

# AMNESTY INTERNATIONAL

## ARMENIA: APPEAL CASES

October 2001<sup>1</sup>; AI Index: EUR 54/009/2001; public  
Further information on Appeal Case sheet EUR 54/006/2001 (2 May 2001)

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**Cases:** Nairi Unanian, Karen Unanian, Aleksan Arutiunian, Arutiun Arutiunian, Nairi Badalian, Musheg Movsisian  
**Concerns:** Torture/ill-treatment in detention and lack of impartial investigation into these allegations

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### **Alleged ill-treatment of detainees arrested in connection with the October 1999 shootings in the Armenian parliament**

A number of men arrested in connection with the October 1999 shootings in the Armenian parliament have alleged that they were ill-treated, including by being drugged, beaten, and denied sleep for extended periods of time while in pre-trial detention. Some of the defendants reportedly lodged complaints against their treatment with the authorities. However, Amnesty International has received a number of reports that raise concern about the degree of impartiality and thoroughness with which the authorities dealt with these complaints. According to unofficial sources no criminal proceedings have yet been opened against anybody alleged to have participated in the ill-treatment. Reportedly, while in pre-trial detention some of the detainees were on occasion prevented from seeing their lawyers and were not allowed to be visited by their families. Worrying in themselves, the allegations of ill-treatment and lack of access are of even greater concern considering that some of the accused in this case may face a death sentence if convicted.

Photo: Nairi Unanian in the courtroom; © Haykakan Zhamanak

On 27 October 1999 a group of five armed men, including Nairi and Karen Unanian, burst into the chamber of the Armenian parliament, the National Assembly, and opened fire on senior officials. A total of eight men died, including the Prime Minister, the Speaker of Parliament, and the latter's two deputies. The armed men took hostages, but surrendered the following day. A number of arrests of alleged accomplices followed, including Aleksan Arutiunian, Arutiun Arutiunian, Nairi Badalian and Musheg Movsisian. At the time, Nairi Unanian, the alleged leader of the group of armed men, told the press that the reason for the shootings was to draw attention to "the miserable situation of the Armenian people. The people are starving. In Armenia, there is no positive movement or evolution at all."

At the time of the shootings Amnesty International expressed its condolences about the murders to President Kocharian. However, since then the organization has continued to urge that all stages of the

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

proceedings connected with the shootings be conducted according to international fair trial standards, which Armenia has undertaken to uphold. The organization has also urged the Armenian authorities to conduct comprehensive and impartial investigations into all allegations of torture and ill-treatment in this case as well as to make the results public and, if the allegations are sustained, to bring anyone identified as responsible to justice. Amnesty International has not received a substantive response, but press reports have quoted officials as saying that their investigations found no evidence to support the allegations.

The trial into the armed attack on the Armenian parliament on 27 October 1999 opened on 15 February 2001 at the court of first instance of Yerevan's Tsentr and Nork-Marash communities.

## **Alleged ill-treatment of Nairi and Karen Unanian**

36-year-old former journalist Nairi Unanian and his younger brother Karen Unanian were part of the group of armed men who burst into the Armenian parliament on 27 October 1999 and opened fire on senior officials. Nairi Unanian is said to have been the leader of the group. After their arrest on 28 October 1999, both men were brought to the investigation-isolation prison of the Ministry of National Security in Yerevan, the capital of Armenia. Both men have stated that they were beaten while in pre-trial detention and that they faced threats and "psychological pressure" from the investigators to give false testimonies, including the naming of alleged accomplices, some of whom were subsequently arrested. Nairi Unanian alleged that he was beaten with rubber batons over an extended period of time by four people. In May 2000 Nairi and Karen Unanian wrote to President Robert Kocharian and withdrew all of their evidence statements against Aleksan Arutiunian, Arutiun Arutiunian, Nairi Badalian, and Musheg Movsisian on the grounds that they had been extracted under duress.

While giving testimony during the trial on 17 April 2001, Nairi Unanian is reported to have repeated his allegations that he was tortured during the pre-trial investigation and was forced to make statements against a number of people allegedly involved in the October 1999 shootings. According to Nairi Unanian, a formal statement he had made on 8 June 2000, describing how he was tortured during the pre-trial investigation, had not been included in the material before the court. During the court hearing the next day, the prosecution reportedly submitted to the court Nairi Unanian's formal statement of 8 June. The prosecution reportedly explained that on 1 June 2000, Nairi Unanian had filed a complaint regarding the method of investigation, in response to which an intradepartmental investigation was opened. The investigation reportedly concluded on 30 June with a decision not to initiate criminal proceedings for lack of sufficient evidence.

## **Alleged ill-treatment in detention of former Presidential Advisor Aleksan Arutiunian, Deputy Executive Director of Armenian Television Arutiun Arutiunian, former journalist Nairi Badalian and former member of parliament Musheg Movsisian**

Aleksan Arutiunian, Arutiun Arutiunian, Nairi Badalian, and Musheg Movsisian were arrested between November 1999 and January 2000 under charges of involvement in the October 1999 shootings in Parliament. All men allege that they were beaten and faced threats from the investigators while in custody. In addition to that, Musheg Movsisian and Arutiun Arutiunian report that they were drugged while in detention in order to make them confess and testify against other defendants. All four men were released in the first half of the year 2000 and criminal charges against them were dropped. However, it is not known whether criminal cases have been opened against any of the alleged perpetrators.

Photo: Musheg Movsisian;  
© Ruben Mangasarian

"They made me stand outside in freezing temperatures in the winter without warm clothing. I was doused with water. They chained me to a metal chair while some 10 people beat me, knocking out some of my teeth. Also, they made me stand against a wall for extended periods of time without sleep. Officials threatened to rape my wife and sister if I didn't give 'the necessary testimony'," reports Nairi Badalian.

"I was severely beaten by police when I was held in prison. They hit me with batons on the soles of my feet and tried to drug me in order to make me confess," reports Musheg Movsisian.

"When I was brought to the Military Procurator's office on 6 March 2000, I was given coffee after which I began to feel dizzy, nauseous, and had problems with my eyesight. I was then questioned and brought printed sheets of paper to sign which I refused to do. I was still suffering from the symptoms three days later," reports Arutiun Arutiunian.

Some of the defendants reportedly lodged complaints against their treatment with the authorities. However, Amnesty International has received a number of reports that raise concern at the impartiality and the procedures according to which the authorities dealt with these complaints. Arutiun Arutiunian, for example, lodged a complaint against the military procuracy in charge of the investigation on 8 March 2000. On 15 March 2000 the Procurator General of Armenia rejected Arutiun Arutiunian's complaint alleging ill-treatment, for lack of evidence. However, commenting on the decision, a spokesperson for the Procurator General's office is said to have stated that Arutiun Arutiunian had not been visited by any of the prison's medical professionals, nor needed medical attention, since his arrest on 5 January 2000 (in spite, it appears, of him having staged a hunger strike).

Musheg Movsisian's lawyer, Kromvel Grigorian, had requested a forensic medical examination which was granted on 23 December 1999 by the Military Prosecutor's office that was in charge of the investigation. The subsequent report was said to have concluded in mid-January that Musheg Movsisian was in good health and showed no signs of ill-treatment. Kromvel Grigorian requested a second examination of his client, however, claiming that the first examination had been incomplete in the absence of necessary specialists. The request was turned down by the head of the investigatory group at the military procuracy. A complaint lodged by Musheg Movsisian alleging that officials tried

to drug him on 29 February 2000 as a means of extracting testimony was turned down by the Procurator General.

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## Recommended actions:

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

- stating that Amnesty International recognizes the highly charged atmosphere surrounding the October 1999 killings in Parliament, and had expressed its condolences about the murders to President Kocharian, but is still concerned at alleged fair trial violations including reports of ill-treatment in custody, in some cases allegedly to induce suspects to give testimony;
- urging the authorities to launch independent and prompt investigations into the allegations that Nairi and Karen Unanian, Aleksan Arutiunian, Arutiun Arutiunian, Nairi Badalian, and Musheg Movsisian were ill-treated while in custody (including allegations that Musheg Movsisian and Arutiun Arutiunian were drugged by officials at the Military Procurator's office on 29 February and 6 March 2000 respectively) with the results made public and those found responsible brought to justice. *To stress your point you can add that this would be in line with commitment "v.iv" formulated by the Parliamentary Assembly of the Council of Europe (PACE) that Armenia has to honour as a member of the Council of Europe (Opinion No. 221 (2000), v.iv);*
- stating that impunity for law enforcement officials who ill-treat detainees would send a wrong signal to society.
- 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

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## Whom to write

<u>President</u>	<u>Procurator General</u>	<u>Minister of Foreign Affairs</u>
Robert KOCHARIAN  Respublika Armenia; 375019 g. Yerevan; pr. Marshala Bagramiana, 26; Prezidentu RA; KOCHARIANU, R. ARMENIA  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	Vartan OSKANIAN  Respublika Armenia; 375010 g. Yerevan; Pravitelstvenny dom 1; ploshch. Respubliki Ministerstvo inostrannykh del RA; Ministru OSKANIANU, V.; ARMENIA  Fax: + 374 1- 50 72 50; 52 17 96; 151 042
<b>Salutation: Dear President</b>	<b>Salutation: Dear Procurator General</b>	<b>Salutation: Dear Minister</b>

Send copies of your letters to:

- the Ambassador of Armenia to your country (if there is one)
- the Director of investigation-isolation prison of the Ministry of National Security in Yerevan where Nairi and Karen Unanian are kept:

Respublika Armenia  
g. Yerevan  
SIZO  
Sovetashenskoye shosse 20  
Direktoru ARUTYUNYANU, S.  
ARMENIA

- the Military Procurator in whose office Musheg Movsisian and Arutiuan Arutiunian were allegedly drugged to extract a confession:

Respublika Armenia  
g. Yerevan;  
Voyennaya prokuratura RA;  
Voyennomu prokuroru  
JANGIRIANU, G.;  
ARMENIA

KEYWORDS: TORTURE/ILL-TREATMENT1 / IMPUNITY / INCOMMUNICADO DETENTION / TRIALS /  
CONFESSIONS / PHOTOGRAPHS

**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 WC1X ODW; United Kingdom)**