

Overcrowded Prisons in Armenia

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Mass amnesty offers no lasting solution to endemic problems in the penal system.

Rights activists in Armenia warn that a recent prisoner amnesty has done little to relieve huge overcrowding in the country's prisons, and a complete overhaul of the system is needed to address longstanding problems.

Armenia's 12 prisons are designed for 4,400 people, but they regularly hold 5,000 or more. Space is so tight that inmates often have to sleep in shifts.

More than 500 people were released in the October 3 amnesty, bringing the total number of prisoners back to the official maximum. But observers say the effect will only be temporary.

Most prisoners in Armenia are held in ill-equipped Soviet-era facilities, where they sleep in bunk beds in large rooms of up to 70 square metres.

After Armenia joined the Council of Europe, it closed prisons in Gyumri and Vanadzor which were renowned for their harsh conditions, and replaced them with newly-built institutions designed for 245 and 373 people, respectively.

Avetik Ishkhanyan, the head of the Helsinki Committee of Armenia, noted that changes were also made to other prisons, for example at Nubarashen, the country's most overcrowded jail, where toilets were separated off from cells by new dividing walls.

"But that doesn't alter the situation," he said. "Given the lack of ventilation systems and the fact that the cells haven't been repaired and they take turns to sleep, this can be considered a breach of Article 3 of the European Convention on Human Rights."

Armenian legislation has been amended to bring it into line with European standards, and now stipulates that each inmate should have four square metres of space.

Figures from Armenia's official ombudsman indicate that this is not happening. At Nubarashen, an average of 17 inmates occupy each 25 square metre cell, with only ten to 12 beds between them. In some cases, there are 25 in a cell. The prison as a whole holds 1,044 people despite being designed for 840.

In June, Ombudsman Karen Andreasyan took British ambassador Katherine Leach to see Nubarashen to look at the problems.

"The smell and the damp – these are things you can deal with. But when people have nowhere to sleep, you can't even begin to say you are respecting their rights," Andreasyan told journalists after the visit. "Many people did not come to meet us, because it was their turn to sleep."

Of the 540 prisoners released under this month's amnesty, only 57 were from Nubarashen, meaning that the numbers there were barely affected.

There has been talk of closing Nubarashen, located in Yerevan, but experts say that is unlikely to happen within the next decade.

In an attempt to ease overcrowding, the authorities are building a large prison in Armavir.

Justice Minister Hrayr Tovmasyan told reporters that the 1,200-inmate prison would be a modern facility with 16 square metres cells holding four prisoners each. The first block will be a high-security wing, and other buildings will be designed to allow the prisoners a little more freedom.

The US embassy is to contribute funds for furnishing and fitting out the facility, which has been costed at 20 million US dollars.

The Armavir prison was supposed to have been finished by 2010, but the economic crisis forced the government to postpone construction.

"The Armavir prison will be brought into use in phases. At the end of this year and in the first quarter of next year, one building for 400 people will open," Gor Glechyan, a justice ministry spokesman, told IWPR.

The overcrowding is exacerbated by judges who impose jail terms for even minor offences, while refusing to allow people awaiting trial to be released on bail.

Ishkhanyan told IWPR that judges had been known to impose four-year terms for crimes as trivial as stealing a pair of shoes.

He said judges needed to show more flexibility in sentencing. At the moment, he said, they were excessively influenced by prosecutors and police, “and there’s also a fear of being suspected of taking bribes”.

IWPR spoke to Ara Avetisyan, who served three years and one month of a four-year sentence in the Erebuni prison for a serious fraud conviction.

Erebuni is a medium-security prison which before the recent amnesty held 486 people, despite being designed for 391.

Avetisyan had no complaints about the prison, saying that “the only thing I’d like would be for prisoners to have a right to early release”.

Ishkhanyan said few prisoners were prepared to complain about life inside.

“There’s an unwritten rule that you can’t complain about the conditions. When we meet people, the only thing they complain about is the court verdict,” he said.

Convicts can technically be allowed out one-third of the way into their sentence, but the difficulty of obtaining early release is another factor in overcrowding.

In 2006, the president took responsibility for deciding early release away from prison governors and transferred it to an independent commission, but this does not seem to have improved matters.

“There are no criteria or logic in their decisions,” said Ishkhanyan. “It isn’t just the prisoners who complain; even the prison administrators do so since it means that prisoners have no incentive for good behaviour.”

The government is working on a new criminal code that will envisage alternatives to incarceration for the pre-trial period, especially where individuals are accused of crimes for which the sentence is less than one year in prison. (See [**Cavalier Use of Custody in Armenia**](#) for more on this issue.)

Officials argue that the Armavir facility will solve any remaining problems of overcrowding, but Ishkhanyan said that was not good enough.

“If you are not able to hold prisoners, then you shouldn’t hold them,” he said. “They are held in such inhumane conditions that if one of them wanted to take a complaint of human rights violation through the courts of Armenia and up to the European Court of Human Rights, I am sure he would win.”

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Location: [Armenia](#)

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