



HELSINKI CITIZENS' ASSEMBLY-VANADZOR



OPEN SOCIETY
FOUNDATIONS

REPORT

ON DEATH CASES IN THE ARMED FORCES OF THE REPUBLIC OF ARMENIA, AND REPUBLIC OF ARTSAKH/NAGORNO-KARABAKH IN 2021

VANADZOR

2022

Authors: Armine Sadikyan

Nazeli Movsisyan

Editor: Artur Sakunts

This report was prepared with the financial support of Open Society Foundations-Armenia.
Views, comments and conclusions in this report are those of the authors and do not necessarily reflect views of the funding organization.

SUMMARY

HCA Vanadzor (hereinafter referred to as the Organization) hereby presents data regarding servicemen's death cases recorded in the Armed Forces of the Republic of Armenia (RA), and Republic of Artsakh/Nagorno-Karabakh (RA/NK) in 2021. The data was collected through information disseminated via mass media and official sources, as well as responses to the Organization's information inquiries addressed to official organizations (RA Ministry of Defence, RA Prosecutor General's Office, RA Investigative Committee).

According to the information we received, in 2021, death cases of 76 servicemen were recorded in the Armed Forces of the Republic of Armenia, and Republic of Artsakh/Nagorno-Karabakh in 2021.

Out of those 76 cases:

- 19 cases were caused by ceasefire violations,
- 17 cases were caused by health problems,
- 15 cases were caused by car crashes (2 of which were cases of a vehicle hitting a person, the Prosecutor included them in the number of death cases caused by car crashes),
- 11 cases were caused by murder (3 were qualified as murder of 2 or more persons, 4 were qualified as breach of rules of organizing combat service, 2 were qualified as breach of rules of handling weapon, 1 was qualified as murder committed in a way dangerous to others' lives, 1 was qualified as an intentional murder),
- 9 cases were caused by suicide or inciting suicide,
- 5 cases were caused by accidents (1 avalanche, 1 case of being struck by lightning, 1 case of being hit by a car part, 1 tree fall, 1 sudden death, which the Prosecutor included in the number of death cases caused by accidents).

2 out of 19 servicemen, who died as a result of ceasefire violations, got injuries in October and November 2020, and died in 2021.

6 servicemen died as a result of military operations on Armenia-Azerbaijan line of contact in November 2021.

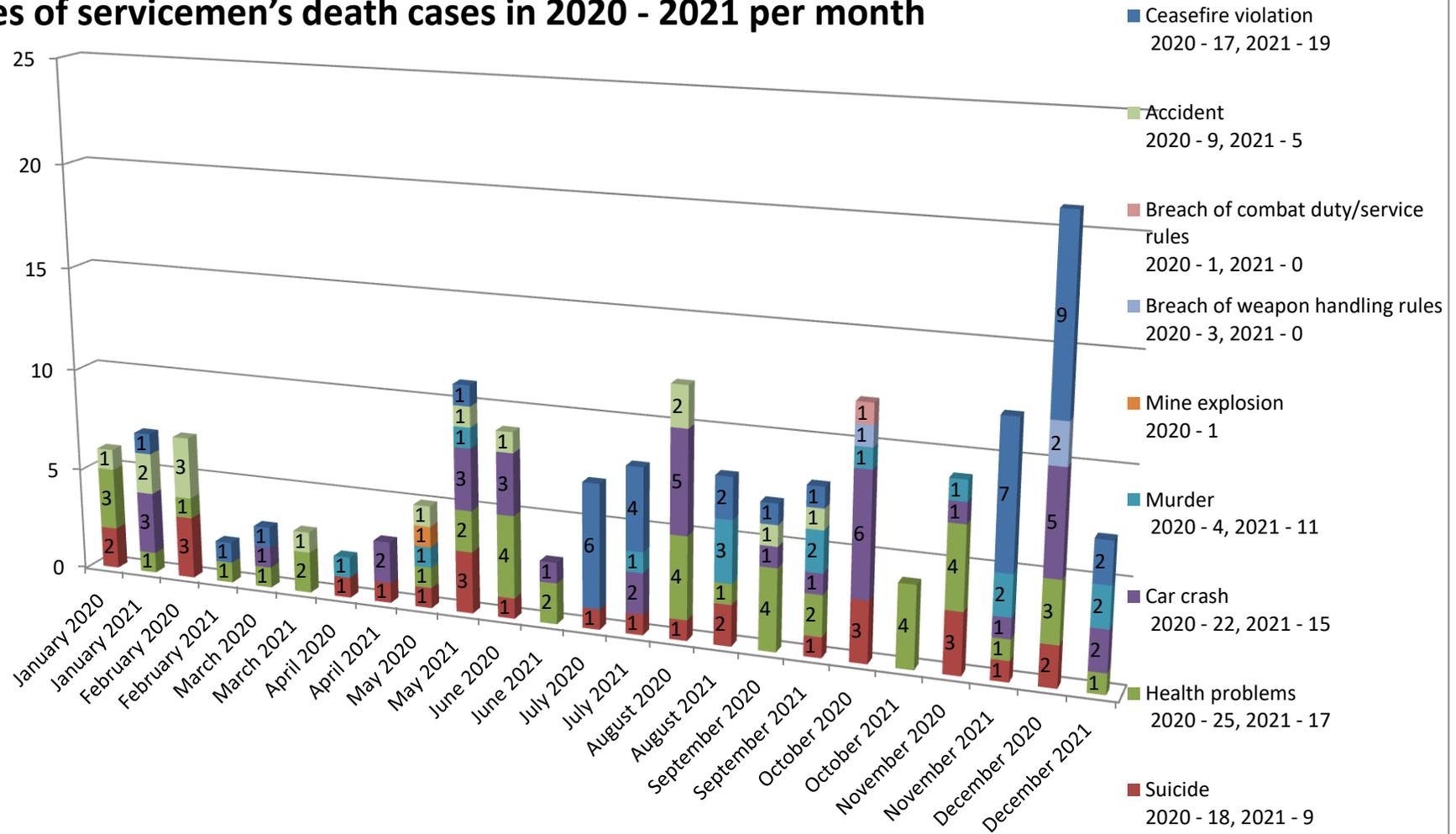
For comparison, it should be mentioned that 100 **servicemen's death cases** – not related to war operations – were recorded in 2020 (see Table 1), of which

- **25 were caused by health problems,**
- **22 were caused by car crash,**
- **18 were caused by suicide or inciting suicide,**
- **17 were caused by ceasefire violations,**
- **9 were caused by accidents** (3 were caused by avalanche, 1 was caused as a result of falling into a gorge, 1 was caused as a result of fire in the car, 1 was caused as a result of overturning of a tractor, 1 was caused by a bee sting, 1 was caused by poisoning by ethyl alcohol poisoning, 1 was caused as a result of a collapse during construction of the house),
 - **4 were caused by murder** (2 intentional, 1 murder out of hooliganism, 1 murder committed to conceal another crime or facilitate its commission),
 - **3 were caused by breach of weapon handling rules,**
 - **1 was caused by violation of combat duty/service rules,**
 - **1 was caused by a mine explosion.**

Chart 1 presents death cases of servicemen in the Armed Forces of the Republic of Armenia, and the Republic of Artsakh/Nagorno-Karabakh in 2020-2021 per cause and month.

Chart 1. Death cases of servicemen in the Armed Forces of the Republic of Armenia, and Republic of Artsakh/Nagorno-Karabakh in 2020-2021 per cause and month

Causes of servicemen's death cases in 2020 - 2021 per month



Thus, the majority of death cases recorded in 2021 occurred:

- **12 cases in November**, 7 of which occurred as a result of ceasefire violation, 2 occurred as a result of murder, 1 occurred as a result of health problems, 1 occurred as a result of suicide;
- **11 cases were recorded in May**, 3 of which were suicide cases, 3 were car crashes, 2 occurred as a result of health problems, 1 was caused by murder, 1 was caused by ceasefire violation, 1 was caused by an accident;
- **8 cases were recorded in July, 8 cases were recorded in August, 8 cases were recorded in September**, 4 of them occurred as a result of ceasefire violation, 2 as a result of a car crash, 1 as a result of suicide in July; 3 as a result of murder, 2 as a result of ceasefire violations, 2 as a result of suicide, 1 as a result of health problems in August; 2 as a result of murder, 2 as a result of health problems, 1 as a result of a ceasefire violation, 1 suicide, 1 car crash, 1 accident in September;
- **7 cases were recorded in January, 7 cases were recorded in December, of which 3** as a result of car crashes, 2 as a result of accidents, 1 as a result of health problems, 1 as a result of a ceasefire violation in January; 2 as a result of ceasefire violation, 2 as a result of murder, 2 as a result of car crash, 1 as a result of health problems in December;
- **4 cases** were caused by health problems in **October**,
- **3 cases in March, 3 cases in April, 3 cases in June**, of which 2 cases as a result of health problems, 1 case as a result of an accident in March; 2 cases as a result of car crash, 1 case as a result of suicide in April; 2 cases as a result of health problems, 1 case as a result of a car crash in June;
- **2 cases in February**, 1 of which was caused by a ceasefire violation, 1 was caused by health problems.

Summing up causes of servicemen's death cases in 2021, it should be noted that the statistics of death cases caused by suicide and murder remains worrisome. 3 out of 11 murders were recorded within a month (in August), while 3 out of 9 suicides were recorded in May.

Comparing causes of death cases in 2020 and 2021, we record that in 2021,

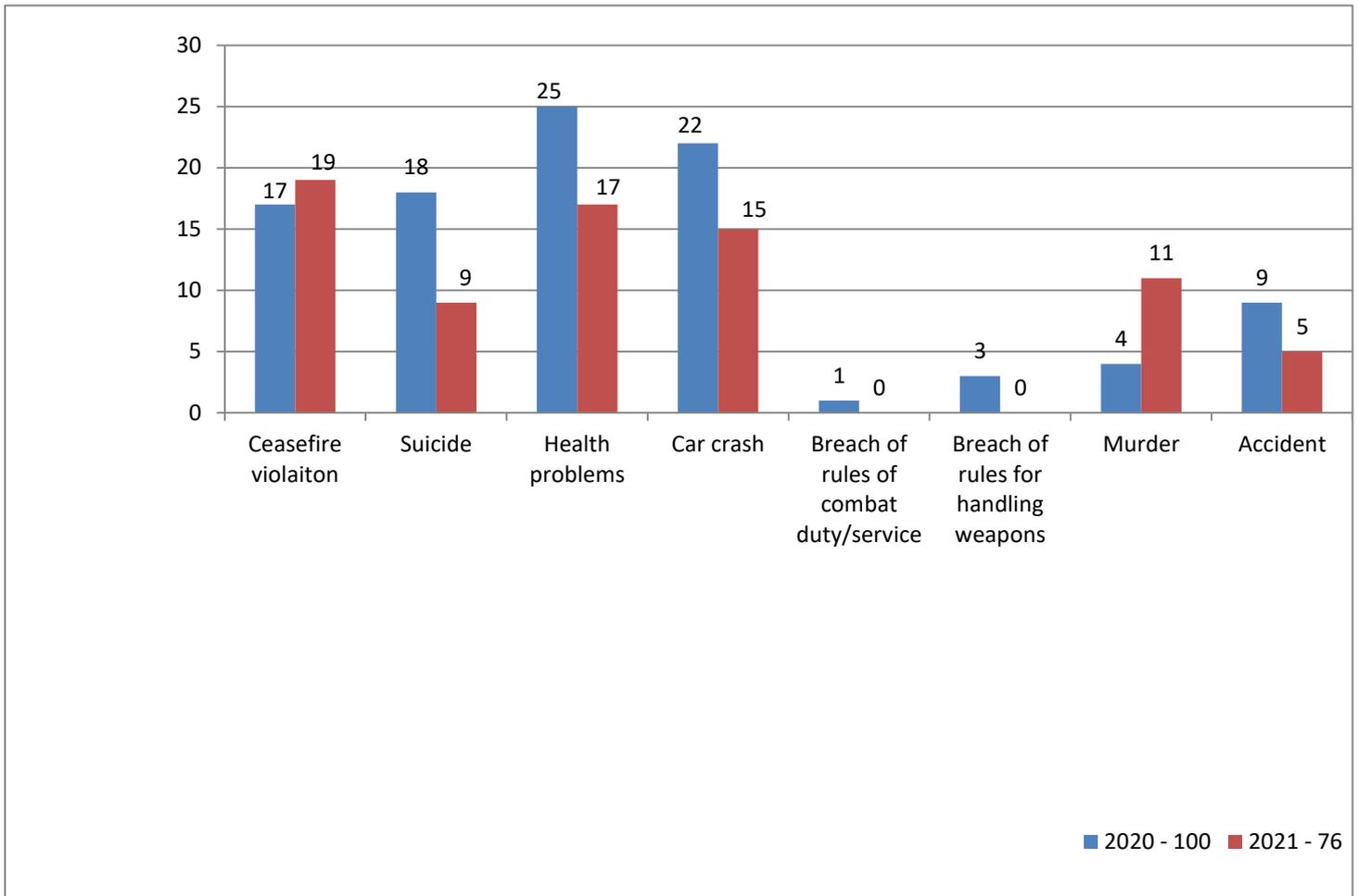
- **cases caused as a result of ceasefire violation increased by 12 % (2 cases),**
- **murder cases more than doubled (7 more cases).**

At the same time, it should be recorded that the number of death cases caused by **suicide, health problems, car crash, accidents**, decreased in 2021.

In comparison to 2020, in 2021

- cases caused by suicide decreased by 50 % (9 cases),
- cases caused as a result of health problems decreased by 32 % (8cases),
- death cases caused by car crash decreased by 32 % (7 cases),
- death cases caused by accidents decreased by 44 % (4 cases). (see Chart 2)

Chart 2. Death cases in the Armed Forces of the Republic of Armenia, and Republic of Artsakh/Nagorno-Karabakh in 2020 and 2021 per cause



Summing up the aforementioned, we record that while the number of death cases decreased in 2021 as compared to 2020, the majority of cases, i.e., 75%, again happened in non-combat conditions; in particular, 22% was caused by health problems, 20% was caused by car crash, 12% was caused by suicide, 15% was caused by murder, 7% was caused by accidents; the number of death cases in combat conditions, i.e., caused by ceasefire violation, amount to 25% of the total number of death cases.

Official publications were disseminated with regard to only **39 out of 76** servicemen's death cases, information regarding 6 cases (4 cases caused by car crash, 1 case caused by an accident, 1 case caused by suicide) was disseminated only through mass media, while **no information** was disseminated regarding 31 cases. The Organization learnt about 27 out of those 31 cases from the RA Central Military Prosecutor's Office, the Organization learnt about 2 cases from other non-official sources, which were confirmed by the RA Prosecutor General's Office in response to the Organization's information inquiries. When giving information about these two cases, the Prosecutor's Office stated that they had not informed the Organization about those cases because the RA Central Military Medical Prosecutor's Office received this information after they responded to the Organization's previous inquiry.

Observing those 37 cases – which were not published officially – we record that 30 of them were considered not related to military service, 7 were considered related to military service. It can be seen that even when official organizations qualified death cases as related to military service, information about those cases was not published.

We can state that official bodies do not manifest accountability in terms of providing the public with information concerning human rights violations, in this case, servicemen's death cases, and state organizations continue not making public information about death cases.

34 out of 76 servicemen who died in 2021 were contractual servicemen, **23** were compulsory-term servicemen, **11** were officers, **4** were reservists, **4** were non-commissioned officers.

One of the reservists who died was a serviceman who joined the Armed Forces through a mobilization call-up, who was injured in October 2020 and died in 2021. By the way, 1 more serviceman, who got injured in 2020 and died in 2021, was also a contractual serviceman.

Two other reservists died in September 2021 as a result of breach of combat service organization rules by a fellow serviceman during the three-month exercise gathering of reservists announced by the RA Government's decision. The other reservist was a reservist officer who died as a result of an accident, when he was repairing a car (a car part hit his head).

For comparison, **33** out of 100 servicemen who died in 2020 were **contractual servicemen**, **23** were **officers**, **21** were **compulsory-term servicemen**, **17** were **reservists**, **5** were **non-commissioned officers**, **1** was a **volunteer**.

Below we present more details about causes of some servicemen's death cases in 2021.

❖ *Suicide and murder*

Observing **9 servicemen's death as a result of suicide** and **11 servicemen's death as a result of murder**, we can record that those cases make up around 31% of the total number of death cases. Death cases recorded as a result of the same causes (18 suicides, 4 murders) in 2020 make up around 22% of the total number of death cases.

It is noteworthy that in the frame of a case classified as suicide by the RA Central Military Prosecutor's Office, a criminal case was also initiated based on illegall carrying of weapon and illegal possession of weapon. In particular, the case was recorded as an officer detonated a grenade in his house, which also caused his pregnant wife's death.

Addressing suicide cases, we find it important to note that in 2021, the RA Prosecutor General's Office found out that war operations of April 2016 and Septemer-November 2020 directly affected the psychological state of not only current servicemen, but also volunteers and reservists who participated in war operations, as well as relatives of persons who died or went missing as a result of the war.

In July 2021, the RA Prosecutor's Office made a statement¹and presented 2 suicide cases and 1 suicide attempt related to the hostilities. One of those who committed a suicide was a volunteer participant in the hostilities of 2020 , and the other was a serviceman's father, who had developed psychological problems.

1 more person who was a volunteer participant of 2016 and 2020 hostilities, called MES and informed that he was near Kievyan bridge and was going to claim his own life. He later explained that after 2020 war, he could not sleep, because he kept visualizing killed servicemen's corpses, always felt scared and did not have any will to live.

¹<https://www.prosecutor.am/am/mn/8209/>

The mentioned cases once again show the strong need for free, effective, urgent and continuous psychological support for servicemen and particularly those who participated in hostilities –including volunteers - as well as their relatives.

It should be mentioned that in January 2021, the Organization applied to the RA Ministry of Defence requesting to provide information regarding implementation of the action towards psychological support and restoration of servicemen who participated in hostilities.

In response, the RA MoD informed that psychological first aid and rehabilitation work had been conducted, as necessary, with servicemen, reservists and volunteers since the start of hostilities until February 2021. The Ministry also specified that until February 2021, psychological support had been provided to around 6000 and more injured servicemen, reservists, volunteers, and more than 1900 visits were made to their houses in Yerevan and all the RA provinces. About 1500 volunteer psychologists from higher educational institutions, civilian medical institutions, psychological aid centers and non-governmental organizations were involved in the psychological support and rehabilitation action, along with the officer psychologists of the Armed Forces. The RA MoD also informs that officer psychologists also provide psychological aid to servicemen in military units, and in case of post-traumatic disorders, exacerbations and other problems requiring psychotherapeutic stationary treatment, servicemen are transferred to the relevant military hospitals, civilian medical institutions and post-traumatic collective rehabilitation department of Mountainous Armenia rest house of the RA MoD.

At the same time, the RA Ministry of Defence stated that the RA Armed Forces had made agreements with psychological aid centers regarding provision of free of charge (on voluntary basis) psychological services to servicemen and their family members, as necessary. They also mentioned that duration of psychological support and rehabilitation work is related to peculiarities of the relevant person's problems.

The RA Ministry of Defence also informed that after February 2021, psychological support was provided to persons who participated in combat operations during the war and persons related to them by "Consortium of psychological health" – under coordination of the RA Ministry of Emergency Situations – which won the competition announced by the RA Government's decision

131-Ն² of 4 February 2021 on "Psychological rehabilitation of participants of military operations unleashed by Azerbaijan on 27 September 2020"³.

Nonetheless, the RA MoD considered confidential information about servicemen who were provided with psychological support, and their services.

It should be noted that during 2021, some servicemen, who had participated in war operations and developed psychological problems, applied to the Organization stating that they found ineffective the psychological support provided by the RA MoD. Moreover, in one case, a serviceman was instructed to have consultations with a neurologist and a psychologist, but only a consultation with a neurologist was organized, and no psychological support was provided despite the relevant instruction.

We record that despite the state's efforts at providing free psychological support, it is not enough for servicemen's full psychological rehabilitation, and it is necessary to make more effective the psychological support provided to servicemen.

With regard to death cases caused by murder, it should be mentioned that in cases when a serviceman died as a result of breach of weapon handling rules or combat duty or combat duty organization by a fellow serviceman, the Organization includes such cases in "murder subclassification".

4 out of 11 such cases recorded in 2021 were qualified as breach of rules of combat service classification, 3 were qualified as murder of two or more persons, 2 were qualified as breach of weapon handling rules, 1 was qualified as an intentional murder, 1 was qualified as murder committed in a way dangerous to others' lives.

It is noteworthy that two out of four murders qualified as "breach of the rules of combat service organization" occurred on the same day, but official information was provided only regarding one of them. Moreover, the servicemen were mobilized in the frame of three-month exercise gathering of reservists.

²<https://www.e-gov.am/gov-decrees/item/35548/>

³https://www.e-gov.am/u_files/file/decrees/kar/2021/01/131_1.pdf

Such death cases recorded during three-month gatherings of reservists can evidence shortcomings in ensuring military discipline during gatherings and organization of military training, as it is obvious that persons, who have not used weapon and have not dealt with military duty for some time, need proper training.

❖ *Health problems*

17 death cases caused by health problems amounted to 22% of the total number of death cases. The RA Central Military Prosecutor's Office qualified only 2 of them as related to military service (a compulsory-term serviceman died as a result of 1 of them; and a contractual serviceman died as a result of the other case).

In the frame of death cases caused by health problems, it is mainly not mentioned how and under what factors those problems emerged. It is not revealed whether health problems were identified when the serviceman was drafted for compulsory-term military service, or they emerged during military service.

Based on information from official sources regarding the only death case of a compulsory-term military serviceman, which was classified as "related to military service", the Organization learnt that as a result of deterioration of his health state, the compulsory-term serviceman applied to the medical unit of his military unit, and was not referred to undergo a medical examination on time, as a result of which his health state kept deteriorating and he was transferred to military hospital, where adequate medical examination was not implemented, either, and he was then transferred to another medical center. Medical staff of the medical center did not perform their professional duties properly, as a result of which, the serviceman died.

The RA Law on Approving the Internal Service Code of the RA Armed Forces⁴ establishes servicemen's sanitary-hygienic and anti-epidemic measures, medical-preventive measures; in particular, Article 344 of the Law establishes that medical control of servicemen's health state is implemented in the following way:

- control of staff during combat preparation and daily life,
- medical check-up of servicemen,
- advanced and control-medical examination of servicemen, planned medical check-ups.

⁴<https://www.arlis.am/DocumentView.aspx?DocID=121817>

According to official data, as a result of 15 death cases caused by health problems and classified as not related to military service, 7 contractual servicemen, 6 officers and 2 non-commissioned officers died.

With regard to circumstances of those death cases, according to information received from an official source, servicemen were at home or in vacation in 5 cases (in only 1 out of those 5 cases, it is known that the serviceman died of a heart attack), in 1 case, the serviceman felt bad while on a bus and died in ambulance car; 6 servicemen died in different medical centers; in 1 case, it is not known in what conditions the serviceman's death was recorded (it is only known that the serviceman died of a cardiac arrest); in the other two cases – about which the Prosecutor informed the Organization later – servicemen died of cancer: 1 of them died in a medical institution and the other died at home.

It is noteworthy that except the above-mentioned two death cases caused by health problems, official sources mainly did not specify what health problems servicemen had in other cases, whether they were chronic or resulted from previous diseases. At the same time, in case of chronic diseases, it is not known how the state, in particular, the RA Ministry of Defence controlled the process of treatment of servicemen's health problems, and whether those servicemen received any support from the state with the purpose of treatment.

Summing up the aforementioned information, we can state that the situation of proper organization of servicemen's advanced and control or preventive medical examination continues to remain worrisome, as a result of which, death cases are recorded.

Causes of servicemen's death cases as per military service type or serviceman's status

Observing death cases in the Armed Forces as per causes and servicemen's military service type, we record that

Causes of death of **compulsory-term servicemen** are:

- **murder**(9 cases),
- **suicide** (6 cases),
- **ceasefire violation** (6 cases),
- **health problems** (1 case),

- **car crash** (1 case).

Causes of death of **contractual servicemen** are:

- **car crash** (11 cases),
- **ceasefire violation** (9 cases),
- **health problems** (8cases),
- **accidents**(4 cases),
- **suicide** (2 cases).

Causes of death of **reservists** are:

- **ceasefire violation**(1 case),
- **accident**(1 case),
- **murder** / breach of rules for combat service organization (**reservist officer**) (1 case)
- **murder – breach of rules for combat service organization** (1 case).

Causes of death of **officers** are:

- **health problems** (6 cases),
- **ceasefire violation** (2 cases),
- **suicide** (1 case),
- **car crash** (2 cases).

Causes of death of **non-commissioned officers** are:

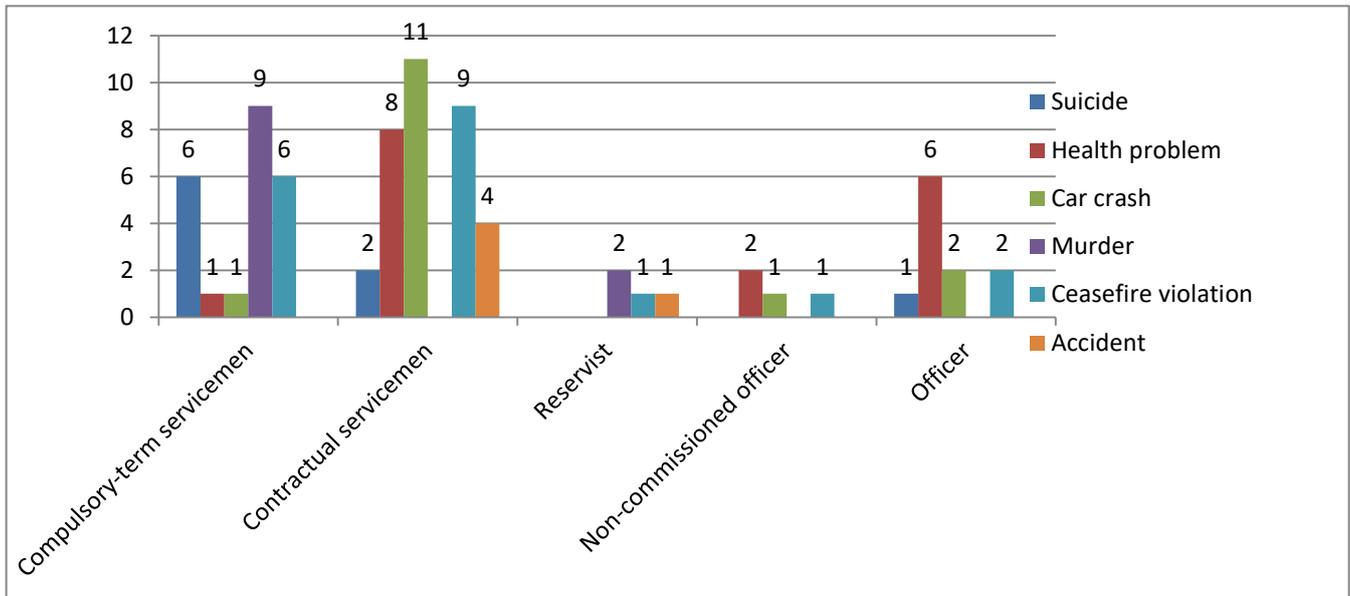
- **health problems** (2 cases),
- **ceasefire violation** (1 case),
- **car crash** (1 case).

Thus, death cases caused as a result of **health problems** were recorded in 2021 among all types of servicemen except reservists; death cases caused as a result of **car crash** were recorded among **compulsory-term servicemen, contractual servicemen, officers, non-commissioned servicemen** (*see Chart 3*).

If we estimate prevalence of murder and suicide, we can notice that they are most common among compulsory-term servicemen (9 cases of murder, 6 cases of suicide), while death cases caused by health problems and car crash were mainly recorded among

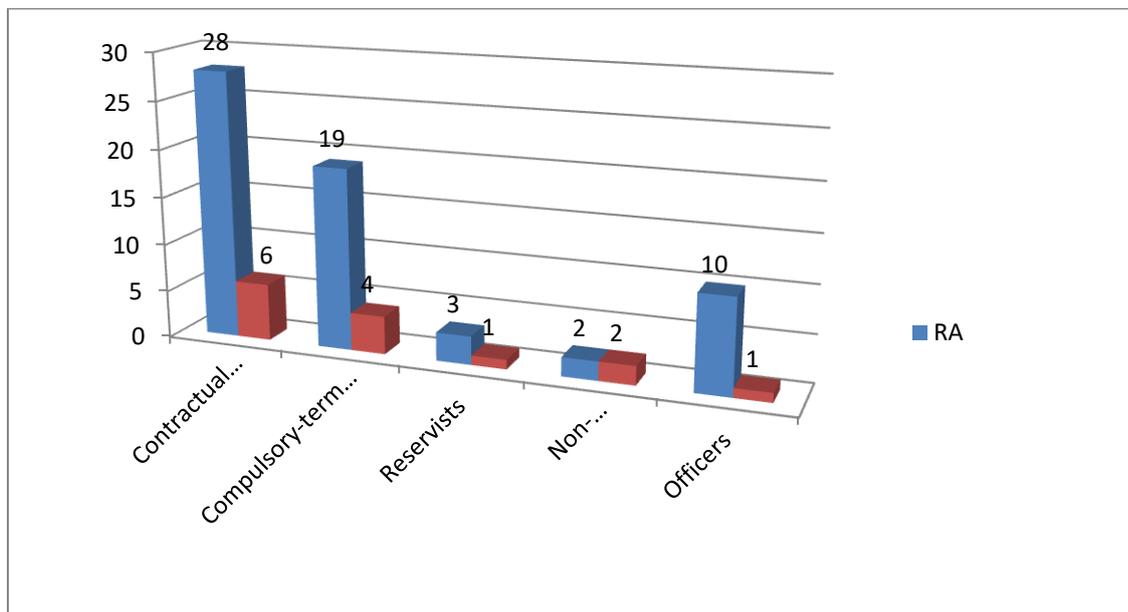
contractual servicemen (8 and 11 cases respectively), officers (6 and 2 cases respectively), non-commissioned officers (2 and 1 cases respectively).

Chart 3. Types of service of servicemen who died in the Armed Forces of the Republic of Armenia, and Republic of Artsakh/Nagorno-Karabakh in 2021 as per cause of death



62 out of 76 death cases occurred on the territory of the **Republic of Armenia**, 14 cases occurred on the territory of the **Republic of Artsakh/Nagorno-Karabakh** (see Chart 4).

Chart 4. The number of servicemen who died in the Armed Forces of the Republic of Armenia, and Republic of Artsakh/Nagorno-Karabakh in 2021 as per territory of death cases



Death cases classified as related and not related to military service

The Central Military Prosecutor's Office provided the Organization with information regarding death cases of 74 servicemen, 42 of which were considered related to military service, 32 were considered not related to military service.

It should be mentioned that out of 32 cases classified by the Prosecutor's Office as not related to military service,

- in 11 cases, servicemen had a car crash in their civilian/own car (1 of them was in a free shift),
- in 11 cases (6 cases caused by health problems, 3 cases caused by suicide, 2 cases caused by accidents), servicemen were at home or in free shift,
- in 7 cases (health problems), servicemen's death was recorded in medical centers, but the Prosecutor did not provide any further details,
- in 1 case (health problems), servicemen's death was recorded in the ambulance car on the way to a medical center,
- in 1 case (suicide), though the serviceman was found 2.5 km away from the permanent location of military units, the Prosecutor's Office informed that in the frame of the investigation, no data had been obtained indicating relation of the case to the military service,
- in 1 case (health problems), no details were provided regarding the serviceman's death.

It should be mentioned that the Organization possesses information regarding 1 death case related to military service and 1 death case not related to military service, about which the RA Prosecutor General's Office did not inform in response to the Organization's information inquiry sent in written form. One of the cases – about which the RA Prosecutor General's Office did not inform and which was classified as not related to military service – was recorded as a result of an accident: a car part hit his head and the reservist officer (who was serving military service according to the data provided to the Organization by another official source) died.

One more case, not specified by the RA Prosecutor General's Office, is related to military service. The case was caused by murder: breach of rules of organizing combat service.

The RA Investigative Committee provided the Organization with information only about death cases of 42 servicemen, in the frame of which pre-trial proceedings are underway in various subdivisions of the RA Investigative Committee General Military Investigation Department.

According to the data provided to the Organization by the RA Investigative Committee, 39 out of 42 death cases of servicemen were considered related to military service, 3 cases were considered not related to military service. 2 death cases caused by suicide and 1 death case caused by murder were considered not related to military service.

Besides, the RA Investigative Committee did not provide the Organization with names of servicemen who died during July-December 2021, but only provided numbers as per classification of related to military service or not related to military service, causes of death cases and instituted criminal cases, while the Organization requested this information along with names of relevant servicemen.

The RA Investigative Committee actually did not provide detailed information regarding death case of each serviceman, but addressed only a part of information requested.

In response to HCA Vanadzor inquiries, the RA Ministry of Defense provided information regarding the number of servicemen who died in July-December 2021. It should be mentioned that in the first half of 2021, the RA MoD refused to provide any information in response to the Organization's inquiry regarding servicemen's death cases based on the requirements of the RA Law on Protection of Personal Data, as well as requirements of Article 8 part 1 clause 1 of the RA Law on Protection of Personal Data, considering that the information "contains a state, service...secret".

According to the data of the RA MoD, in the second half of 2021, 45 servicemen died in July-December, 27 of whom, according to the initial information of the RA MoD, died in conditions related to military service, 18 of them died in conditions not related to military service. 37 death cases were recorded in the RA territory, 8 were recorded in the RA/NK territory. Nonetheless, the RA MoD did not provide servicemen's names and death causes based on requirements of Article 8, part 1, clause 2 of the RA Law on Freedom of Information ("...if it

violates confidentiality of a person's private and family life") and the RA Law on Protection of Personal Data.

It is noteworthy that every time the RA MoD refuses to provide similar information, they substantiate it by different clauses of the RA Law on Freedom of Information.

Besides, the RA MoD continues manifesting ambiguous conduct in terms of providing information in the frame of similar inquiries, by sometimes providing the whole information requested, sometimes providing a part of it, and sometimes refusing to provide any information due to considering it confidential.

By the way, in 2021, the Organization published the report⁵ "Conduct of the RA MoD in terms of providing information", where we addressed provision of information by the Defense agency and the high level of confidentiality.

Distribution of criminal cases initiated on death cases of servicemen in 2021 as per Articles of the RA Criminal Code

According to the official information obtained by the Organization and the data disseminated by mass media, in 2021, 76 servicemen died in the Armed Forces of the RA, and RA/NK in 2021 as a result of 66 incidents.

Based on 35 of the above-mentioned cases (death cases of 45 servicemen), criminal cases were initiated with the following Articles:

- **4** were initiated under Article 365 part 3 of the RA Criminal Code: violation of combat duty or combat service rules that caused grave consequences,
- **3** were initiated under Article 360.1 part 1 of the RA Criminal Code: inciting a serviceman's suicide through negligence,
- **3** were initiated under Article 104 part 2 clauses 2, 7, 13: murder committed in a way dangerous to others' lives, out of motives of national, race or religious hate or fanaticism, based on implementation of that person's military activity or public obligation,

⁵<https://hcav.am/pn-gaghtniutyun/>

- 2 were initiated under Article 104 part 2 clauses 1, 7, and 13: murder by a group of persons or an organized group out of motives of national, race or religious hate or fanaticism,
- 2 were initiated under Article 104 part 2 clauses 2 and 13: murder by a group of persons or an organized group out of motives of national, race or religious hate or fanaticism, based on implementation of that person's military activity or public obligation,
- 2 were initiated under Article 373 part 3: breach of rules of handling ammunition and items, materials dangerous for the environment, which negligently caused a person's death,
- 1 was initiated under Article 376 part 2: negligent attitude to service, which negligently caused grave consequences,
- 1 was initiated under Article 376 part 2 (negligent attitude to service, which negligently caused grave consequences) and Article 130 part 2 of the RA Criminal Code (failure to implement or improper implementation of professional duties by medical and support personnel, which negligently caused a patient's death),
- 1 was initiated under Article 376 part 3: negligent attitude to service, which negligently caused grave consequences in the consequences of martial law, war or battle,
- 1 was initiated under Article 110 part 1: Inciting suicide or attempting a suicide by indirect willfulness or by negligence, by means of threat, cruel treatment or regular humiliation of one's dignity,
- **1 (based on the fact of 3 servicemen's death cases)** was initiated under Article 104 part 2 clause 1: murder of two or more persons,
- **1 (based on the fact of 3 servicemen's death cases)** was initiated under Article 104 part 2 clauses 7 and 13 (murder by a group of persons or an organized group out of motives of national, race or religious hate or fanaticism) and Article 300.2 of the RA Criminal Code (actions aimed at violating territorial integrity),
- **1 (based on the fact of 2 servicemen's death cases)** was initiated under Article 242 part 3 (breach of requirements of traffic security or rules of traffic or transport means exploitation, which negligently caused death of two or more persons) and Article 244 part 1 of the RA Criminal Code (abandonment of the site of road accident),

- 1 was initiated under Article 242 part 2 of the RA Criminal Code: breach of requirements of traffic security or rules of traffic or transport means exploitation, which negligently caused human death,
- 1 was initiated under Article 377 part 2 of the RA Criminal Code: breach of rules of driving or operating vehicles, which negligently caused human death,
- 1 was initiated under Article 104 part 2 clauses 1, 6 and 13: murder in a way dangerous to others' lives, out of motives of national, race or religious hate or fanaticism,
- 1 was initiated under Article 104 part 2 clauses 2, 6 and 13: murder out of motives of national, race or religious hate or fanaticism related to that person's implementation of service activity or public obligation, in a way dangerous to others' lives,
- 1 was initiated under Article 104 part 2 clause 4, and Article 235 part 1 of the RA Criminal Code: murder of an obviously pregnant woman, illegal possession of weapon (cause of the serviceman's death: suicide),
- 1 was initiated under Article 360.1 part 2 clause 3 (negligently inciting a serviceman's suicide during combat duty or combat service) and Article 235 part 1 (illegal procurement, exercise, transportation, keeping or carrying of weapons, explosives or explosive devices),
- 1 was initiated under Article 360.1 part 2 clause 3 of the RA Criminal Code: negligently inciting a serviceman's suicide during combat duty or combat service,
- 1 was initiated under Article 360.1 part 2 clauses 1 and 3 (negligent inciting of a serviceman's suicide by a group of persons during combat duty or combat service), Article 359 part 2 clause 2 (breach of rules of servicemen's relationship by a group of persons) Article 365 part 3 (breach of combat duty or combat service rules, which caused grave consequences),
- 1 was initiated under Article 104 part 1 of the RA Criminal Code: murder – illegally claiming someone's life,
- 1 was initiated under Article 104 part 2 clauses 1 and 6: murder of two or more persons in a way dangerous to others' lives,
- 1 was initiated under Article 104 part 2 clauses 1, 2, 6, 7 and 13: murder of two or more persons by a group of persons or an organized group out of motives of national, race or

religious hatred or religious fanaticism in connection with that person's implementation of service activity, in a way dangerous to others' lives,

- **1 (based on the fact of 2 servicemen's death)** was initiated under Article 104 part 2 clauses 1, 6, 7 and 13: murder of two or more persons by a group of persons or an organized group in a way dangerous to others' lives, out of motives of national, race or religious hatred or religious fanaticism.

□ Out of 35 criminal cases (initiated based on the fact of death of 45 servicemen)

- 29 are in the phase of **preliminary investigation**,
- 3 were **suspended** based on force majeure,
- 2 were **discontinued** based on lack of corpus delicti,
- in the frame of 1 criminal case (initiated based on the fact of 2 servicemen's death caused by a car hitting them), the court made a decision to arrest the accused person for two months. The case is in the trial phase.

□ **No criminal case was initiated or no information is available on initiation of a criminal case regarding death cases of 31 servicemen who died as a result of 31 incidents.**

- ❖ In the frame of 3 cases (1 caused by health problems, 1 caused by an accident, 1 caused by a car crash), initiation of a criminal case was rejected based on Article 35 part 1 clause 1 (absence of criminal act) and Article 35 part 1 clause 2 (absence of corpus delicti in the act) of the RA Criminal Procedure Code.
- ❖ in the frame of 25 cases (13 caused by health problems, 10 caused by car crash, 2 caused by accidents, i.e., falling of a tree), according to the Prosecutor's office, proceedings were not conducted by military investigative departments and police divisions,
- ❖ in the frame of 2 cases (caused by health problems), criminal cases were not initiated,
- ❖ in the frame of 1 case (caused by suicide), it is not known whether a criminal case was initiated or not.