



ՀԱՅԱՍՏԱՆԻ ՀԱՆՐԱՊԵՏՈՒԹՅԱՆ ՄՇՏԱԿԱՆ ՆԵՐԿԱՅԱՑՈՒՅՉՈՒԹՅՈՒՆ
 PERMANENT MISSION OF THE REPUBLIC OF ARMENIA

312/492/2012

The Permanent Mission of the Republic of Armenia to the United Nations Office and other International Organisations at Geneva presents its compliments to the Office of the United Nations High Commissioner for Human Rights and in response of joint letter of Independent Expert on Minority Issues and Special Rapporteur on freedom of religion or belief, dated 18 October 2012, REF: AL G/SO 214 (56-23) Minorities (2005-4) ARM 1/2012, has the honour to convey the information on the steps taken by the Republic of Armenia to address the issues raised in above mentioned letter.

The Permanent Mission of the Republic of Armenia to the United Nations Office and other International Organisations at Geneva avails itself of this opportunity to renew to the Office of the United Nations High Commissioner for Human Rights the assurances of its highest consideration.

Attached: 2 pages.

Geneva, 24 December 2012



OFFICE OF THE UNITED NATIONS
 HIGH COMMISSIONER FOR HUMAN RIGHTS
Geneva

OHCHR REGISTRY

26 DEC 2012

Recipients : ... *SPB*

**INFORMATION PROVIDED BY THE REPUBLIC OF ARMENIA ON THE
ISSUE OF CONSCIENTIOUS OBJECTION TO MILITARY SERVICE BY JEHOVAH'S
WITNESSES**

The Law on "Alternative military service" (hereafter the Law) of the Republic of Armenia, adopted on December 17, 2003 and entered into force on 1 July, 2004, regulates the relations regarding the substitution of the compulsory military service with alternative service by the citizen of the Republic of Armenia, as well as defines the rules of conscription to and conduct of the alternative service.

According to the Article 2 of Law alternative service is considered to be the service that substitutes compulsory draft conscription, and that doesn't require the carrying, keeping, preserving and using arms, and is carried out in civilian, as well as military institutions.

It is the constitutional duty of the citizens of the Republic of Armenia to participate in the defense of the Republic of Armenia, which is guaranteed by the conscription to the compulsory military service or sending to alternative service in accordance with the Law provisions. Simultaneously, the Law envisages responsibility in cases of refusal or avoidance to perform either compulsory military or alternative services. Particularly, the Article 327 of the RA Criminal Code adopted at 2003, provides for criminal responsibility for avoidance to perform compulsory military or alternative service, participate in military trainings or mobilizations. Moreover, the RA Law HO-34-N of December 16, 2005 on the Amendments to the Article 327 of the Criminal Code, envisages responsibility for the refusal to perform alternative service. Citizens of the Republic of Armenia who refuse to perform military or alternative service by different reasons including the reason of being conscientious objector, are subject to criminal responsibility in the manner prescribed by the law.

14 criminal cases instituted on the grounds of the first part of the Article 327 Criminal Code of the Republic of Armenia against the members of "Jehovah's Witnesses" religious organization, that have refused to perform compulsory military or alternative services, are currently in the pre-trial stage, another 11 criminal cases are being considered by the first instance court, 9 cases are being proceeded by the Court of Appeals, 3 are in the Cassation court, while 32 convicts are currently serving their sentence in the penitentiaries of the RA Ministry of Justice. W

In the Government session of April 14, 2012 the RA Government approved the Draft RA Law on Amendments and Supplements to the Law on Alternative Military service, which was elaborated on the basis of the recommendations made by international institutions and experts during last few years. The draft has been

discussed with the Venice commission, further elaborated and currently it is intended to introduce it again to the consideration of the Venice commission. Only after necessary discussions the draft will be introduced to the National Assembly. The Law will be appropriately amended in order to ensure regulating procedures complying with the international standards,