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REPORT

ON DEATH CASES IN THE ARMED FORCES OF THE REPUBLIC OF ARMENIA AND NAGORNO KARABAKH IN THE FIRST HALF OF 2020

VANADZOR
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Authors: Armine Sadikyan

Nazeli Movsesyan

Edited by: Artur Sakunts

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Summary Description

HCA Vanadzor (hereinafter also referred to as Organization) presents statistical data on the death cases of servicemen in the Armed Forces of the Republic of Armenia (RA) and Republic of Artsakh/Nagorno-Karabakh in the first half of 2020, i.e. January-June. The statistical data were collected through information disseminated by mass media and official sources, as well as through the responses to information inquiries sent by the Organization to official structures (RA Ministry of Defense, RA Prosecutor General's Office, RA Investigative Committee).

Thus, in the first half of 2020, death cases of **31** servicemen were recorded in the Armed Forces of the RA and NK.

Out of the**31cases**

- **10 occurred as a result of health problems,**
- **8 occurred as a result of suicide or inciting suicide,**
- **6 occurred as a result of accident** (3 occurred as a result of avalanche, 1 occurred as a result of falling into a gorge, 1 occurred as a result of fire which broke out in the car, 1 occurred as a result of overturning of a tractor),
- **2 occurred as a result of murder** (1 murder with hooligan motives, 1 murder committed to conceal a crime or to facilitate its commission),
- **3 occurred as a result of car crash,**
- **1 occurred as a result of ceasefire violation,**
- **1 occurred as a result of a mine explosion.**

For the sake of comparison, it should be mentioned that during the same time period, i.e. in the first half of 2019, **death cases of 30 servicemen** were recorded (see Table 1), of which

- **12 occurred as a result of car crash,**
- **8 occurred as a result of health problems,**
- **4 occurred as a result of suicide or inciting suicide,**
- **3 occurred as a result of murder** (1 intentional murder, 1 as a result of breach of the rules for handling weapon by a fellow serviceman, 1 as a result of an attempt of murder of two or more persons)
- **2 occurred as a result of ceasefire violation,**
- **1 occurred as a result of an accident** (the serviceman fell into a gorge).

Table 1 presents death cases of servicemen in the Armed Forces of RA and NK in the first half of 2019 and first half of 2020 in accordance with the causes and months.

Table 1. Causes of death cases of servicemen in the Armed Forces of RA and NK in the first half of 2019 and first half of 2020 per month

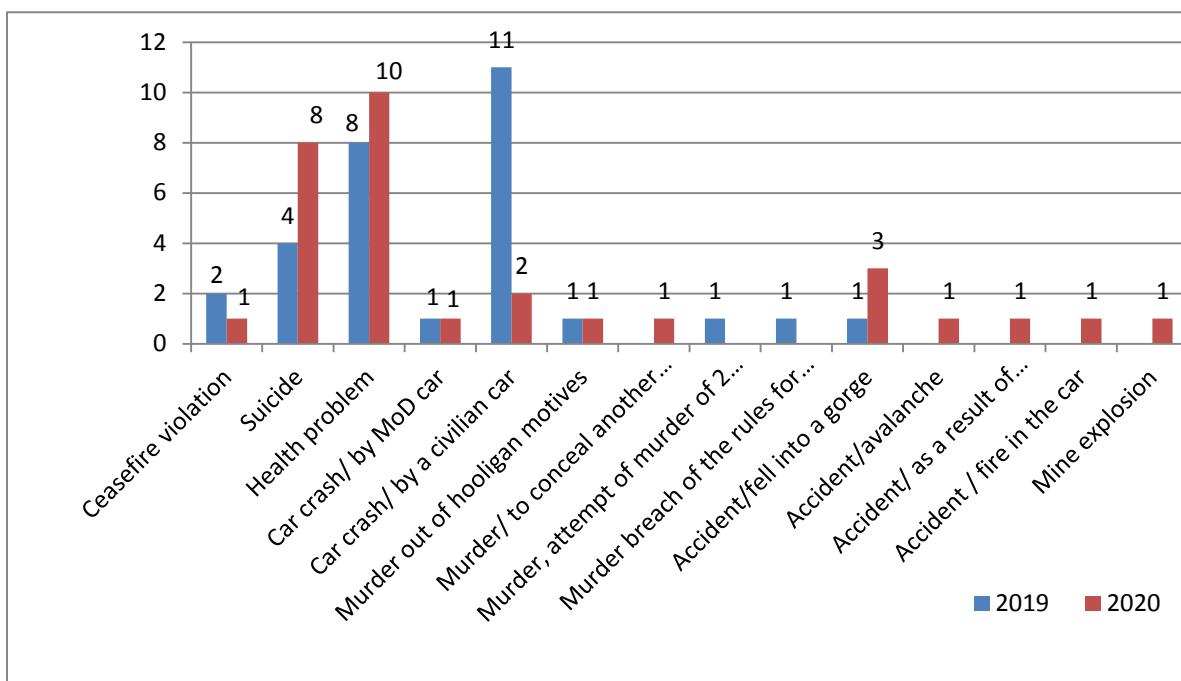
Month	Ceasefire violation		Suicide/inciting suicide		Health problems		Car crash		Murder				Mine explosion		Accident				In total				
	Out of hooligan motives	Breach of the rules for handling weapon	Attempt of murder of two or more persons	To conceal another crime or to facilitate its commission					Fell into a gorge	Avalanche	Overturning of a tractor	Fire in the car			Published/official or non-official	Unpublished/only received via an official letter/	Published/official or non-official/	Unpublished / only received via an official letter/					
	2019	2020	2019	2020	2019	2020	2019	2020	2019	2020	2019	2020	2019	2020	2019	2020	2019	2020	2019		2020		
January			1	2	2	3	2									1				5	0	6	0
February				3	1	1	1	1									3			3	0	7	0
March		1			1	2	1		1	1						1				5	0	2	1
April			1	1	2		1						1							1	3	2	0
May				1	1		4		1							1				4	1	3	0
June	2		2	1	2	5	2	2										1	1	5	3	4	6
Total	2	1	4	8	8	10	12	3	1	1	1	0	1	0	0	1	0	1	1	3	0	1	1
																			23	7	24	7	
																			30		31		

Official announcement was disseminated only for 17 out of 31 death cases in 2020, no official announcement was disseminated on the other 14 cases (8 occurred as a result of health problems, 2 occurred as a result of car crash, 2 occurred as a result of suicide). Those cases were later considered as not related to military service in the information received from the RA Central Military Prosecutor's Office in response to an official inquiry.

7 out of the mentioned 14 cases became known through non-official sources (3 death cases, caused by a car crash, suicide and overturning of a tractor, became known by publications on shamshyan.com website, while razm.info¹ website made publications on the 3 death cases caused by health problems and 1 death case caused by fire in the car and made a reference to the response of the RA Prosecutor General's Office to their inquiry), **while no information was disseminated by official sources or mass media on 5 cases caused by health problems, 1 case caused by a car crash and 1 case caused by suicide. HCA Vanadzor was informed about those 7 cases by an official inquiry, i.e. from the RA Prosecutor General's Office.**

Essentially, we can record that in official formulation (as classified by the RA Prosecutor General's Office), no official announcement was disseminated in regard to death cases not related to the military service.

Chart 1. Death cases in the Armed Forces of the Republic of Armenia and Republic of Artsakh/Nagorno-Karabakh in the first half of 2019 and first half of 2020 in accordance with their causes



Comparing the causes of death cases recorded in the first half of 2019 and first half of 2020, we record that in 2020

- **Suicide cases doubled (increased by 4),**
- **Death cases caused by accidents increased by 6 times (by 5),**
- **Death cases caused by health problems increased by 2.**

¹<https://razm.info/140067>, <https://razm.info/143607>

Observing servicemen's death cases caused by suicide (4) and murder (3), we can record, that death cases by the above-mentioned causes amount to nearly one fourth of the total number of death cases. While death cases caused by suicide (8) and murder (2) in the first half of 2020 amount to one third of the death cases. Suicide and murder cases are mainly consequences of violations of statutory relations between servicemen. Therefore, the problems pertaining to maintenance of military discipline continue to be unresolved and highly concerning. Besides, the continuity of suicide and murder cases in the Armed Forces indicates that either proper service investigation is not conducted or the steps aimed at preventing, eliminating or solving the problems discovered and recorded as a result of service investigations are not effective yet.

It should be noted that in the first half of 2020, both suicide and murder cases were recorded in April (2) and May (2).

Let us remind that in HCA Vanadzor report "On the death cases in the Armed Forces of the Republic of Armenia and Republic of Artsakh/Nagorno-Karabakh in the first half of 2020"², we touched upon the sharp increase in the number of suicide cases in January-February 2020, which generated great public discontent and indignation. We also noted that the cases coincided with the time period of campaign for the presidential and parliamentary elections in the Republic of Artsakh. After public discontent, in March, suicide cases were not recorded.

It should be mentioned that nevertheless, it is not known whether the RA and NK Ministries of Defense or the relevant investigative bodies conducted relevant examinations into the discovery of causes and conditions of those cases and all cases in general, since, in accordance with semi-annual data, it can be seen that since April, death cases were recorded not only as a result of suicide, but also as a result of murder.

With regard to accidents, we should state that in 2020, the number of death cases caused by them increased. In the first half of 2019, only one case occurred as a result of an accident (falling into a gorge), while in the first half of 2020, six servicemen died from causes of such nature (19% of the total number of cases).

In particular, in the first half of 2020, 3 contract servicemen died as a result of avalanche on their way from the military positions to the military unit, while, according to news.am data, the snow layer under their feet opened and they fell and remained under the thick layer of snow for a long time. In 1 case, a serviceman died as a result of falling into a gorge. This case, as well as the previous one, was officially considered as related to military service. Nevertheless, it is not known yet how a serviceman fell into a gorge while conducting the service. Whereas, in response to the Organization's inquiry, the Prosecutor's Office informed that the criminal case initiated on the death of the serviceman was discontinued on the ground of the absence of a crime.

There were also 2 cases as a result of accidents. One of them was recorded as a result of fire that broke out in the car driven by another person, while the serviceman was a passenger in that car and did not manage to get out. The Prosecutor's Office considered this case as not related to military service. And in the other case, which was also considered by the Prosecutor's Office as not related to military service, the serviceman was on free shift when the incident happened. The case was recorded as a result of overturning of a tractor.

²https://drive.google.com/file/d/1OufOq_RFjbdUUMHQSK3J3LqdtBffXNfY/view

Based on the increase in the number of death cases caused by accidents, it can be assumed that either servicemen do not observe service safety rules or they do not receive proper instructions on the above-mentioned rules.

While speaking about the observation of service safety rules, it should be mentioned that in the first half of 2020, 1 death case occurred as a result of a mine explosion. Moreover, the person who died was an officer, which is even more concerning taking into account the obligation of the officers' staff to have the relevant level of preparedness and to observe all the safety rules when organizing military service.

In the first half of 2020, 10 death cases of servicemen were recorded as a result of **health problems**, which also amount to about one third of the total number of death cases. 2 of the cases were officially considered (by the Prosecutor's Office) as related to military service, 8 were considered as not related to military service. Moreover, death cases of **2 servicemen conducting their compulsory military service** were considered as **related** to military service, while death cases of **4 contract servicemen, 3 officers and 1 non-commissioned officer** were considered as **not related** to military service.

It should be mentioned that according to the available non-official data of mass media,

In cases of 2 compulsory servicemen

- 1 had flat feet and spine curvature before being conscripted,
- health problems of 1 serviceman conducting compulsory military service are not known.

According to official data, i.e. data of the Prosecutor's Office,

In case of 4 contract servicemen

- In case of 2 servicemen, it is not known what health problems they had. At the moment of the incident, they were in free shift or at home.
- 1 contract serviceman was diagnosed with "hypertensive crisis, hemorrhagic stroke",
- 1 contract serviceman was diagnosed with "breast cancer in the fourth stage with brain, lungs and liver metastases". The serviceman died at home.

In case of 3 officers

- 1 was diagnosed with "hemorrhagic stroke",
- 1 was diagnosed with "coronavirus, thromboembolism of the pulmonary artery",
- 1 officer's health problem is not known. According to the official datum, i.e. that of the RA Prosecutor General's Office, the serviceman died as a result of deterioration of his health.

1 non-commissioned officer died as a result of myocardial infarction. The serviceman died unexpectedly at home.

As the statistics shows, death cases as a result of health problems are also rather concerning, even if they are officially considered as not related to military service. RA Law "On Approving the Internal Service Code of the RA Armed Forces"³ provides for servicemen's sanitary-hygienic and anti-epidemic measures, medical-preventive

³<https://www.arlis.am/DocumentView.aspx?DocID=121817>

measures, in particular, Article 344 of the Law provides that medical control of servicemen's health state is conducted in the following ways,

- daily control of the staff during combat preparation and in daily life,
- medical examination of servicemen,
- in-depth and medical control examination, planned medical observations of servicemen.

Article 345 specifies all the groups that are subject to medical observation in specific cases.

Therefore, a question arises: are all those measures properly implemented or not? Statistical data allow assuming that in-depth and control or preventive observation is not conducted properly, while, if ensured, it can prevent death cases from that cause.

In the first half of 2020, death cases **as a result of car crashes** significantly reduced and there were 3 cases, as compared to the first half of 2019, when there were 12 such cases.

It should be mentioned that 2 cases (out of the three death cases as a result of car crash in 2020) occurred as a result of car crash of servicemen's own/civilian cars, while in 1 case, the serviceman was in a car which was in MoDbalance.

In the first half of 2019, 1 serviceman died as a result of crash of a car which was on MoD balance, and in the other 11 cases, the servicemen were in their own/civilian cars.

It should be stated that though as compared to 2019, death cases as a result of car crash reduced in 2020, death cases recorded in the first half of 2020 by technical causes amount to nearly 10% of the total number of death cases.

Summing up the aforementioned, we record that the greater part, i.e. 97% of death cases recorded in the first half of 2020 occurred in non-combat conditions, in particular, 32% occurred as a result of health problems, 26% occurred as a result of suicide, 19% occurred as a result of accidents, 10% occurred as a result of car crash, 7% occurred as a result of murder, 3% occurred as a result of mine explosion, while death cases that occurred as a result of ceasefire violation in combat conditions amount to only 3% of the total number of death case (one death case).

It should also be mentioned that the majority of cases in 2020 occurred in **January, February and June**, with **6, 7 and 10** cases respectively, 3 cases were recorded in **March** and 3 cases were recorded in **May**, 2 cases were recorded in **April**.

Out of **31** servicemen who died in 2020, **14 were contract term servicemen**, **9 were compulsory term servicemen**, **7 were officers** and **1 was a non-commissioned officer**.

Out of **30** servicemen who died in 2019, **8 were compulsory term servicemen**, **13 were contract term servicemen**, **4 were officers**, **3 were non-commissioned officers**, in **2 cases the type of the military service has not been clarified yet**.

Causes of servicemen's death cases in accordance with their military service type or servicemen's status

If we view death cases according to the cause and military service type of the servicemen who died, we can notice that the causes of death cases among **compulsory term servicemen** are as follows

- **suicide** (4 cases),
- **health problems** (2 cases),
- **murder**(2 cases),
- **car crash** (1 case).

Causes of death cases among **contract term servicemen**are as follows

- **accidents**(5 cases),
- **health problems** (4 cases),
- **suicide** (3 cases),
- **car crash** (1 case),
- **ceasefire violation** (1 case).

Causes of death cases among **officers** are as follows

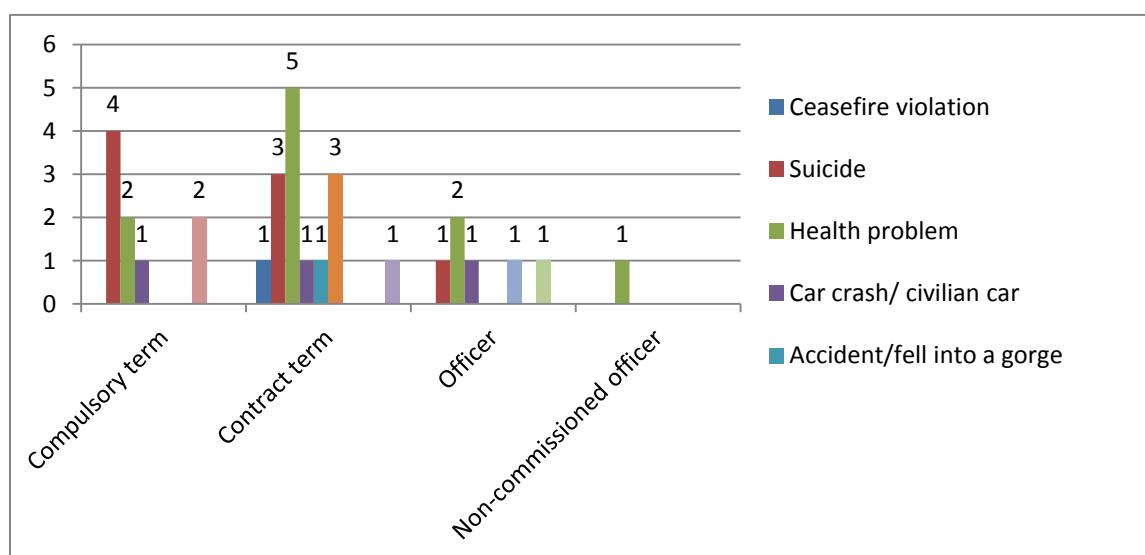
- **health problems** (3 cases),
- **suicide** (1 case),
- **car crash** (1 case),
- **accident** (1 case)
- **mine explosion** (1 case).

Cause of the death of 1 **officer** is

- **a health problem.**

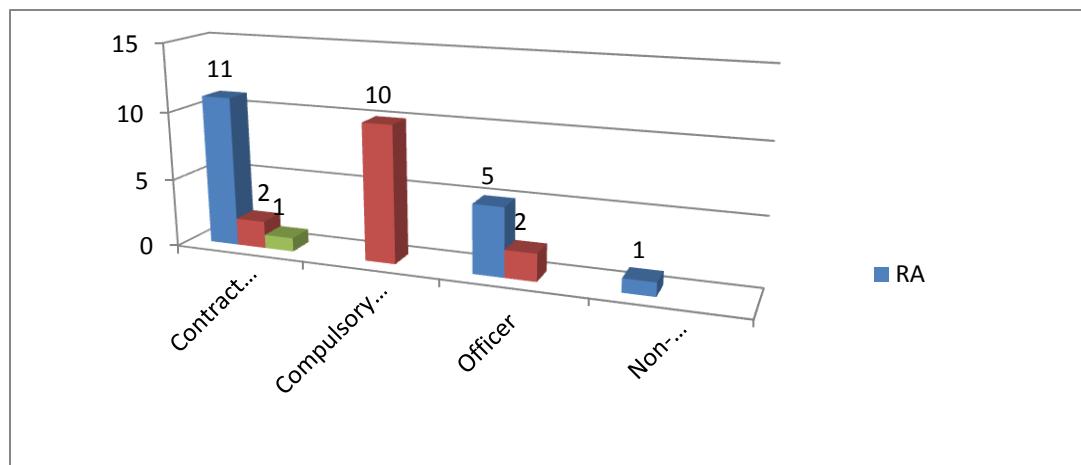
Thus, we can record that in the first half of 2020, death cases caused by **suicide, health problems and car crash** were recorded among both **compulsory term and contract term servicemen**, as well as among **officers**(see Chart 2).

Chart2. Military service types of servicemen who died in the Armed Forces of the Republic of Armenia and Republic of Artsakh/Nagorno-Karabakh in the first half of 2020 in accordance with their death causes



out of 31 death cases occurred on the RA territory, 13 occurred on the NK territory, the place of 1 case has not been clarified yet (see Chart 3).

Chart 3. The number of servicemen who died in the Armed Forces of RA and NK in the first half of 2020 in accordance with the territories where the death cases occurred



Death cases classified as related and not related to military service

According to the information provided to the Organization by the **RA Central Military Prosecutor's Office**, out of 31 death cases, 17 were considered as **related to military service** and 14 were considered as **not related to military service**.

It should be mentioned that in 4 of 14 cases classified by the Prosecutor's Office as **not related to military service** (3 as a result of health problems and 1 as a result of suicide), the servicemen were at home; in 2 cases (1 as a result of a health problem, 1 as a result of an accident, i.e. overturning of a tractor), the servicemen were in free shift (and one of them was also at home); in 2 cases, the servicemen had a car crash in their own/civilian cars; the death cases of 4 servicemen (with health problems) were recorded in medical centers, but it is not known from where they were transported to the medical center, i.e. from home, from the place where they were in free shift or from the military service place. In two cases not related to military service (1 occurred as a result of an accident, i.e. fire broke out in the car, and 1 occurred as a result of suicide), the servicemen were in administrative territories of different communities. In particular, in one case, the serviceman was in a car which was being driven by someone else and that car got set on fire in Zvartnots village part of Armavir-Yerevan highway, and in the other case the serviceman's corpse was found on the road from Ararat region Aygavan village towards Yeghegnavan, hanging from a tree. In both cases, though the servicemen's death cases were classified by the Prosecutor's Office as **not related to military service**, it is not definitely clear whether at the moment of the incident the servicemen were considered to be in military service or not.

RA Investigative Committee provided the Organization with information pertaining only to the death cases of 18 servicemen, in connection with which pre-trial proceedings are conducted in the RA IC General Military Investigative Department subdivisions. By the way, according to the data provided to the Organization by RA IC, 17 out of 18 death cases of servicemen were considered as related to military service and 1 was considered as not

related, and this matches the data of the RA Prosecutor General's Office in terms of 17 death cases related to the military service and 1 death case not related to military service.

It should be mentioned that though in the first and second quarters of 2020 HCA Vanadzor sent information inquiries to the RA IC, claiming information on death cases both related and not related to military service, in response to the inquiry of the first quarter, RA IC provided data only regarding the death cases that were related to military service, while in response to the inquiry of second quarter of 2020, besides the death cases related to military service, RA IC also provided details regarding only 1 death case not related to military service. Let us remind that when the **RA Military Prosecutor's Office** classifies servicemen's death cases as related or not related to military service, "**...the situation, concrete circumstances of the case and the relation of the death case to the conduction of service obligations are taken into account**".

While when the **RA Investigative Committee** classifies cases as related and not related to military service, it is mentioned that, "...in each case, the condition of being related or not related to military service is only determined based on the factual data confirmed as a result of comprehensive, full and objective examination and investigation by the investigator conducting the proceedings in a relevant case".

The response to the letter sent by HCA Vanadzor to the **RA Ministry of Defense** on 29 June 2020 was not received in a timeframe provided for by law. Nearly a month passed after sending the letter, while the RA Law "On freedom of information" establishes a five-day term for responding to information inquiries.

Information on ceasefire violations and gunfire shot on NK-Azerbaijan line of contact

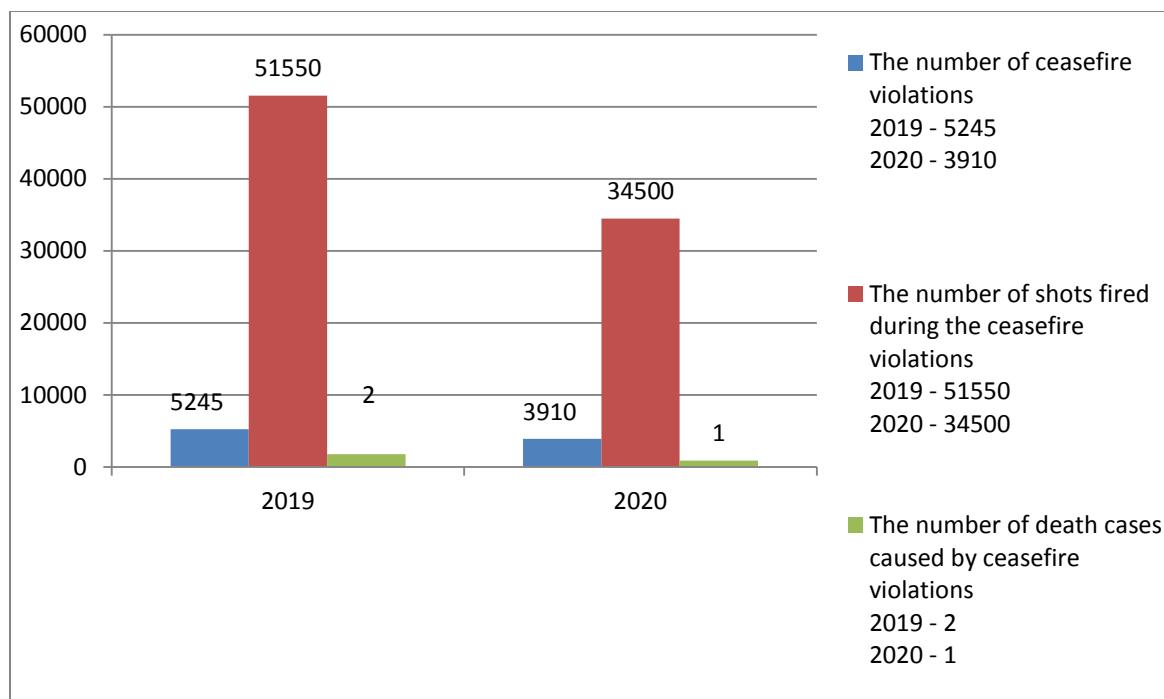
HCA Vanadzor also examines the statistics of ceasefire violations and gunfire on the contact line of RA/NK with Azerbaijan. The above-mentioned data are published on the official webpage of RA/NK MoD⁴.

Information regarding the number of ceasefire violations on the line of contact of Armenia and Azerbaijan is not available, as it is not published on the RA MoD official webpage. And in response to the inquiry on the number of ceasefire violations sent by HCA Vanadzor to the RA MoD at the end of 2019, the provision of information was rejected by invoking Chapter 17 Clause 42 of Order N9 "On Approving the Enhanced Ministerial List of RA MoD System Information Subject to Becoming Classified".

Below we present the results of the examination conducted by the Organization on the ceasefire violations and gunfire shot on the NK line of contact with Azerbaijan in the first half of 2019 and first half of 2020 and the entailing death cases (see Chart 3).

⁴<http://nkrmil.am/>

Chart 3.The number of ceasefire violations and shots fired in the first half of 2019 and first half of 2020 and the number of entailing death cases



It can be seen that as compared to the first half of 2019, in the same time period of 2020, both the number of ceasefire violations (by 1335) and gunfires shot (by 17050) reduced in the NK.

As it has already been mentioned, these data represent only the ceasefire violation cases on the line of contact of NK and Azerbaijan. 1 death case as a result of a ceasefire violation in the first half of 2020 was recorded in the RA territory.

We find it necessary to note that though the number of ceasefire violations on the line of contact of NK and Azerbaijan reduced in the first half of 2020, since 12 July 2020, a sharp aggravation of the situation⁵ was recorded on Armenia-Azerbaijan border, in the direction of RA Tavush region. This led not only to great material damage, but also to death cases of servicemen of the armed forces of both countries.

In total, the tense and aggravated situation on the border lasted for 4 days, i.e. from 12 July until 16 July, after which the RA MoD Spokesperson regularly published information regarding the maintenance of relative calm at the border.

In the next information paper of October 2020, HCA Vanadzor will touch upon the cases recorded at the border of Armenia and Azerbaijan, i.e. attempts of diversion invasions, gunfires shot, types of weapon used and death cases.

⁵<https://www.facebook.com/shushanstepanyan/posts/3045065262196280>

The distribution of criminal cases initiated on the facts of servicemen's death cases in the first half of 2020 according to RA Criminal Code articles

According to the available information disseminated officially and through mass media, criminal cases were initiated on **18 out of 31 death cases** in the RA and NK Armed Forces in the first half of 2020 under the following articles:

- **6 cases were initiated** under Article 376 part 2 of the RA Criminal Code: Negligent attitude towards the service which negligently caused grave consequences,
- **1 case was initiated** under 2 articles of the RA Criminal Code, namely, Article 376 part 2 and Article 315 part 2: Negligent attitude to service which negligently caused grave consequences, as well as official negligence which negligently caused human death,
- **5 cases were initiated** under Article 110 part 1 of the RA Criminal Code: Inciting somebody to commit suicide or make an attempt at a suicide by indirect willfulness or by negligence, by means of threat, cruel treatment or regular humiliation of one's dignity,
- **1 case was initiated** under Article 104 part 2 clause 10 of the RA Criminal Code: Murder out of hooligan motives⁶,
- **1 was initiated** under Article 104 part 2 clause 13 of the RA Criminal Code: Murder out of motives of national, race or religious hate or fanaticism;
- **1 case was initiated** under Article 242 part 2 of the RA Criminal Code: Breach of traffic rules and operation of means of transportation which negligently caused human death,
- **1 case was initiated under** Article 377 part 2 of the RA Criminal Code: Breach of rules for driving or exploiting cars which negligently caused human death,
- **1case was initiated under** Article 360.1 part 2 clause 3 of the RA Criminal Code: Negligently inciting a serviceman's suicide while conducting combat duty or combat service⁷,
- **1 case was initiated under** 2 articles of the RA Criminal Code, namely, Article 104 part 2 clause 11 and Article 365 part 1: Murder to conceal another crime or to facilitate its commission, as well as breach of the rules of combat duty or combat service.

Of the criminal cases initiated on the mentioned facts of the death of **18** servicemen

- 17 cases are in the **preliminary investigation** stage.
- Proceedings of a criminal case initiated on 1 death case (accident as a result of falling into a gorge) was discontinued according to Article 35 part 1 clause 1 of the RA Criminal Procedure Code, namely, absence of a criminal act.

Initiation of criminal cases on **4 death cases** was refused (3 occurred as a result of health problems, 1 occurred as a result of suicide). RA Prosecutor General's Office considered the mentioned death cases as not related to military service.

In the frame of 1 case (accident as a result of overturning of a tractor) materials are still being prepared. RA Prosecutor General's Office considered the mentioned death case as not related to military service.

⁶RA Prosecutor General's Office's data. In the frame of the fact o the same incident, RA IC informed that a criminal case was initiated under Article 104 part 1 of the RA Criminal Code: Illegal willful deprivation of someone else's life.

⁷RA Prosecutor General's Office's data. According to the information provided by the RA IC to the Organization, a criminal case was initiated on the fact of the same incident under Article 110 part 1 of the RA Criminal Code: Inciting suicide.

In the frame of **8 cases**, it is not known whether criminal cases were initiated or not and if initiated, then under what articles of the RA Criminal Code

- Proceedings of 6 cases (3 as a result of health problems, 1 as a result of car crash, 1 as a result of suicide, 1 as a result of accident due to a fire that broke out in the car) were conducted by RA IC, RA Police or NK Police different departments.
- In 2 cases (health problems), the body conducting the proceedings is not known.

RA Prosecutor General's Office considered the mentioned 8 cases as not related to military service.

- **It should be mentioned that the Article of a criminal case initiated on a serviceman's death in the first half of 2020 changed.** Initially, the criminal case was initiated on the fact of the serviceman's death under Article 360.1 part 2 clause 3⁸ (negligently inciting a serviceman's suicide during combat duty or combat service). However, later the criminal case was requalified, as it turned out that the serviceman got a fatal gunshot injury by a fellow serviceman, who was arrested for the commission of a crime envisaged under Article 365 part 1 of the RA Criminal Code (breach of the rules of combat duty or combat service) and Article 104 part 2 clause 11 (murder to conceal another crime or to facilitate its commission)⁹.
- Besides, it is also necessary to touch upon a criminal case initiated on one more serviceman's death case, when two different official sources (RA Prosecutor General's Office, RA Investigative Committee) provided different data. According to the information provided by the RA Prosecutor General's Office to HCA Vanadzor, a criminal case was initiated on the fact of 1 serviceman's death under Article 104 part 2 clause 10: Murder out of hooligan motives. However, according to the information provided to HCA Vanadzor by the RA Investigative Committee, a criminal case was initiated on the fact of the death of the same serviceman under Article 104 part 1: Illegal willful deprivation of someone's life. Nevertheless, according to the RA IC data, the serviceman's fellow serviceman was detained under the suspicion of having committed a crime envisaged under Article 104 part 2 clause 10 of the RA Criminal Code (Murder out of hooligan motives).

⁸<http://investigative.am/news/view/zinvari-mah11.html>

⁹<http://investigative.am/news/view/zivori-mah.html>