



REPORT

ON THE MONITORING RESULTS OF 2008 SPRING AND FALL CALL-UP IN LORI REGION



Open Society Institute
Assistance Foundation-Armenia



Helsinki Citizens'
Assembly-Vanadzor

The project has been implemented with the financial assistance of Open Society Institute Assistance Foundation-Armenia

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INTRODUCTION

The project “Formation of Civil Control over Recruitment in Lori Region” has been implemented by Helsinki Citizens’ Assembly-Vanadzor in 2008, with the financial assistance of Open Society Institute Assistance Foundation-Armenia.

The goals of the project were:

- to develop and contribute the mechanisms of civil control over the process of recruitment
- to reveal the violations of citizens’ rights during the recruitment and undertake actions to eliminate them
- to increase the level of public awareness on the rights of recruits

This report presents the activities implemented within the framework of the project and the results we achieved. HCA Vanadzor has implemented such thorough actions for the first time.

It should be taken into account that implementation of civil control over armed forces and the defence structure faced difficulties from the very beginning, such as:

- armed forces lack the tradition of accountability to civil society
- due to the existence of the unresolved Karabakh conflict, society perceives armed forces as the only guarantee for security and as an inviolable structure.

Civil control over recruitment has been implemented with the following methods:

- interviews with recruits and their relatives (mainly parents)
- public awareness raising on the legislation regulating the recruitment process
- preparation of inquiries, applications and announcements addressed to relevant state structures with the aim of restoring the recruits’ violated rights
- acquisition and assessment of statistical data on recruitment.

The aforementioned complex activities are mechanisms for the implementation of civil control over the recruitment process and effective protection of recruits’ rights and they can be useful for other interested organizations.

The report also presents the instruments we applied during the project.

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CHAPTER 1

Results of the Interviews Conducted with Recruits and their Family Members

In 2008 during spring and fall call-up 315 recruits and their family members have been interviewed. The goal of the interviews were as follows:

- to reveal the level of awareness among the recruits and their family members of their rights
- to reveal human rights violations of recruits during the call-up.

The interviews have been held from among the citizens recruited by regional military commissariats of Lori region, in particular in Vanadzor, Spitak, Stepanavan, Alaverdi and Tashir. Before the interviews a questionnaire was developed, which was amended after the spring call-up and improved for the fall call-up.

The interview included all the stages of call-up: registration, notification and medical examination. It should be mentioned that there have been some difficulties during the interviews, in particular the recruits and their relatives were not willing to communicate, in spite of the fact that confidentiality was ensured.



Interviews with the recruits

The interviews resulted in the following conclusions:

- the level of awareness of recruits and their family members is very low at all stages of the call-up
- organization of the first stage of call-up - registration - does not keep the future recruits informed about their rights and obligations

Insert Sheet 1

How have you been informed about appearing to the military commissariat?

- My friends have been visiting the commissariat and they have been asked to inform me.
- They have called to our teacher of military preparations who came to us and informed.
- They met me on the bus and gave me the notification.
- Our neighbor working in the regional polyclinic informed me that I should visit the commissariat.

- the military commissariats do not properly notify the future recruits about appearing to the military commissariat. However, 58 % of notifications for appearing to the military commissariat are given out by the commissariat staff personally, at the same time there is a practice of informing recruits by telephone or through other people.
- the majority of the recruits are not aware of the content of the notification letters
- the military commissariats request a large number of documents: there are about 15

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- in the military commissariats the recruits are not duly informed about their rights and obligations.

Insert Sheet 2

As a recruit have you been explained your rights and obligations in the military commissariat?

- The employee of the commissariat said that I should listen and obey all orders and that I have a right to return home in case I behaved well.
- The employee of the commissariat explained that I had to serve for two years and follow RA laws.
- Yes, I think, the employee of the commissariat explained me point by point all my rights and obligations as a recruit.
- Yes, they have explained that in case of escape, I would be punished by law.

Insert Sheet 3

What was the treatment like in the military commissariat towards you?

- Disdainful, as if we were their slaves
- Normal, as I have come voluntarily.

- most of the recruits do not have access to the information and documents regarding the call-up.
- some of the recruits even do not remember what the medical examination included. They did not know who the members of the medical commission were.
- as a rule, the medical examination results are not provided to the recruits
- the financial reimbursement provided by the state to attend the republican medical examination is less than the actual cost¹.

Insert Sheet 4

If you were present at the republican medical examination, then what was the duration, what kind of financial means were spent and for what?

- It lasted two days, they give travel reimbursement only for the bus from Vanadzor to Yerevan, and we had to take care of our staying overnight and meals
- It lasted two days, medical examination was free of charge, when giving the analysis the doctor asked "won't you give me 200 /two hundred/ drams?" but the recruit did not give. He also spent money to stay in Yerevan
- The medical examination lasted four days, two of which he spent in Armenia medical center, the other two days he spent in other place, because the medical examination should be continued in the ophthalmologic clinic. "In the hospital there were only the four walls, a few beds, some torn covers on them, it was very cold, no heating on. We quarreled with them and only after that we were provided with two covers. We went to bed without even taking off our shoes
- I've stayed for two days and then they did not allow me to stay there any longer and I had to find another place to stay. When on the 4th day I said that I would like to return home earlier as I had nowhere to stay, they said I needed to meet the chief doctor, otherwise I would start all my medical examination again from the beginning. Therefore, I had to stay till noon and return only in the afternoon.

Insert Sheet 5

If you have attended for republican medical examination who took care of your travel expenses?

- I was told to go and receive the reimbursement for the travel but I did not go because it was not enough for anything: what should I take?
- In the military commissariat I was provided once with 3000 / three thousand/ drams and I was told that in case I stayed in the hospital I would be provided with extra 700 /seven hundred/ drams per day, but I know that it is not true, I have stayed there for two days and got nothing.

- some recruits think that the republican medical examination is a waste of time and money
- the republican medical commission not always takes into consideration the complaints of the recruits about their state of health

¹ It should be mentioned that in 2008 spring call-up the amount of state reimbursement provided to recruits is mentioned to be AMD 1200. After presenting the report on the spring call-up to RA Ministry of Defence, the Minister of Defence gave an order to increase reimbursement up to 3000 AMD. However, the interviews of the fall call-up have shown that in most cases the order of the RA Minister of Defence is not executed.

- there are some complaints about cases of ill-treatment by the members of the republican medical commission

Insert Sheet 6

What was the attitude towards you during the medical examination like?

- I was examined in detail, with care and attention
- The attitude changed neither before nor after not paying 200 drams
- The attitude of the doctor examining him was good, but the doctors taking the analysis were rude; - "Anyone may understand those people, they accept about 200 recruits per day, as there are some people who kick the door, others may do something else
- I was examined in detail, besides; I was asked what complaints I had
- Normal, one by one all the recruits were asked in, where they were examined in detail and politely were seen off
- Depends on a room, in one them it was good, in the other one bad
- The doctor was very kind, but I have been waiting too long, about 4-5 hours
- Very bad, gloomy look, rude. I was kept waiting for a few hours, while they were accepting other patients (for money).

- the level of awareness among recruits on the legal norms for deferment is very low
- in spite of many complaints about the process of call-up, the recruits, as a rule, avoid presenting them to any state bodies.

Insert Sheet 7

Have you had any discontent or complaints during the call-up?

- Yes, we listen and see on TV that our army needs healthy soldiers but they do not take into consideration the state of health. I do not present it as a displeasure or complain but "I do not understand how they may call-up somebody with such an illness (slightly expressed brain trauma), some problems may arise any time and I am sure that they will arise, and what will be then? How are they going to be responsible and what should I do?"
- Did not have complaints but offered: "for appearing to the military commissariat to appoint, let's say, at least 5 days during which a person may visit the office instead of appointing only one day and at 9 a.m.
- They give orders earlier than needed
- "Why shouldn't a citizen of Karabakh come to serve in Armenia and why should the citizens of Armenia serve in Karabakh?"
- A recruit complained only about his eyesight, but the doctor did not write an order to send him to the republican examination.
- They do not inform me about my rights.
- In the military commissariat it took us 4 hours to put in order our documents.

Insert Sheet 8

Have you presented your complaints to any structures and what was the procedure?

- I have also informed the commission about it but there was no response. "They do not care for it"
- I have never presented my complaints to anyone, however I would like to propose to make medical examination more organized, so that there were no lines in the hospitals. There were some people who have been waiting for 2 weeks, some people are brought by others, they are not able to wait, and in case you do not give your turn in the line it becomes a problem. They should at least take care of the travel of those who come to the medical examination. The recruits should be given the 700 drams. I think the money goes to their pocket and if some recruits start to raise this issue they are given the money, otherwise they do not give anything.
- I have presented my complaints to Vanadzor military commissariat and if I don't get any solution I will apply to the minister.

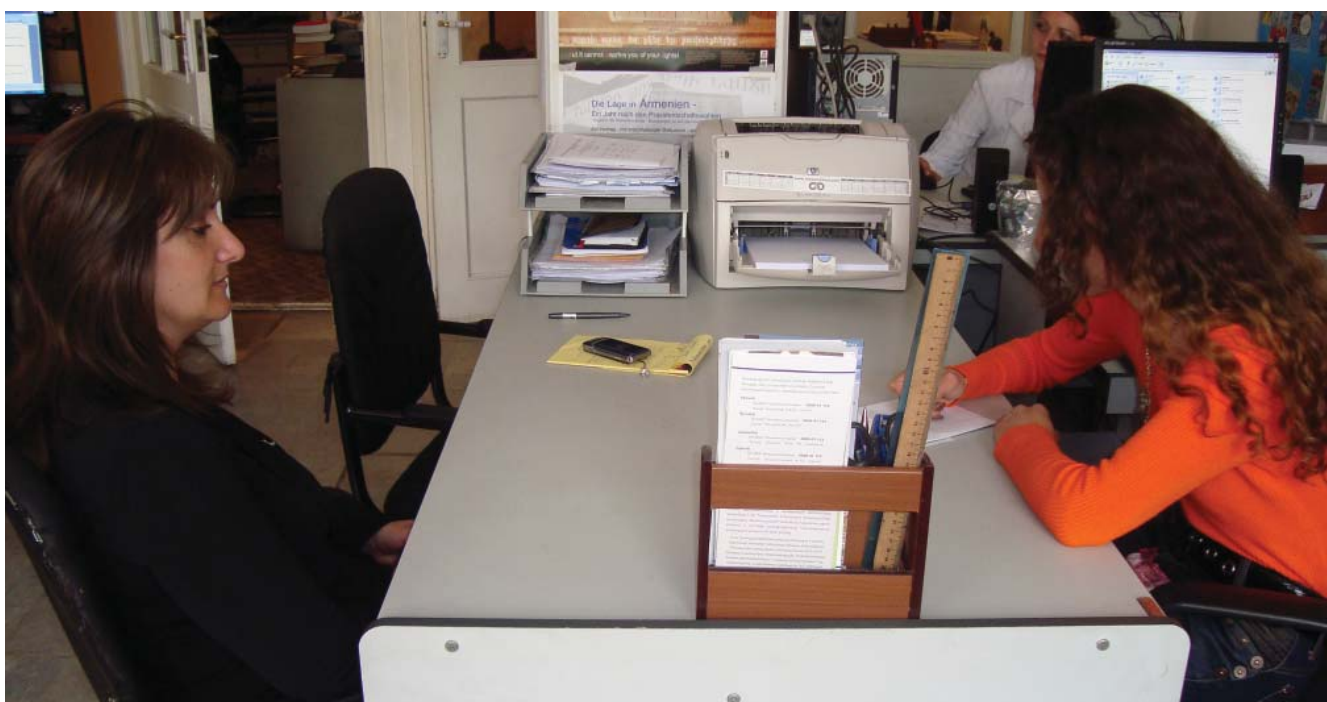
- Some recruits refuse to undergo republican medical examination because they are not able to pay their travel expenses and for their meals.

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CHAPTER 2

**Description of Legal Consultation Results Provided to Recruits and Their Relatives during 2008
Spring and Fall Call-up**

During 2008 spring and fall call-up fourteen citizens have applied to the organization to receive legal consultation.



Legal consultation

It should be mentioned that some of the citizens applying to HCA Vanadzor did not want their name to be mentioned. Attaching importance to the raising of public awareness on the legal norms regulating the call-up process live TV programs have been held on regional TV stations.

45 citizens have stated their questions during 6 live TV programs each with a duration of an hour. The questions were related to the grounds for getting deferment from military service (especially for health reasons), the way of passing to alternative service, military service in case of double citizenship, etc.

The huge difference between the number of people addressing their questions anonymously during the TV broadcasts and those directly applying to us, as well as the fact that during the interviews recruits refused to talk, make us conclude that citizens avoid presenting their ideas, complaints and their discontent publicly.

Most of the issues for which the citizens visited the organization were mainly related to the lack of transparency during the medical examination process. It should be noted that the medical examination is conducted in accordance with the “Procedure of the medical examination of conscripts and military servants” confirmed by March 30, 2006, # 378 by the order of the Minister of Defence. The order defines the list of illnesses (annexes 1 and 2 of the order), based on which the republican recruitment commission provides deferment or releases from military service. Such an important document is for internal use. Actually, the recruit or the conscript does not have any opportunity to become aware of the legal documents that define the list of illnesses, consequently the recruits are not able to appeal the decisions of the republican recruitment commission in case of disagreement.



TV program

It became clear after having a talk with specialists that the list of illnesses changes all the time, which means that a recruit could get deferment 3-4 years ago for some illness, but in 2008 he will go to serve in spite of the existence of the same illness.

The confidentiality of the legal acts defining the list of illnesses on the one hand, and on the other hand permanent changes in the list of illnesses increase the unpredictability of the legal acts regulating the call-up and mistrust of citizens towards recruitment process.

It is still a problem to obtain the conclusions made by the medical commission on the health of the recruits.

Our letters addressed to the Ministry of Defence on the state of health of some recruits were mainly taken into consideration. Double medical examinations have been appointed but the decisions made on them basically remained the same.

It is a concern that there are real differences between the medical conclusions of recruits who were examined by doctors in non-military medical centers before being called up to service and those examined by military medical commissions.



Medical examination

The difference of two professional conclusions on the state of persons' health is not understandable and there are no comments to be made on it.

During 2008 fall call-up we have been providing recruit Armen Nersisyan with legal consultation for a long time connected with his health problems.

After our several letters addressed to RA Minister of Defence, two more medical examinations were appointed for Armen Nersisyan, as a result of which he was recognized fit for military service.

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The Description of recruit Armen Nersisyan's medical examination

After staying in Yerevan for the republican medical examination, he was going to pick up all his things and go back to Vanadzor. One of the employees of the hospital asked him what had happened; the recruit replied that he knew that he should get 700 drams per day for staying at hospital. He added that he had been told about it by a friend of his. And only after that he was provided with reimbursement for 3 days in stead of 4.

He has been waiting for his documents for many days and when he went for them a doctor from the neurological department told him that the documents were not signed yet but, according to the recruit, it was said on purpose.

She asked for at least 500 /five hundred/ drams for entering the data into the computer, but the recruit refused to give and he had been waiting from 9 till 15:30, after which picked up the documents and went back home.

During the last medical examination the doctors discussed among themselves and one of them proposed: "Let's send him to the republican hospital to get treatment" but then added "Let's send for treatment and give postponement for 6 months and send back to Vanadzor hospital". Finally, the suggestion was rejected saying it was too long.

After the call-up he had some very serious health problems. Therefore, on January 8, 2009 the organization sent an open letter to RA Minister of Defence for appointing an additional medical examination for Armen Nersisyan.

It is interesting to mention that on December 27, 2008, RA Military Commissar informed our organization that Armen Nersisyan had passed a double medical examination and was recognized fit for military service and that the decision of the commission was final.

Another doctor said: "Write a commission of the 'General' for him as a present" and added: "Hurry up, let's see what we are going to do with his brother". As a result he was given the document to attend the commission of the 'General'.

He went to the medical examination with his mother, where he was examined in his clothes. The doctor touched his back but he did not feel anything because his clothes were on. Then the same doctor hit his knees with a small hammer and he was sent out to wait there.

He told the neurologist that he had a pain in the head and neck, and was asked about the reasons for his headache but he said he did not know.

The doctor examined him and saying nothing again sent outside to wait.

The laryngologist examined him, wrote something without informing the recruit or giving him the conclusion. Then he was examined by a dentist and after waiting for 20-30 minutes he was given his documents. He went to the General, who looked at the documents and wished him a nice and quiet service.

However, the Ministry of Defence informed us on January 19, 2009, that "Nersisyan had been examined and received in-patient treatment in the garrison and central military hospitals and was recognized fit for non-front service".

This indicates that before and after the call-up, 2 different medical conclusions can be made about the state of health for the same person within 2 months. This is one of those rare cases, when one can see how unpredictable the procedure of the medical examination is.

During informal discussions the representatives of the defence departments insist that recruitment is a serious problem for the armed forces. To our question whether or not people with health problems will be recruited we either do not get a logical answer or we get a definitely positive answer.

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CHAPTER 3

Non-Governmental Organization – RA Ministry Of Defence

The Cooperation during the Call-up

Before starting control over the call-up in Lori region, HCA Vanadzor sent a letter to RA Minister of Defence informing him about the project and the activities planned. At the same time, with an official letter we applied to the Minister of Defence expecting assistance during the call-up in order to eliminate possible obstacles by the regional military commissariats of Lori region.

The Minister of Defence instructed the military commissariats of Lori region to assist HCA Vanadzor in the implementation of monitoring the call-up within the frames of law.

In total 39 official letters related to 2008 spring and fall call-up were sent to RA Minister of Defence, RA Military Commissar, Regional Military Commissars, the Prosecutor of Lori region.

The report of the results of 2008 spring call-up monitoring was sent to RA Minister of Defence, Standing Committee on Defense, National Security and Internal Affairs of the National Assembly, Ombudsman and Secretary of the Security Council. The organization expected to get comments and remarks from the Ministry of Defence regarding the issues and suggestions presented in the report.

On October 16th, 2008 RA Military Commissar Mr. Kochunts informed us that the results of 2008 spring call-up monitoring had been studied and discussed in the RA Military Commissariat, and at the same time stated that “the facts mainly are not in line with the reality, and those facts that are true are taken into consideration to exclude them during further call-ups.” To conclude, no concrete comments or suggestions were made by RA Military Commissar on the issues reflected in the report.

Attaching importance to the recommendations and suggestions of the Ministry of Defence we again applied to them on October 23, 2008. On November 11, 2008 we received a letter signed by Mr. E. Gevorgyan, senior assistant to the Minister of Defence, head of the administrative departments, where it was stated:

- RA Minister of Defense assigned the regional commissariats to post information in a visible place on local buildings with the aim of publicizing the provisions of the law “On Military Service.”
- RA Minister of Defence has instructed regional authorities to give clarifications about the rights and responsibilities of recruits as prescribed by the law “On Military Service” on the local TV stations before and during the recruitment.
- In accordance with the assignment of RA Minister of Defence improvements have been made in the order # 378 of the medical examination of conscripts and military servants aiming to improve the procedures of the medical examinations.

It was also mentioned in the letter that “State funding has been allocated for the medical examinations of recruits, which also includes the transportation reimbursement for attendance of medical examination.” The interviews conducted with the recruits during 2008 fall recruitment showed that the maximum amount for the travel reimbursement was 3000 /three thousand/ drams, which was provided only to a small number of recruits. The size of the amount allocated for travel reimbursement was not in the above mentioned

letter that is why it is impossible to see how much the difference was but it is clear that even this 3000 drams is not enough for a recruit to get, for instance, from Noyemberyan or Goris to Yerevan.

We visited the military commissariats in Lori region, and found out that the commissariats of Vanadzor and Tashir had not got any order to post the rights and responsibilities of recruits. In Tumanyan and Spitak military commissariats we were informed that there had been such an order but they were not posted, and only in Tumanyan military commissariat was there such a public information stand available.



Information stands in the military commissariats

A working meeting was organized in the office of Helsinki Citizens Assembly-Vanadzor in order to discuss the results of the monitoring of 2008 spring and fall recruitments. Gagik Harutyunyan, the head of recruitment department of RA Military Commissariat, the heads of recruitment department of Tashir, Stepanavan, Tumanyan region, the head of recruitment department and the head of recruitment group of Vanadzor and the military commissar of Spitak, the advisor to the governor of Lori region participated in the discussion.

During the meeting the problems revealed in the process of monitoring the spring call-up, as well as further plans, were discussed.

The meeting itself was very important from the standpoint of collaboration between Non-Governmental organization and Ministry of Defence, which can be significant for establishment of civil trust towards not only recruitment but also the armed forces in general. However, it should be mentioned that the reactions of RA Ministry of Defence about concrete problems revealed by the monitoring of 2008 spring recruitment was of a more general character, in particular by the department of work with the staff of RA Ministry of Defense. The head of the department general-major V. Avetisyan stated in his letter that “the questions raised in the analysis of the monitoring initiated by us in Lori region are already in the focus of attention of the Minister of Defence and are taken into consideration in the program of reforms in armed forces.”



Discussion in Vanadzor

During the conversation between an employee of the Ministry of Defence and the representative of HCA Vanadzor, the issue of giving deferment from military service based on health conditions during the spring call-up was paid attention to. It was mentioned that about 48% of recruits received

deferment based on their health conditions. This matter has two aspects: either more attention should be paid to the health of youth considering it as an issue of state importance or the conclusions for deferment should be seriously studied aiming to keep out corruption risks, about which there are a number of warnings by the population. Related to these issues, definitely, strong will and consistent work is required in order to decrease corruption risks, as well as to view the issues not only from the legal viewpoint but also from the viewpoint of ensuring predictability and transparency of the medical examination process.

It is due to mention that no military commissariat of Lori region released information about the statistical figures regarding the fall call-up regarding the following:

- how many people were recruited for a compulsory military service
- how many people got deferment and on what grounds
- how many people got deferment
 - a) for the first time
 - b) for the second time
 - c) for the third time
- how many people applied to pass to alternative service
- how many cases of recruits were sent to the prosecutor's office because of escaping from recruitment

All the military commissariats of Lori region released similar responses (both the content and wording). They do not mention any legal norm for rejecting and suggest applying to RA Military Commissar.

On February 6, 2009 we sent a letter to RA Military Commissar asking to provide us with some additional information for finalizing the report. Only on February 17, 2009, RA Military Commissar informed that information would be given only on points 5 and 6. Later on, we received data on the mentioned points from all the military commissariats of Lori region.

We could not receive any official information about the figures we requested on 2008 spring call up from RA Ministry of Defence. They say that such information is confidential; therefore we applied to the court system in order to solve the matter in judicial order. RA Administrative court has accepted our claim on obliging RA Ministry of Defense to provide our organization with the required information (the first hearing is to be held on May 29, 2009).

The report on the results of fall monitoring has also been sent to the Ministry of Defence to get their comments and suggestions. On April 8, 2009 we got a response that the negative things mentioned in the report had been considered in order to exclude such cases in the future.

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CHAPTER 4

Statistics of the Criminal Cases Brought for Evasion from Military Service

The information on the criminal cases related to evading from the military service during 2008 spring and fall call-up was received from the Prosecutor's office of Lori region.

In accordance with part 1 of article 327 of RA Criminal Code evasion from the regular military conscription or training exercises, without any legal grounds for exemption, is punished with a fine in the amount of 300 to 500 minimal salaries, or with arrest for the term of up to 2 months, or with imprisonment for the term of up to 2 years.

Lori regional investigation department proceeded criminal cases against 81 citizens. Five citizens refused to serve based on their religion and belief. 75 citizens are in search.

During the fall call-up the investigation of a criminal case against one person was still underway, in spite of the fact that he expressed his willingness to serve. All those who evaded from regular military service based on their religion are considered to be members of the religious organization Jehovah Witnesses.

This information proves that RA law "On Alternative Service" doesn't work. This is mainly due to the fact that the law continues to be of a punishing character (the duration of the service is longer than the regular military service, servicemen are under military control, the conditions of the military service degrade human dignity). People evading from regular military service, as well as the ones being in search are mainly those citizens of Armenia who left abroad for permanent residency without canceling their registration and are still considered to be citizens of the Republic of Armenia.

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CHAPTER 5

Conclusions Made Based on the Analysis of the Legislation Regulating Military Relations

During 2008 spring and fall recruitments the following legal documents regulating military service have been analyzed:

- RA Constitution
- RA Code of Administrative Right Violations
- RA Criminal Code
- RA Law "On Citizenship"
- RA law "On Military Service"
- RA law "On Social Security of Recruits and Their Families"
- RA law "On Citizens Who Failed to Complete Compulsory Military Service Through Violation of the Established Procedure"
- RA Government Resolution 1680-N made on December 4, 2003 (on confirming the national program against tuberculosis, on making amendments in RA Government resolution 216 made on April 1, 2002)
- RA Government Resolution 587-N made on April 22, 2004 (on confirming the procedure of assessing the health of pre-recruitment and recruitment age male citizens, on confirming the order of organizing medical examination, medical assistance and service)
- RA Government Resolution 747-N made on December 7, 1999 (on confirming the procedure of medical examination of recruits in RA civic medical institutions)
- RA Government Resolution 492-N made on April 26, 2007 (on confirming releasing and getting deferment from regular military service of the monks of St. Ejmiatsin Cathedral, the students of Jerusalem Saints Hakobants College and Kalkata humanitarian seminary of India)
- RA Government Resolution 139-N made on August 29, 2002 (on confirming the procedure of giving deferment from the military service to RA citizens who entered higher educational or scientific-educational institutions in foreign countries)
- RA Government Resolution 264-N made on March 4, 2004 (on the measures ensuring the application of RA law "On Citizens Who Failed to Complete Compulsory Military Service Through Violation of the Established Procedure")
- RA Government Resolution 271-N made on March 10, 2005 (on defining the establishment of a republican commission discussing the applications for passing alternative service, the procedure of its work and members).

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CONCLUSIONS

1. There currently are not any public or civil control mechanisms over recruitment or military service in general. The control defined by RA Constitution is only of declarative character. In particular, RA Government adopts resolutions on releasing this or that person from regular military service. It means that a person is released from executing his constitutional obligations but no one can express his/her opinion about the appropriateness of that decision. There is absolute lack of the principle of predictability of state authority activities.
2. Only people with medical education dealing with recruits are aware of the procedures of conducting medical examination. A person does not have any access to the medical conclusions about the state of his health. The legal acts ensuring the mechanism of civil control over medical examination are not available for citizens. As a result, people who are not fit or unable for military service appear in the armed forces, and the other way around, those who are fit and able to serve are not recruited.
3. The right to obtain citizenship is violated by article 9 of RA law "On Citizenship." Acquisition of citizenship is a right and not an obligation. However, according to the mentioned legal norm, a person who has not acquired citizenship of another country within a year starting from July 5, 1995, is recognized a citizen of the Republic of Armenia. This norm violates the rights of many people. For example, if a person was born in Armenia in 1994 and left for another country with his parents in 1997 without canceling his registration, he is considered to be a citizen of the Republic of Armenia, even if he got citizenship of another country. Therefore, he has a constitutional obligation to participate in the defence of the state. That is the reason, why against many people, who are citizens of other countries, criminal cases are brought and they are still in search for evasion from call-up. In accordance with point 1, paragraph 1 of article 10 of RA law "On Citizenship of the Republic of Armenia", citizens of the Republic of Armenia are recognized the ones who have been citizens of the former Arm. SSR permanently residing on the territory of the Republic of Armenia, who until the enactment of the Constitution has not acquired the citizenship of another State or has rejected that citizenship within one year from the day of the enactment of this Law.
4. The medical examination and relevant medical assistance (out-patient and in-patient) of pre-recruitment and recruitment age recruits should be state funded. However, there is a great gap in the normative acts, which causes problems for many people. A person, who lives in a region, may be sent to a certain medical institution (the medical institution in the list confirmed by RA Government) without being provided with necessary amount of money for transport and meals. A recruit from a economically unstable family does not tell about his health problems on purpose in order to avoid additional financial expenses.
5. There is a discriminative treatment in the practice of legal regulations. For instance, on April 26, 2007, RA Government released 13 clergymen of St. Ejmiatsin Cathedral from military service and gave deferment to 43 clergymen. There are no justifications in the decision on the grounds of deferment or release from military service. It is clear that it is due to their religion and belief. However, no person from any Non-Apostolic church has ever been released or granted deferment by any Government's resolution. On the contrary, people who refuse from military or alternative service based on their religion are subjected to criminal liability. This practice is a violation of articles 9 and 14 of the European Convention of the Protection of Human Rights and Fundamentals.
6. The legislation does not ensure transparency and civil control of discussing the complaints about the decisions, actions or inactions of recruitment commissions. The provisions of RA law "On the Basis of Administration and Administrative Proceeding" are not applied in practice.

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CHAPTER 6

RECOMMENDATIONS

The following recommendations on the problems revealed during the spring and fall call-up are presented here. Their implementations will ensure protection of citizens' rights during the call-up and will increase citizens' trust towards recruitment:

1. public awareness raising on the rights and obligations of citizens in all the stages of call-up by the Ministry of Defence
2. to clarify the list of documents required for the call-up in order to decrease future bureaucratic delays
3. to provide the recruits with the conclusions of their medical examination
4. to reimburse all the costs for transport, meals and accommodation required during the republican medical examination
5. before each recruitment awareness raising by the republican military commissariat on the legislative norms about the grounds for deferment by mass media, including the list of illnesses
6. to make RA law "On Alternative Service" in line with the European standards in order to contribute the institute of alternative service.