

## **Table of Contents**

- ***Armenia transfers rights to Yerevan's Blue Mosque to Iran for 99 years***
- ***Will anger over apparent rigging of constitutional referendum revive support for Armenian opposition?***
- ***Freedom of religion or belief in Armenia***
- ***Jehovah's Witnesses: Restrictions on religious freedom***
- ***Conscientious objectors contribute to the well-being of people in need***

---

## **Armenia transfers rights to Yerevan's Blue Mosque to Iran for 99 years**

Interfax Religion (10.12.2015) - <http://bit.ly/1O8GEyj> - The Armenian government made a decision at its session on Thursday to transfer the rights to the Blue Mosque, located in the center of the capital Yerevan, to Iran for a period of 99 years.

An appropriate treaty will be signed with the Iranian Embassy in Armenia.

Armenian Culture Minister Hasmik Poghosian has said that the mosque's building will be used by Iran as a cultural center.

The government also adopted a decision recognizing the Blue Mosque and the adjoining land plot as property of the Republic of Armenia. The building has been included in Armenia's state list of historical and cultural immovable monuments that cannot be disposed of.

Yerevan's Blue Mosque was built in 1766. Its reconstruction in 1996-1999 was financed in Iran.

---

## **Will anger over apparent rigging of constitutional referendum revive support for Armenian opposition?**

Radio Free Europe/Radio Liberty (08.12.2015) - <http://bit.ly/1OKW4JP> - The two opposition groups that campaigned against the passage of sweeping constitutional amendments that will transform Armenia from a semipresidential into a parliamentary republic rejected the official outcome of a nationwide referendum in which, according to the Central Election Commission, voters approved the proposed changes by a ratio of almost 2:1. The two groups said on December 7 that the plebiscite held the previous day was falsified.

Former President Levon Ter-Petrosian's Armenian National Congress (HAK), which spearheaded the "No" campaign, demanded the annulment of the results in light of what its deputy chairman, Levon Zurabian, described as "mass falsification."

A coalition of four NGOs that deployed observers at polling stations likewise rejected the referendum, saying that it was marred by "an arsenal of fraud and abuses" and that the official results were rigged.

The more hard-line New Armenia Public Salvation Front -- which unites Zhirair Sefilian's extra-parliamentary movement 100 Years Without The Regime and the Zharangutiun party headed by U.S.-born former Foreign Minister Raffi Hovanissian, President Serzh Sarkisian's main challenger in the 2013 presidential ballot -- has launched a sit-in protest on Yerevan's Liberty Square.

Whether or not the official outcome of the referendum is a true reflection of voters' preferences, the low voter turnout (50.51 percent, officially) and the poor attendance at rallies convened over the past couple of months by the political forces opposed to the proposed changes testify to a profound apathy that is difficult to reconcile with intense popular dissatisfaction with and alienation from the Sarkisian regime.

At the same time, there were clear similarities between this referendum and earlier ones in 2003 and 2005. In May 2003, turnout was officially given as 52.1 percent, but only 50.5 percent of those who participated approved the proposed changes, less than the required minimum one-third of all registered voters, and the results were annulled.

Eighteen months later, in November 2005, turnout in a repeat referendum was said to be 65.33 percent, of whom 94.5 percent voted in favor. The turnout figure was rejected out of hand by the two dozen opposition parties that aligned to campaign against the proposed changes, who claimed the true figure was just 16.3 percent, and questioned by the handful of international observers present.

### ***Opposition Marginalized***

As noted above, this time around two separate opposition alignments campaigned against the proposed amendments. New Armenia called for a boycott of the referendum as part of a broader sustained campaign of civil disobedience that it hoped would culminate in a "revolution" and Sarkisian's resignation.

Attendance at its rallies in Yerevan ranged from a few hundred to a maximum of 1,000 people, whereas the mainstream "No" Front that united a number of opposition parties and groups -- including the HAK, the People's Party of Armenia, Founding Parliament, and the movement No to Plunder, formed to lobby against the energy price hike announced earlier this year -- reportedly attracted up to 1,500.

By contrast, in February 1988, Armenians converged on Yerevan in the hundreds of thousands in support of the popular demand for the Nagorno-Karabakh Autonomous Oblast, as it was then called, to be transferred from Azerbaijani to Armenian jurisdiction. Twenty years later, up to 100,000 people took to the streets to protest the perceived falsification of the presidential ballot in which Sarkisian defeated Ter-Petrosian.

Political analyst Aleksandr Iskandarian has pointed out that the marginalization of the opposition in recent years has proceeded in tandem with the steady entrenchment of President Sarkisian's Republican Party of Armenia, and the latter now dominates national politics to the point that "for the authorities to take demonstrators' demands seriously, you would need to bring at last half a million people out onto the street." That is approximately one sixth of the country's total population of 2.9 million.

Yet none of the various opposition groups currently seems capable of mobilizing more than a few thousand supporters at most.

Several factors have contributed to the current widespread unwillingness to engage in any kind of political activity. The first is that there is no single charismatic opposition figure capable of uniting disparate groups in a broad movement. Those opposition leaders who dominated politics during the first decade of this century, including Ter-

Petrosian, Aram Sarkisian (no relation to Serzh), and Zharangutian chairman Hovannisian, are increasingly perceived as spent forces.

The second is the widely held conviction, partly substantiated by criticisms voiced by successive international election observation missions, that every single election since 1998, whether presidential or parliamentary, was rigged, and that consequently it is impossible to bring about regime change peacefully, by means of a free and democratic ballot.

### **'People From Facebook'**

What Manvel Sarkisian (also no relation to Serzh) of the Center for Strategic and National Research terms the resulting "paralysis of the election process" not only serves to discourage much of the population at large from participating in elections, let alone protests. It also affects opposition parties, which according to former presidential candidate Andreas Ghukasian of the civic movement Rise Up, Armenia see little point in drafting detailed and sophisticated manifestos with which to attract voters in an election whose outcome has, they firmly believe, been predetermined by the authorities.

As a further factor contributing to waning public faith in the opposition, New Armenia's Sefilian identifies its failure on several occasions in recent years to make a resolute push for power despite having mobilized tens of thousands of people, as Ter-Petrosian did in the spring of 2011.

In Ter-Petrosian's case, his forbearance may have been dictated by the desire to avoid a recurrence of the violent post-election clashes in 2008 between his supporters and police, in which at least 10 people died. Whether fear of police brutality still serves as a deterrent against participating in political protests is unclear.

Iskandarian contrasted the marginalization of the "traditional" opposition with the success of the mostly younger, middle class activists -- he calls them "the people from Facebook" -- who mobilized thousands of people in Yerevan in May-June to protest a proposed increase in electricity tariffs.

Iskandarian pointed out that many of those demonstrators were so young they were not personally affected by the planned price rise, as "it's their parents who pay the utility bills." The issue nonetheless served as a catalyst for a broader manifestation of discontent, but the organizers were unable to attract massive support from outside their own social group.

Iskandarian has nonetheless identified one issue that he says could instantly impel Armenians to take to the streets in protest, namely any threat to the current quasi-independent status of the Nagorno-Karabakh Republic. Whether the apparent rigging of the referendum outcome will serve the same purpose remains to be seen.

---

## **Freedom of religion or belief in Armenia**

***By Willy Fautré, Human Rights Without Frontiers***

HRWF (13.05.2015) - According to the 2011 population census, approximately 92% of the population identify themselves as affiliated with the Armenian Apostolic Church<sup>1</sup>. Other religious groups, constituting less than five percent each of the total population, include Roman Catholics, Armenian Uniate (Mekhitarist) Catholics, Orthodox Christians,

---

<sup>1</sup> The question about the religious affiliation was first introduced in the census in 2011.

Evangelical Christians, Molokans, Pentecostals, Seventh-day Adventists, Baptists, Charismatic Christians, Jehovah's Witnesses, The Church of Jesus Christ of Latter-day Saints (Mormons), Yezidis, Jews, Sunni Muslims, Shia Muslims, pagans, and others.

Yezidis are concentrated primarily in agricultural areas northwest of Yerevan around Mount Aragats. Adherents of the Armenian Catholic Church mainly dwell in the northern regions of the country (the overwhelming majority of them are traditionally members of the Catholic Church). Most Jews, Mormons, and Orthodox Christians reside in Yerevan, along with a small community of Muslims, most of whom are Shia, including Iranians and temporary residents from the Middle East.

Statistics about religious affiliation are always open to controversies and Armenia is not an exception. In its report 'Community and the Country' published in 2014, the Helsinki Committee of Armenia devotes a chapter to the religious census under the title "Is the number of believers falsified? Religious organisations don't acknowledge the census data." All minority religions agree to say that the calculation of their own membership does not match the official statistics and they provide convincing figures. And the Helsinki Committee writes:

Members of legally acting religious organisations and human rights activists are ascertained that the data on religious population published in the end of 2013 does not coincide with their numbers. Also categories are not properly classified (...).

Moreover, according to "Freedom of Conscience" media information, the data regarding religious population in at least two cities has been altered.

"The believers of the Armenian Apostolic Church made around 60% but when summing up, we wrote 90%," said one of the regional authorities responsible for the 2011 Census, preferring to stay anonymous. Another authority mentioned that people were not asked about their confession in regional villages and towns, but the desired numbers were added up."

A study entitled 'Freedom of Religion in Armenia,' authored by Meri Yeranossyan, Vahan Ishkhanyan and Avetik Ishkhanyan was published in 2010 by the Helsinki Committee of Armenia with the financial support of the Norwegian Helsinki Committee. This study presented a sociological survey based on a sample of 805 people:

- 73.8% of the respondents considered themselves followers of the Armenian Apostolic Church;
- 10% stated that they did not belong to any religious denomination;
- 7% adhered to the community of Armenian Evangelical Churches;
- 1.4% considered themselves 'Christian' without specifying which Christian church they belonged to;
- 0.5% had difficulty answering this question;
- Other responses (less than 0.5%) included the atheists, Buddhists, Mormons, pagans...

Noteworthy is that among the respondents that adhered to the Armenian Apostolic Church

- 39% did not consider themselves 'believers' but reportedly went to church from time to time and honored some traditions;
- 29.9% declared they believed in God but did not go to Church and did not honor any religious tradition;

- 26.2% said they were “believers” and routinely followed the traditions of the Church.

### **Constitutional and legislative framework**

The constitution protects religious freedom; however, some laws and policies restrict religious freedom by providing special privileges only to the Armenian Apostolic Church (AAC) and limiting certain rights of minority religious groups<sup>2</sup>, including their ability to obtain building permits for the construction of churches and other religious centers.

The law prohibits but does not define ‘soul hunting,’ a term describing proselytism.

The law governing religious groups does not explicitly mandate registration of religious groups, but only registered groups have legal status. Unregistered groups may not publish more than 1000 copies of newspapers or magazines, rent meeting places, broadcast programs on television or radio, or officially sponsor visitors’ visas, although individual members may do so.

To qualify for registration, religious groups must “be free from materialism and of a purely spiritual nature,” have at least 200 adult members, and subscribe to a doctrine based on ‘historically recognised holy scriptures.” The registration requirements do not apply to the religious groups associated with national ethnic minorities, although most have chosen to register. The Office of the State Registrar registers religious groups, and the Department of Religious Affairs and National Minorities oversees religious affairs and consults in the registration process.

The law prohibits foreign funding of foreign-based denominations but so far the government has not enforced this prohibition.

The criminal code prohibits incitement of religious hatred.

### **Monopoly of the Armenian Apostolic Church and religious discrimination<sup>3</sup>**

The constitution and the law establish separation of church and state but recognise “the exclusive mission of the Armenian Apostolic Church as a national church in the spiritual life, development of the national culture, and preservation of the national identity of the people of Armenia.”

#### *Intrusion of the Armenian Apostolic Church in public schools*

The law mandates that public education be secular. Courses in the history of the Armenian Apostolic Church, however, are part of the public school curriculum and are taught by public school teachers<sup>4</sup>. The church has the right to participate in the development of the syllabus and textbooks for this course<sup>5</sup> and to define the qualifications of its teachers<sup>6</sup>. The church may also nominate candidates to teach the

<sup>2</sup> See the Opinions of the Venice Commission (Council of Europe) about draft amendments to the 17<sup>th</sup> June 1991 Law on Freedom of Conscience and on Religious Organizations:

<http://www.venice.coe.int/webforms/documents/?opinion=643&year=all>

<http://www.venice.coe.int/webforms/documents/?opinion=603&year=all>

[http://www.venice.coe.int/webforms/documents/?pdf=CDL\(2009\)066-e](http://www.venice.coe.int/webforms/documents/?pdf=CDL(2009)066-e)

<sup>3</sup> This section mainly reflects the contents of a research work by Stepan Danielyan, Vladimir Vardanyan and Artur Avtandilyan published by the “Collaboration for Democracy Centre” (CFDC) with the assistance of the OSCE Office in Yerevan.

<sup>4</sup> According to Article 4 of Section 3 of the RA Law on Education, “The RA educational system is aimed at strengthening the spiritual and intellectual potential of the Armenian nation as well as maintaining and promoting universal human values. The Armenian Church contributes greatly to this work”.

According to this same law – Point 6 of Article 5 of “Principles of State Policy in the Sphere of Education” – education in all educational establishments must be of a secular nature.

<sup>5</sup> The Church’s Christian Education Center of the Mother See had a primary role in developing and approving the textbooks and vetting the teachers of a course on the history of the Armenian Apostolic Church offered in the public schools.

<sup>6</sup> Since 2003, a new subject called “Armenian Church History” has been taught in schools. On February 22, 2007, the NA adopted the “Law Regarding the Relationship between the Republic of Armenia and the Holy Armenian Apostolic Church”, which permits the Church to initiate activities in public schools. An excerpt follows:

course. The class is mandatory; students are not permitted to opt out of the course, and no alternatives are available to students of other religious groups. In addition, the law grants the Armenian Apostolic Church the right to organise voluntary extracurricular religious classes in state educational institutions. Other religious groups do not have this right.

Since the introduction of the subject into schools, incidents of religious intolerance stemming from the conduct of these lessons have allegedly occurred. Sometimes AAC priests will participate directly in these classes, and sometimes classes will take place in churches, which violates the principles of the 'Law on Education', which states that education in the RA must be of a secular nature<sup>7</sup>. In reality, the subject 'Armenian Church History' has turned into a study of the religion itself.

In July 2012, the Center of Collaboration for Democracy (CCD), a non-governmental organization (NGO), published a report on religious education in public schools, concluding that the curriculum and textbook for the course on the history of the Armenian Apostolic Church focused on the belief system of the church rather than on its history. According to the report, the classes included some elements of religious rites of the church, as well as hate speech against other religious groups, and were designed to indoctrinate students. The report quoted interviews with public school principals and teachers of the class, some of whom stated the purpose of the class was to mold students into 'correct' Christians, keep them away from 'sects,' bring them closer to the Armenian Apostolic Church, and teach them that other religions divide the nation. There were reports during the year of mandatory visits to churches during class hours and reports of religious rites performed in public kindergartens.

The interference of the Armenian Apostolic Church in public schools creates conscientious problems to parents who profess other religious or non-religious beliefs and the above statistics show that the number of such families is not insignificant.

In 2014, the Council of Europe published a 50-page study entitled "Rights of Children from Religious and Ethnic Minorities in Armenia"<sup>8</sup> with the support of the Embassy of The Netherlands to Armenia. It identified public schools as the place where discriminatory attitudes and stereotypes of children of religious minorities were formed. The study cited numerous reports that teachers and principals discriminated against children belonging to religious minorities. According to the study, teachers of the course on the history of the Armenian Apostolic Church customarily inquired about the religious affiliation of students at the beginning of the year, thus singling out the children of religious minorities and creating potential problems with their peers. The study also found that some teachers of this course started their classes with prayers.

One of the recommendations of the study is to make the 'History of Armenian Church' subject optional and deliver in parallel to it an optional class 'World religions' and/ or 'History of Culture'. Another proposal is to create a working group which will remove from textbooks provisions identifying religious and ethnic belonging.

---

*"Article 8: The Role of the Holy Armenian Apostolic Church in the Sphere of Education.*

*The Holy Armenian Apostolic Church has the right to:*

- 1. Establish or sponsor kindergartens, primary and secondary schools as well as vocational colleges or institutions of higher educational within the framework of RA legislation.*
- 2. Take part in curriculum and textbook development for the subject "Armenian Church History", define standards and qualifications for the teachers of the subject, and introduce schools to potential candidates who could teach the subject.*
- 3. Conduct optional educational courses in the state educational system, utilizing their buildings and resources and coordinating any organizational issues with the relevant educational establishment.*
- 4. Contribute to the spiritual education of society in educational establishments as prescribed by law".*

<sup>7</sup> This is in clear contradiction of Article 5, Point 6, of the Law on Education.

<sup>8</sup> See the study conducted by Eurasia Partnership Foundation and authored by Hovhannes Hovhannisyan, Isabella, Sargsyan and Gayane Mkrtychyan at [https://www.coe.int/t/dq4/youth/Source/Resources/Publications/2014\\_Field\\_Study\\_Rights\\_of\\_Children\\_en.pdf](https://www.coe.int/t/dq4/youth/Source/Resources/Publications/2014_Field_Study_Rights_of_Children_en.pdf)

### *Construction of places of worship*

According to Article 17 of the law 'On the Freedom of Conscience and on Religious Organizations', the AAC has certain 'privileges' such as "*Building new churches, and turning historical monuments belonging to it into churches – both at the request of the believers and at its own initiative*". The law's other articles contain no indication of whether other religious organizations other than AAC have the right to construct new church buildings. However, a survey of the Eurasia Partnership Foundation indicates that obtaining planning permission for building new churches is fraught with various hurdles. There are regular reports of obstacles faced by religious organisations in building places of worship.

### *Exemption from military service*

In 2013 the government approved changes to the alternative service law that instituted civilian control instead of military supervision over the alternative labor service. The amendments also reduced the duration of alternative (non-combat) military service from 36 to 30 months, and the alternative civilian service from 42 to 36 months. Evasion of alternative service remained a criminal offense.

In accordance with Article 12, Paragraph 1, Sub-paragraph 'c' of the Law on RA Military Service, the RA Government has the authority to adopt decisions regarding the exemption of Armenian citizens from compulsory military service. Acting on this legal mandate, the Government periodically issues decisions regarding the exemption of particular clerics and seminarians of the AAC from compulsory military service<sup>9</sup>. This exemption is not granted to clerics of other religions.

### *Societal discrimination based on religion or beliefs*

There are regular reports of societal discrimination based on religious affiliation, belief, or practice. Members of minority religious groups reported experiencing societal discrimination and intolerance, including in the workplace, although few filed reports with the authorities.

Armine Davtyan, a professor at the Armenian State Pedagogical University, claimed that she had been dismissed on religious grounds following the rejection of her doctoral thesis on peculiarities of spiritual education in high schools. According to the media report, the university claimed she had been removed as a result of general layoff. Davtyan noted that, while not a member of any religious group, her views differed from those of the Armenian Apostolic Church, and this had become evident during her doctoral thesis defense. Davtyan claimed she had been dismissed for these views. (See details in the Annex: "A scientific research failed for religious motives: The Church intervenes into science")

### *Social hostility*

Members of minority religious groups reported experiencing societal discrimination and intolerance, including in the workplace, although few filed reports with the authorities. Many media outlets demonstrated bias against minority religious groups.

Many media outlets continued to label minority religious groups as 'sects' and propagated fear of religious minorities<sup>10</sup>. Various television stations broadcast one-sided discussions and news coverage in which participants characterized minority religious groups as enemies of the state. According to minority religious groups, those stations did not

---

<sup>9</sup> See, in particular, the RA Government Decisions N 492-A, 27.09.2007, N 1128-A, 15.05.2008, N 443-A, 23.10.2008, N 1201-A, 30.04.2009, N 473-A, 29.10.2009, N 1233-A 26.04.2007 "On the Exemption and the Occupational Deferment of Clerics of Holy See of St. Etchmiadzin, Monks and Students of St. Jerusalem "Saint Hakobyants" monastery and students of Calcutta Benevolent Seminary from Compulsory Military Service".

<sup>10</sup> For more details, see the study of the Helsinki Committee of Armenia "Freedom of Religion in Armenia".

provide them with an opportunity to respond to the criticism nor to participate in television debates to present their side of the story. Most broadcast media outlets were owned by politicians in the ruling party or politically connected businessmen. Media outlets published inaccurate articles portraying religious minorities as criminals and spies. Many inflammatory statements did not specify a particular religious group, but instead aimed to create general intolerance toward all religious minorities. Religious groups also reported increased intolerance and threats in social networks.

'United Youth League' slandered religious minorities and claimed there were more than 215 'sects' functioning in the country, which received millions of dollars from abroad and aimed to destroy Armenia.

Another organization, 'Menk' (We), was also known to campaign against the allegedly destructive influence on Armenian society of groups such as 'Word of Life,' the Evangelical Baptist Church 'Great Grace,' 'Jehovah's Witnesses,' 'Reima,' and 'Altar'.

Other organizations such as 'One Nation,' 'April 24,' or 'Armenian Nationalists' disseminate hate speech material against new religious movements in the public space. A few examples:

One Nation:

*"Beware of the sects. Jehovah's Witnesses, Satanists, Mormons, Armenian Evangelicals, followers of Krishna, Pentecostals, Word of Life, Moonies, Protestants and others are just sects, which are sponsored by the West. They have no connection with OUR ARMENIAN APOSTOLIC CHURCH. We appeal to you: the emergence of these organizations in our country has a political basis – it has been ordered by the USA. It has one goal: to turn the Armenian nation into an ignorant, enslaved, materialistic mob of zombies that has renounced its spiritual roots and civil duties. It is now our moral obligation to protect our national and spiritual identity, our land, and our national Armenian Apostolic Church. Each and every Armenian must combat the sects' corruptive anti-national impact everywhere – in his yard, in his apartment block. – Co-chairman of "One Nation" Alliance, Gor Tamazyan<sup>11</sup>.*

Armenian Nationalists: "DEATH TO SECTS AND THEIR MEMBERS!"

Law enforcement bodies never take action against them.

---

## **Jehovah's Witnesses: Restrictions on religious freedom**

HRWF (11.05.2015) - The "Christian Religious Organization of Jehovah's Witnesses in the Republic of Armenia" was registered under this name on 8<sup>th</sup> October 2004. In 2013, their number was estimated at around 11,000 but the number of people attending their annual main religious event, the Memorial (Easter), was about 23,000.

---

<sup>11</sup> Website of US Embassy of Armenia ([http://armenia.usembassy.gov/irf2009\\_arm.html](http://armenia.usembassy.gov/irf2009_arm.html)).

For years, JW were imprisoned as conscientious objectors to military service but after the judgment of the European Court of Human Rights in the case *Bayatyan v. Armenia*<sup>[1]</sup>, a genuine civilian service under civilian supervision was finally introduced .

However, a number of problems concerning JW still need to be solved.

### ***Armenian authorities allowed forcible arrest of conscientious objector Artur Avanesyan***

On 14<sup>th</sup> July 2014, Artur Avanesyan was arrested in Armenia and sent to Nagorno-Karabakh to be held in pre-trial detention. What led up to this arrest?

On 30<sup>th</sup> January 2014, he filed an application with the Nagorno-Karabakh authorities stating that he was a JW and that his conscience does not allow him to perform military service, but that he was ready and willing to perform alternative civilian service.

On 13<sup>th</sup> February 2014, he filed a similar application with Armenian authorities. Without any notice to Mr Avanesyan, a Nagorno-Karabakh court held a hearing. On 14<sup>th</sup> March 2014 it issued a search warrant and ordered pre-trial detention.

On 30<sup>th</sup> September 2014, the court convicted Mr Avanesyan and sentenced him to a 30-month prison term. He has appealed to the Supreme Court to overturn that detention order and is waiting for its decision.

### ***Refusal to issue construction permits***

Jehovah's Witnesses own three properties in Yerevan on which they wish to build places of worship (Kingdom Halls). However, city officials have declared that "the building of places of worship in inhabited areas is not advisable" due to complaints from neighbors and so have refused to issue building permits to the JW. Though, other religious religions have obtained permission to build places of worship throughout Yerevan. In April 2013 JW filed a complaint against Yerevan's mayor's office with the Administrative Court.

On 27<sup>th</sup> February 2014, the trial began against the mayor's office but no verdict was reached.

On 5<sup>th</sup> June, the judge reopened the case on the basis of a motion submitted by the mayor's office to present "additional evidence".

On 1<sup>st</sup> December, the Administrative court rejected the JW appeal.

On 7<sup>th</sup> May, the Appeal Court was scheduled to be heard.

### ***Interference with import of literature***

Since 2007 JW have experienced difficulties in exercising their constitutional rights to import religious literature – including Bibles, books, periodicals and DVDs – pertaining to the worship and religious education of thousands of their members in Armenia. This religious literature is produced by JW in the United States, Germany and Britain and, as is the case worldwide, is provided to their co-believers in Armenia without charge or other remuneration.

The Armenian government, however, treats their religious literature as if it was commercially produced and sold for profit rather than recognizing the reality that the literature is provided to JW in Armenia without charge. When donated literature is

---

<sup>[1]</sup> See the court decision at

<http://www.strasbourgconsortium.org/portal.case.php?pageId=10#caseId=340>

imported into Armenia, customs officials impose an arbitrary and grossly inflated value which approximates the price that magazines and books are sold to profit in Armenia. This arbitrary valuation requires their organization in Armenia to overpay the VAT.

### ***Complaints at the European Court of Human Rights***

Having exhausted legal remedies in the Armenian courts, JW filed an application with the European Court of Human Rights in May 2010 regarding this issue.

On 9<sup>th</sup> January 2014, a second application on the same issue of excessive and arbitrary customs value imposed on the import of religious literature was filed with the European Court of Human Rights. This case raises the same issues as the pending application *Christian Religious Organization of Jehovah's Witnesses v. Armenia* (25103/10, 3 May 2010). In the present application, the organization of JW in Armenia applied to the Armenian authorities for a declaration that it is exempt from VAT on receipts of gifts, including its donated religious literature, as is expressly provided for in Article 12(2) of the Law on Freedom of Conscience and Religious Organizations. The application was summarily dismissed and the organization was ordered to pay VAT based on grossly inflated customs values imposed by the Armenian authorities that had no basis in fact or in law. This has imposed an onerous and unreasonable financial burden on the JW organization's non-profit religious practice, thereby interfering with its religious freedom.

### ***Excessive taxation on sale of donated real estate***

The State Revenue Committee (SRC) imposed exorbitant VAT on the sale of property donated to the organization of JW in Armenia. This excessive taxation is discriminatory because it is not imposed on the Apostolic Church of Armenia, the state church in Armenia.

On 12<sup>th</sup> April 2013, a claim appeal was filed with the Administrative Court over the imposition of VAT.

On 18<sup>th</sup> February 2014, the Administrative Court rejected the claim.

On 17<sup>th</sup> March 2014, an appeal was filed to the Court of Appeals on the decision of the Administrative Court.

On 10<sup>th</sup> September 2014, the Court of Appeal rejected the JW appeal.

On 12<sup>th</sup> November 2014, the Cassation Court rejected the JW appeal.

### ***Objectives of JW in Armenia***

JW in Armenia request the government of Armenia to

- issue construction permits for the building of houses of worship in Yerevan;
- cease the arbitrary imposition of exorbitant custom values on the import of religious literature to be used for their worship or distributed free of charge by JW and others;
- compensate JW for the payments made to import their religious literature;
- expedite the release of Artur Avanesyan from prison in Nagorno-Karabakh since Armenian authorities allowed his forcible arrest and transfer to Nagorno-Karabakh.

**Source:** Christian Religious Organization of Jehovah's Witnesses in the Republic of Armenia

---

## **Conscientious objectors contribute to the well-being of people in need**

HRWF (11.05.2015) - There are no more Jehovah's Witnesses for conscientious objection in the detention facilities of Armenia.

After making amendments to the Law on Alternative Service in June 2013, the National Assembly granted them the possibility to apply for a civilian service the supervision of which was transferred from the Ministry of Defence to a non-military authority.

By the decision of the Republican Committee, which is in charge of the implementation of the civilian service, JW serve for the Ministry of Emergency Situations or for municipalities, as assistants in medical establishments or orphanages, orderlies, yard cleaners or kitchen workers,.

Robert Hakobyan and Gnel Sargsyan, both 20, now care for elderly people six days a week from 9am to 6pm, getting USD 40 per month as a financial compensation.

Sergey Movsesyan, 21, and his brother clean the streets and the yard of a psychiatric hospital.

They belong to the second or the third generation of Jehovah's Witnesses and they can rely on the moral support of their families during the 36 months of their civilian service.

The young men are happy. "Everyone treats us well from the administration to the elderly," they said. "We are not detained, we are free, our parents are never far, we are useful to old or handicapped people and we bring them some happiness."

In the evening, they can share again their family life and on Sunday, they can practice their religion with their coreligionists.

They serve their society and they hereby contribute to a better image of their religious movement which for many years has been the victim of prejudice and misrepresentation in public opinion by the media and activists of the Armenian Apostolic Church.

The Head of Ethnic Minorities and Religious Affairs Department, Vardan Astsatryan, is satisfied with the young men and the directors of the institutions where they perform their civilian service appreciate their work.

---