



# YERKIR

Union of NGO for Repatriation and Settlement  
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Союз общественных организаций «Еркир» по репатриации и освоению  
Հայրենադարձության եւ հիմնավորման կազմակերպությունների միություն

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## **THE U.S. STATE DEPARTMENT REPORT ON HUMAN RIGHTS CONTAINS INACCURATE INFORMATION CONCERNING THE PROBLEMS OF THE JAVAKHETI ARMENIANS**

**(Open Letter from the Coordinating Council for the Protection of the Javakheti Armenians' rights to the U.S. Ambassador to Armenia Marie L. Yovanovitch)**

Madam Ambassador,

On March 11, 2010 the U.S. State Department released its annual Country Reports on Human Rights Practices. The section on National/Racial/Ethnic Minorities of the report on Georgia (electronic version: <http://www.state.gov/g/drl/rls/hrrpt/2009/eur/136032.htm>) contains, among others, data about the problems of the Javakheti Armenians. Whereas the attention of the U.S. government to the problems facing the Armenian minority of Georgia can be regarded as positive, it is important to note that a number of issues facing Javakheti Armenians are completely omitted, and some examples of violation of human rights are presented in the report with factual inaccuracies.

So, while the report focuses attention on the demand of the Javakheti Armenians to grant the Armenian language a regional status, it says nothing about the below-listed manifestations of discriminatory policy of the Georgian authorities towards the Javakheti Armenians:

- The Georgian legislation bans the establishment of political organizations on a regional basis. For this reason the Georgian authorities refuse to register "Virik" political party representing the interests of the Armenian population in Akhalkalaki, depriving the organization, of the possibility to participate in the local government elections;
- The Armenian population is disproportionately represented in the local government and administrative bodies in the regions of its compact residence (Samtskhe-Javakheti and Tsalka district of Kvemo-Kartli);
- The Georgian authorities impose mandatory legislative and administrative measures to compel the minorities in the regions of their compact residence to use exclusively the Georgian language in all spheres of public life. It is in clear contradiction with the international commitments undertaken by Georgia, including those under the European Framework Convention for the Protection of National Minorities;
- The Georgian border guards pose obstacles to transportation of Armenian books and press to Javakheti, etc.

The Report, presenting the details of the Javakheti Armenian activist Vahagn Chakhalyan's case, keeps silence on systematic political persecutions of other Javakheti Armenian activists in 2007-09 by the Georgian authorities. Meanwhile, as a result of direct and indirect pressure by the Georgian law-enforcement structures, threats, persecutions and trials in absentia, dozens of Javakheti Armenian activists were forced to leave the country and/or stop their political activity (Arthur Pogosyan, Gurgen Shirinian, Aram Batoyan, Gregory Minasian, Sergey Hakobjanyan and others).

The Report contains factual inaccuracies in regard to the case of the Chakhalyan's family. It is erroneously stated that Ruben and Armen Chakhalyans, arrested in July 2008 together with Vahagn Chakhalyan, are "all members of the local NGO "United Javakh". In fact, Ruben and Armen Chakhalyans are correspondingly the father and the younger brother of the Javakheti Armenian political activist, and they have no direct relation to the political activities of Vahagn Chakhalyan.

Further on the report states that “In 2006 the men (i.e., Vahagn, Ruben and Armen Chakhalyans) reportedly attempted to break into the Akhalkalaki municipal building, wounding the police in the process”. There is no mentioning, however, of the fact that this incident occurred four days after the local elections in Georgia on October 9, 2006, when the son of the chief of police of Akhalkalaki shot from a gas pistol at the people, gathered to protest against rigged election results, and then the crowd was attacked by the Akhalkalaki chief of police himself. Strangely enough, the criminal case opened immediately after this incident, was sent to court not in 2006 or 2007, but after the arrest of Vahagn Chakhalyan and his family members on July 21, 2008, when the Georgian authorities felt the need to make the charges brought against the Javakheti political activist more ponderable.

Furthermore, the statement in the Report, asserting that the proceedings in the case of Vahagn Chakhalyan were held in Akhalkalaki District Court, is not corresponding to the reality. In reality, the trial of the Javakheti Armenian activist and his family members was held in Akhaltsikhe in blatant violation of the principle of jurisdiction. Akhaltsikhe court rejected all the motions of the defense to transfer the proceedings to Akhalkalaki, in accordance with the principle of jurisdiction.

The Report does not contain any reference to the numerous violations that accompanied the Chakhalyans' case proceedings in court, the violations that were recorded by such reputable human rights organization, as is the International Federation for Human Rights (FIDH).

Taking into consideration the facts mentioned above, the Coordinating Council for the Protection of the Javakheti Armenians' rights, fearing that this incorrect information can be subsequently used in other related documents, address the U.S. State Department, asking to reconsider the part of the Report related to the Javakheti issues and the Chakhalyan's case.

#### **THE COORDINATING COUNCIL FOR THE PROTECTION OF THE RIGHTS OF THE JAVAKHETI ARMENIANS**

- **The Compatriotic-charitable non-governmental organization "Javakhk"**
- **Analytical Center "Mitq"**
- **The political party "Virk"**
- **The public movement "Javakhk"**
- **"Yerkir" Union of NGOs for Repatriation and Settlement**