAN
Respublika Armenia; 375019 g. Yerevan; pr. Marshala Bagramiana, d. 26; Prezidentu Respubliki Armeniya; KOCHARIANU, R. ARMENIA	Respublika Armenia; 375010 g. Yerevan; ploshch. Shaumiana; Prokuratura RA; Generalnomu prokuroru; TAMAZIANU, A.; ARMENIA	Respublika Armenia; 375010 g. Yerevan; Pravitelstvenny d. 1; ploshch. Respubliki Ministerstvo inostrannykh del RA; Ministru OSKANIANU, V.; ARMENIA	Respublika Armeniya; 375015 g. Yerevan; ul. Nalbandian, 130; Ministerstvo vnutrennikh del RA; Ministru HARUTIUNIAN, H.; ARMENIA
Fax: + 374 1- 52 15 81; 52 17 96; 15 11 52		Fax: + 374 1- 50 72 50; 52 17 96; 151 042	Fax: (374 1) 52 03 10
<b>Salutation: Dear President</b>	<b>Salutation: Dear Procurator General</b>	<b>Salutation: Dear Minister</b>	<b>Salutation: Dear Minister</b>

Send copies of your letters to:

- the Ambassador of Armenia to your country (if there is one)

**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)**