

## **“Zinvory Mair” NGO: Summary of the Report**

The presented report is based on the analysis of two parts of the monitoring, reflecting the results of 2009 spring and autumn call-ups/conscriptions.

3,600 beneficiaries participated in the inquiry.

During the monitoring the supervision and data collection were proposed and conducted according to the new methodology.

The advantage of **the new methodology** is performance of a combined inquiry among different target groups within the same region, the goal of which is the multisided study of the material, comparative assessment of opinions and attitude of representatives of different groups (in this particular case - 7 social groups) towards the same phenomena. Undoubtedly, the application of this method provides more objective picture. Coincidence of responses of recruits and mothers of soldiers referring the key questions was very important during the analysis. As an example we may refer to the following picture which proves the objectiveness of the inquiry and study.

### **Conclusions and Recommendations**

Results of the conducted monitoring testify that violation of rights of citizens in the sphere of military service call-up is, on the one hand, the violation of legal norms by officials of authorities and on the other hand – unawareness, legal non-preparedness and indifference of civil population.

The process of monitoring also revealed that the RA MoD uses its potential to improve the supervision of the conscription process. In this regard the opening of the “hot line”, application of observation type campaign, activation of collaboration with international, interested non-governmental organizations should be mentioned.

However, the inquiry performed in the period of the project implementation showed that more frequently repeated violations are observed during medical examination, referral medical examination and determining the level of suitability for military service of recruits: 46.2 %. Our observations allowed to see the **reasons** underlying this problem and draw **conclusions**:

1. According to the procedure defined for medical examination, to justify his illness the recruit may not use professional conclusions and forecasts of the doctor who has observed his health status during years as well as doctors having good reputation in that sphere. In this connection we think it necessary to introduce appropriate changes in the regulations and establish legal grounds for army-medical commissions to examine alternative justified medical conclusions on the recruit's illness.
2. Doctors of medical-medical commissions are not interested in forecasting the further course and developments of the recruit's illness during the military service since they bear no responsibility for future health status of the recruit. We think it expedient to develop a special system for bringing to administrative and material responsibility doctors who fail to fulfill their duties properly.
3. 18-year recruits, apposite to 21-22 years with higher education, have lower level of education, in the result of which they lack due legal preparedness to confront abuses. Besides, the level of awareness of recruits and their families about their rights is not satisfactory. In this connection we think it expedient to develop, with joint efforts of the RA MoD respective sub-divisions and NGO-s, a long-term plan of actions to increase the level of awareness and information assurance of population in the sphere of conscription. It is necessary to organize measures aimed at increase of awareness and information level of recruits and their families in military enlistment offices, polyclinics

LGB offices, by using appropriate measures of campaign (posters, information leaflets, announcements, etc).

## **“Helsinki Citizens’ Assembly” Vanadzor Office NGO:**

### **RECOMMENDATIONS**

To resolve the problems revealed upon the results of monitoring of 2009 spring and autumn call-up in Lori, Shirak and Tavush marzes, we propose the following solutions:

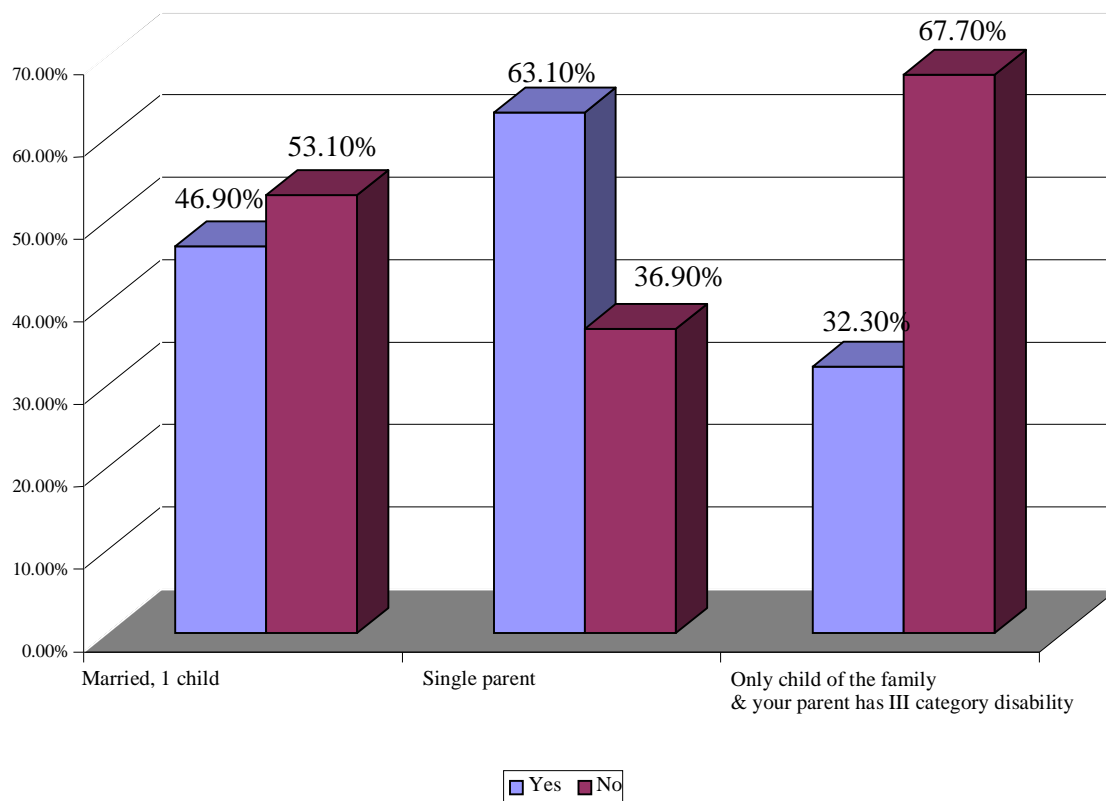
- To pay special attention to teaching of the rights and duties of recruits during conscription and military service within the frame of "Military Science" subject;
- To adopt legal normative documents for regulation of collaboration between military enlistment offices and LGB-s during the call-up process;
- To carry out all complex examinations within the scope of inspection and screening of the health status of recruits, irrespective of their complaints;
- To increase the role of civil doctors in military-medical commissions;
- To develop and apply simple and transparent regulations on registration of recruits, conducting of call-up process in military enlistment offices, by informing population about them;
- To increase transparency of the process and ensure high level of public awareness of the process as preventive measures for corruption risks and phenomena;
- As a mandatory rule to provide to all recruits conclusions of medical commissions on the examination of their health status;
- To increase compensation of transport fees for coming to military enlistment offices, undergoing medical examination by the central commission from remote areas, ensure financial allocations necessary for staying overnight and food;
- To form an institute of civic supervision over conscription process by involving representatives of civil society institutes in activities of call-up commissions;
- To increase regular control over the health status of up to 16 years old young people.

#### **a) Unawareness of Recruits, Their Relatives about the Rights of Extension of Call-up Time, Exemption from Military Service**

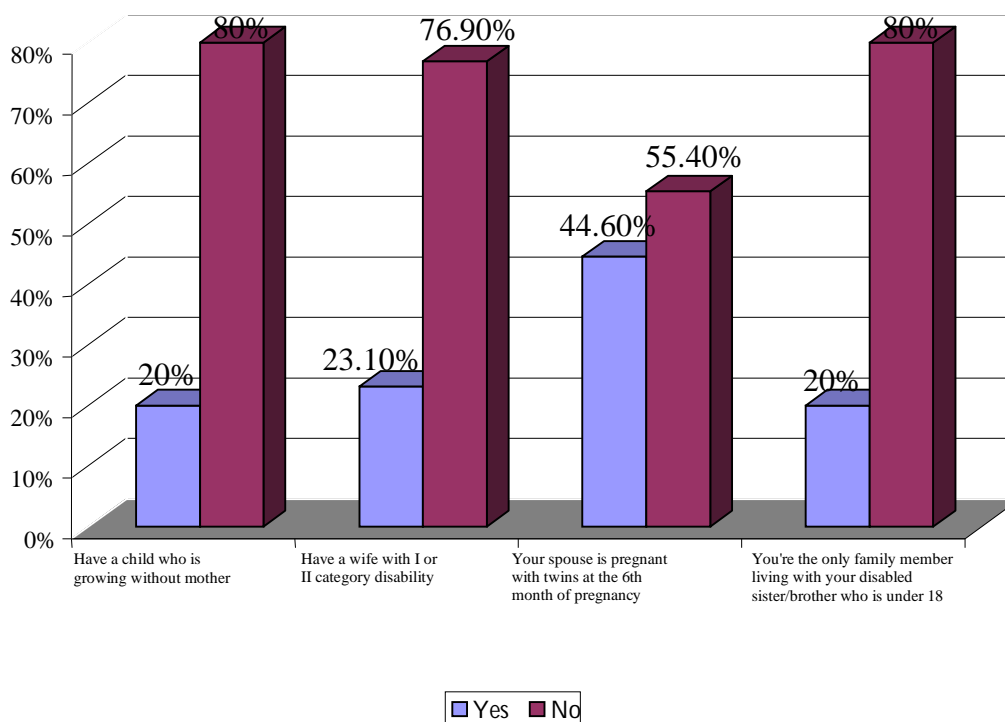
The most important problem observed during the call-up process was the unawareness of recruits, their relatives about their rights.

39.1% of the respondent recruits (52.4% of the recruits involved in the inquiry in Kotayk Marz and 32.6% - in Ararat Marz) claimed that they were aware of their rights in the call-up process, including the rights of undergoing the military service near their residency areas, extension of call-up time and exemption from the military service. Nevertheless, these indicators significantly fluctuate when the recruits were suggested to clarify their responses according to the grounds of extension of call-up time and serving near residency areas fixed in the legislation.

#### **Diagram 1. Level of Awareness about the Right of Service near Residency Area**



**Diagram 2. Level of Awareness of the Right of Extension of Call-up Time**



24.6 % of the recruits, showing a higher level of awareness of their rights in the call-up process, claimed that they received the aforementioned information by reading the laws, 3.1% learnt about it from mass media means, 15.4% - from friends/acquaintances, and the remaining 56.9% mentioned that they received the information at schools during one of the lessons.

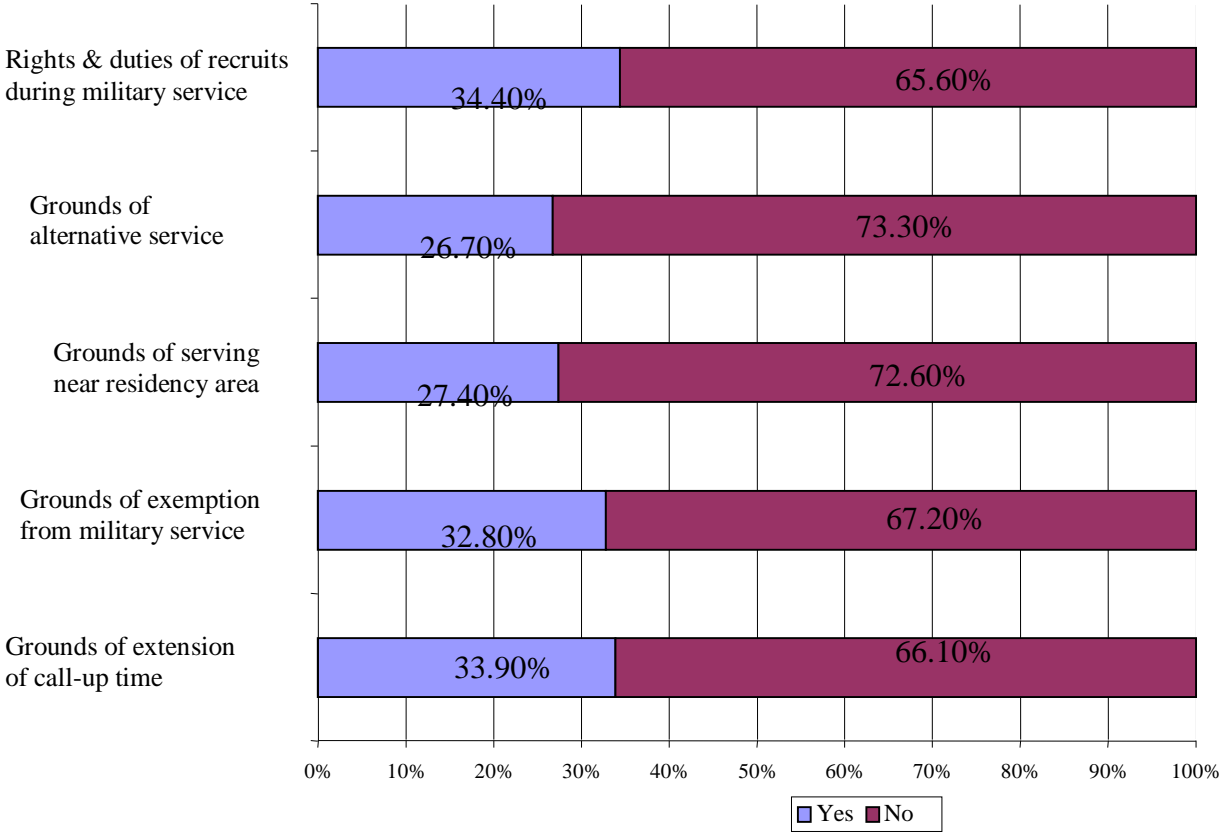
The interviews conducted at schools with military instructors, director/manager of studies, headmasters, and teachers revealed that in the majority of schools the rights of recruits are explained to high grade students within the frame of "Military Preparation" training course. However, the knowledge provided to future recruits at schools is not always at the satisfactory level in terms of informing students about their rights. This is proved in responses both of employees of military enlistment offices and teachers in connection with the level of awareness of their rights by boys subject to call-up. In particular, 35.7% of military enlistment office employees and 60% of school staff participated in the inquiry chose the option "No" when responding to "Do you find the knowledge provided to and digested by recruits satisfactory for recruits and their parents to be fully informed about the call-up, including getting of extension of call-up time, exemption from military service, choice of service area, procedure of medical examination and other rights" question.

It was supposed that the gap in information provision on the call-up at schools should be filled in military enlistment offices. Although the employees of all military enlistment offices included in the frame of monitoring claimed that military enlistment offices conduct explanatory works to elucidate the rights of recruits, still the results of the inquiry conducted among recruits testified that this obligation is not always fulfilled on the proper level.

70.8% of recruits claimed that their rights as future recruits were not explained during the registration.

The below diagram illustrates the extent of information provided to notified recruits about their rights by military enlistment offices.

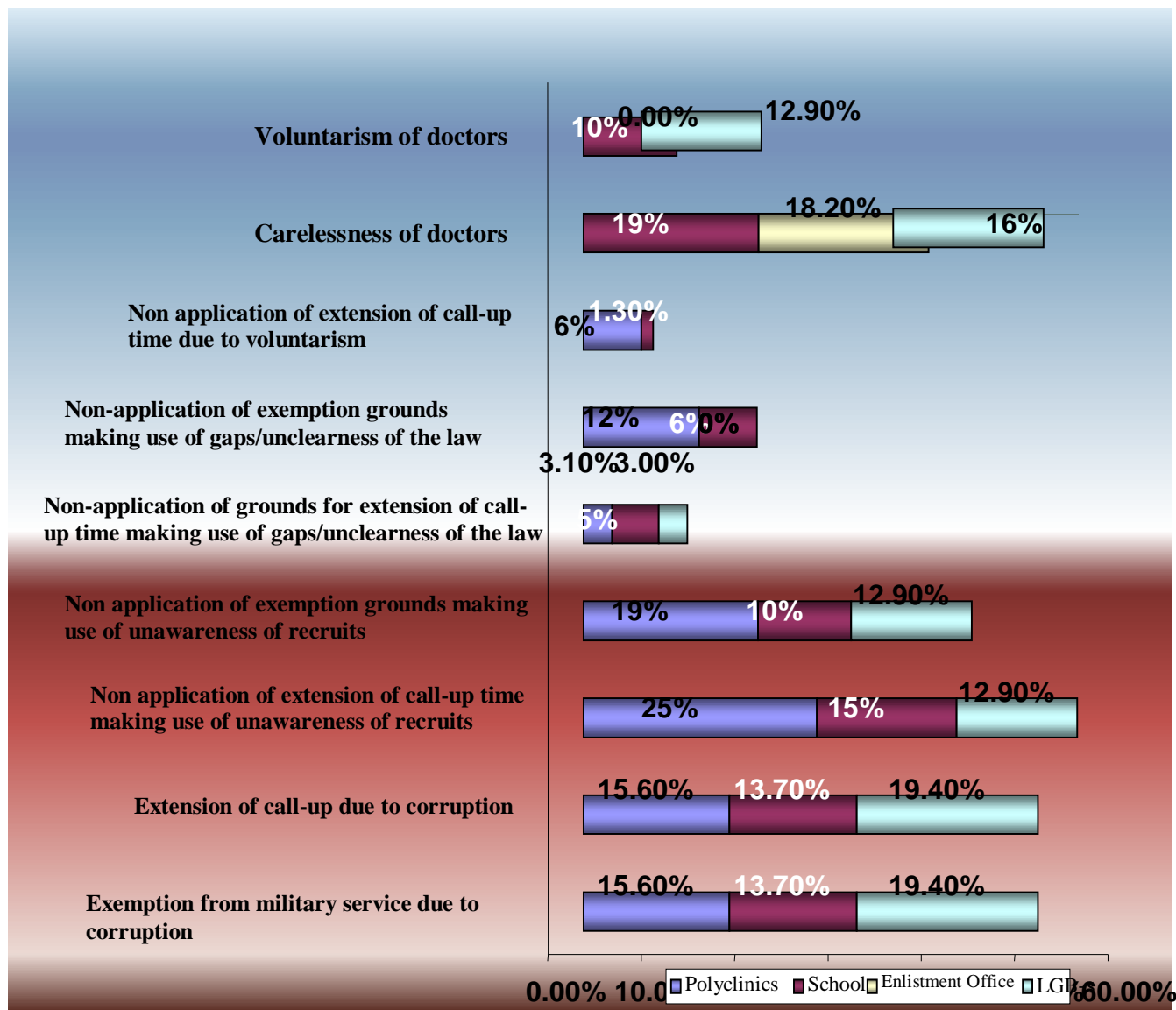
**Diagram 3. Level of Explanation of the Rights of Recruits at Military Enlistment Offices**



The similar picture is seen in the results of inquiry conducted among the relatives of recruits.

Lack of information about their rights creates real conditions for violations in the call-up process. It is not accidentally that in responding “Which are the most common violations during call-ups currently?” question 40% of the respondents at schools, hospitals, LGB-s mentioned non-application of grounds of extension of call-up time, making use of unawareness recruits. This distribution is more detailed in the below illustrated diagram.

**Diagram 4. The Most Common Violations in Call-up**



**b) Issues Related to Health Status of Recruits**

The most debatable key issue of the call-up process is connected with health status of recruits. In the first place it is connected with the circumstance that the Procedure on army-medical expertise examination (based on which the recruit’s suitability or non-suitability for military service is determined) is more often presented as “confidential” information which may not be provided to an ordinary citizen. Accordingly, a recruit suffering from certain diseases or his relatives being unaware of the list of illnesses specified in the Procedure, express doubts about the objectiveness, trustworthiness of conclusions of the medical commission.

The next key issue is connected with drawing of conclusion by the medical commission. The engagement of specialists from different spheres, on the one hand, guarantees multi-sided study of the recruit, but on the other hand the collegial participation of narrow specialized doctors of different spheres in one commission may be an obstacle for the correct diagnosis by using in-depth professional knowledge in the concrete specific sphere and thus, in terms of sending or releasing the recruit from the service.

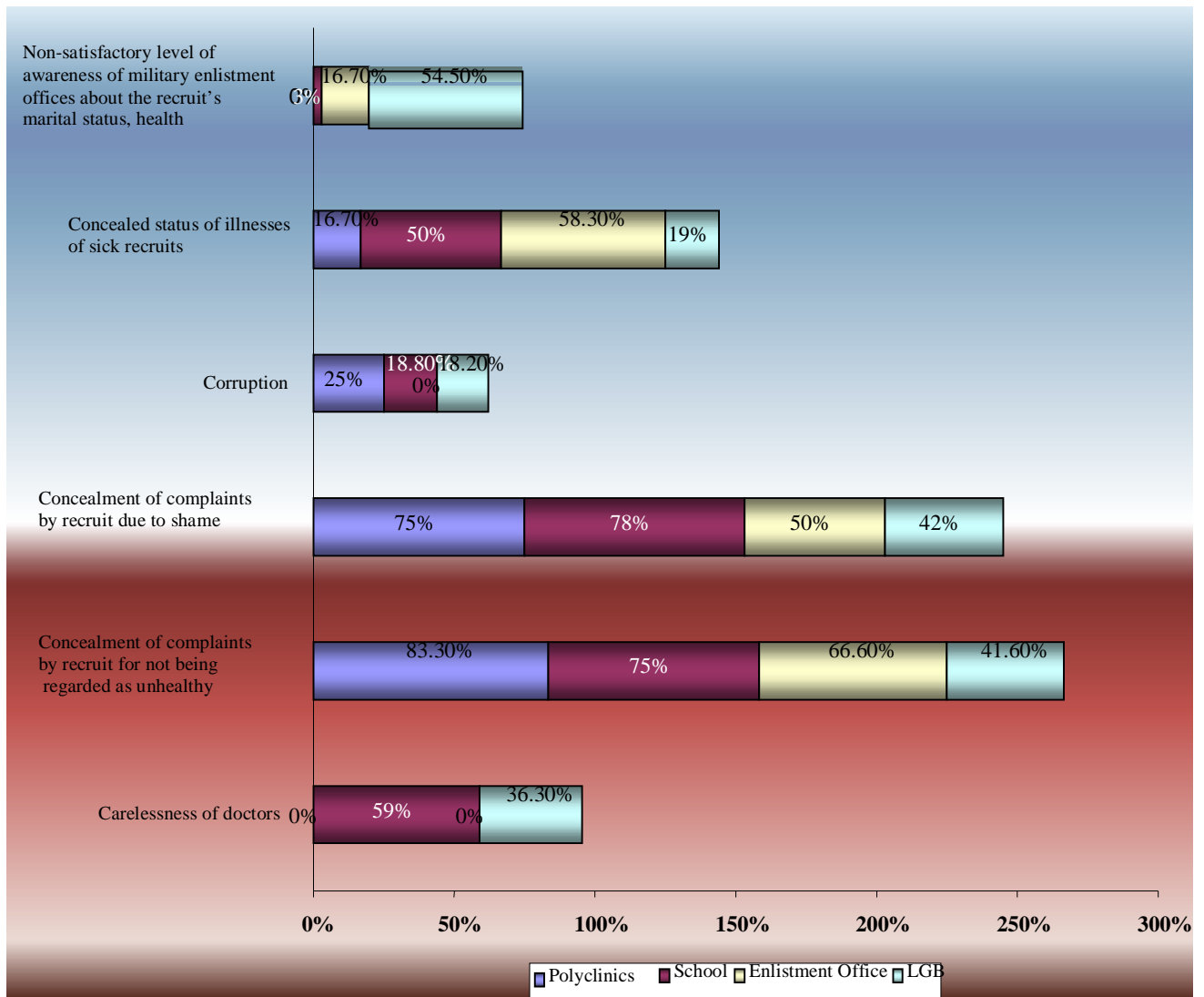
The results of inquiry conducted among recruits testify that 28.3% of them submitted to the call-up commission the documents about their current illnesses. It should be mentioned that the results of inquiry conducted in hospitals/polyclinics testify that according to doctors' testimony the material-technical capacities of their institutions not always enable to get clear picture of health status of each recruit.

93.5% of recruits think that the army-medical commission conducted all necessary inspections for detection of their illnesses, whereas according to 6.5% doctors were careless in fulfilling their duties and failed to reveal illnesses they (recruits) are suffering from. All recruits participated in the inquiry specified that they underwent sonographic analysis, did blood test, but electrical cardiogram underwent only 95%, and echocardiogram - 36%.

95.3% of recruits mentioned that there were no complicating circumstances in the army-medical commissions; however 4.7% specified as such the presence of other persons. At the same time, only 78.5% of responding recruits mentioned that they spoke about all health related complaints in the course of medical examination.

The results conducted in hospitals/polyclinics, military enlistment offices, schools testify that main reasons for joining the army of recruits non-suitable for military service is concealment of complaints by recruits for not being regarded as sick or hiding them because they are ashamed.

#### **Diagram 5. Reasons of Recruits Non-suitable for Military Service in the Army**



These, perhaps, should be supplemented by the fact that sometimes the recruit has no understanding if his complaints are serious enough for telling the medical commission. It is assumed that before reaching to the call-up commission, the recruit should have a certain idea about his health status in the course of examinations performed in polyclinics and should tell the necessary information referring his illness, in particular his complaints to the commission. Doctors of polyclinics should direct recruits in this issue, but results of the inquiry conducted among employees of polyclinics showed that often their activity is limited to explaining to the applied recruits the nature and forecast of the current disease and list of supporting documents. In particular, 75% of respondents in polyclinics gave positive responses to “Do you explain the recruits which information they should tell the medical commission for getting a full picture of the illness?” question.

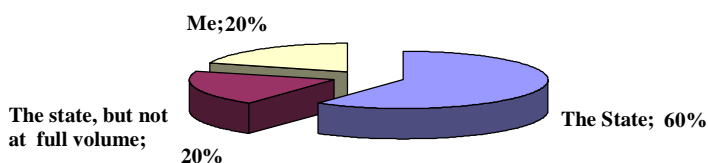
Based on complaints presented to the call-up army-medical commission, 24.6% of responding recruits were referred for additional medical examination, and 4.6% were issued the right of extension of the call-up time.

The complaints recorded during the monitoring as well as received in “Proactive Society” legal NGO testify that citizens have doubts in terms of trustworthiness of results of conclusions issued by those medical institutions where recruits are referred for additional medical examination.

First, it is unclear what qualification has the examination performing specialist, if all available examinations are performed in that concrete sphere in case the illness is possible to reveal only through expensive examination, to which extent it is performed in reality.

Although all respondent recruits mentioned that medical examination was free, but the responses of the recruits referred to the Republican Army-Medical Commission were not fully identical.

**Diagram 6. Who Paid the Costs Related to Examination in the Republican Army-Medical Commission**



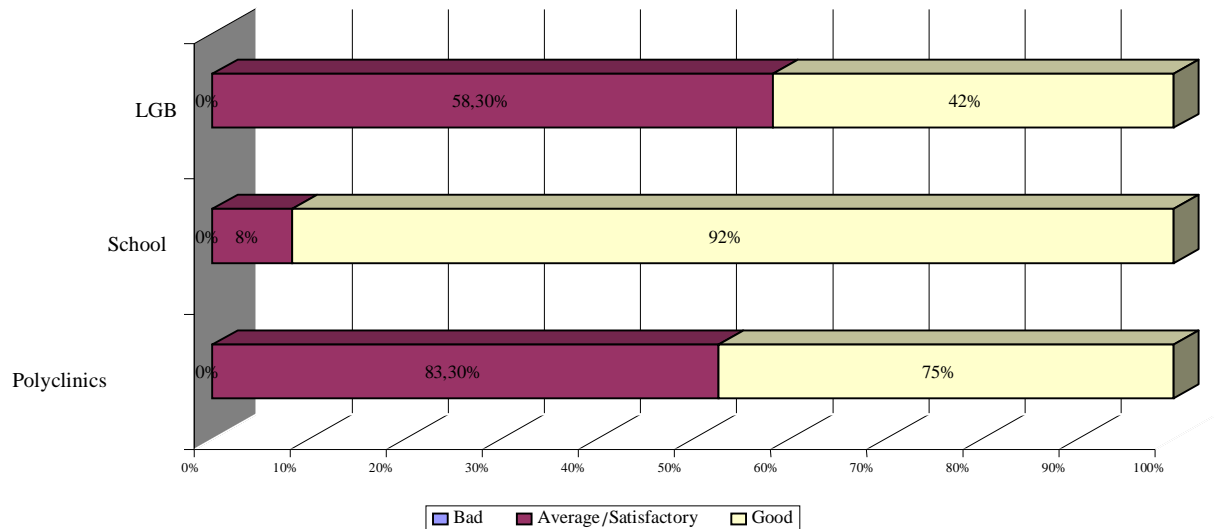
As for the relatives accompanying recruits referred to the army-medical examination, they receive no material assistance.

**c) Gaps in Collaboration of Military Enlistment Offices and Local-Government Bodies, Schools, Polyclinics in Terms of Receiving Full Information About Recruits**

Assurance of the call-up process is performed not only by immediate contribution of the military enlistment offices, but also by the links ensuring the provision of recruit related information to them, including schools, local-government bodies, polyclinics. The conducted monitoring clearly showed that the implementation of the aforementioned contact/link needs clarification and improvement, the proof of which is, in the first place, the results of the inquiry carried out among the employees of military enlistment offices. Analysis of the specified results proves that special attention should be paid to the mechanism of information exchange with local-government bodies. In particular, when responding to “What is your assessment of effectiveness of contact between schools, local-government bodies, polyclinics” question, more than 50% of employees of respondent military enlistment offices considered it unsatisfactory.

**Diagram 7. Military Enlistment Office Staff Assessment of Effectiveness of Contacts with LGB-s, Polyclinics, Schools**

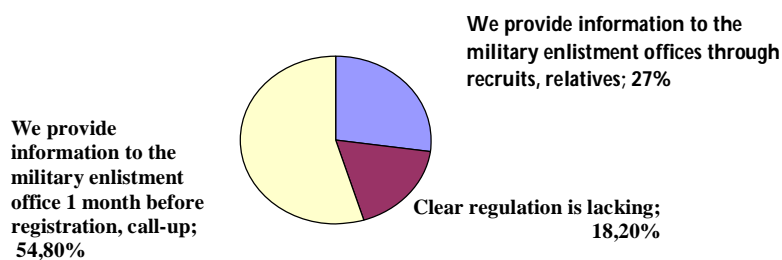




Moreover, the biggest discontent with the aforementioned factor was expressed especially by the employees of responding military enlistment offices of Kotayk Marz. 66.7% of respondents regarded the contact both with local-government bodies and schools satisfactory, but they were not pleased with it. 50% of respondents in Ararat Marz shared the similar opinion on the contact with local-government bodies, and 16.7% -for effectiveness of contacts with schools.

Persons participated in the inquiry in local-government bodies also expressed discontent from unclear regulation of contact with military enlistment offices. In particular, LGB employees provided the following responses to “How do you keep the contact with military enlistment offices?” question:

**Diagram 8. LGB Staff Responses about Contacts with Military Enlistment Offices**



Comparison of responses of the persons inquired in polyclinics with those of the employees of military enlistment offices showed that the most effective contact is with the military enlistment offices in this sphere. In particular, 91.7% of the respondents stated that they provided the military enlistment offices with all information related to health status of recruits 1 month before the call-up. Only 8.3% stated that the clear regulation of the information exchange is lacking.

Another issue is the extent of clearness of data transferred to the military enlistment offices from the polyclinics, given that the majority of the stated institutions - 75% - mentioned that full

medical examination of recruits is impossible in their institutions due to lack or insufficiency of examination tools, substances/materials.

The conducted study proves that the employees of military enlistment offices are more pleased with collaboration of schools in terms of receiving data on persons subject to call-up. To understand the contact between schools and military enlistment offices, the school teachers were suggested to clarify channels and frequency of communicating the student related information to the military enlistment offices. The table below demonstrates their responses:

**Table 1. School - Military Enlistment Office Contact**

No clear regulation	3.1%
Pre-recruit related information is communicated to the military enlistment office 1 month before the registration	75%
Recruit related information is communicated to the military enlistment office 1 month before the call-up	9.4%
Information is provided to the military enlistment offices through recruits or their parents	15.6%
Copy of the personal file is sent to the military enlistment office	62.5%
Personal meeting with the Chief of military enlistment office	21.9%
Official application is prepared	78.1%

Obviously the information provided by schools may have no ambition of being exhaustive. The information is provided mainly 1 month before the registration, by compiling an official application, to which, according to 62.5% of responses, the student's personal file is attached. Nevertheless, one should not forget that the student related information needs updating, especially given the circumstance that in fact the call-up is 2 years after the registration.

Therefore, to improve the call-up process, it is necessary to create effective mechanism for receiving exhaustive call-up related information to the possible extent, where schools and polyclinics as well as local-government bodies will play the most important roles. Besides, as schools and local-government bodies as well polyclinics should undertake measures for informing the employees of the stated institutions about grounds of exercising the rights of the call-up process, extension of call-up time, exemption from military service, serving near residency area, which will enable the latter to communicate clearer information to military enlistment offices.

#### **d) Organizational Nature Gaps in Call-up Process**

One of the urgent issues referring the call-up process is also the violations occurring in organizing of the call-up process. The results of the inquiry, conducted upon the sampling principle among persons subject to call-up, testified that 21% of them received notifications when they did not reach 18.

32.8% of respondents specified that they were called to military enlistment offices based not on written notifications, but on verbal notifications. 81.5% of recruits signed the notifications personally when receiving them.

Another gap in organization of work of military enlistment offices is needless waiting of the recruits before discussion of their cases. In particular, 58.5% of respondents claimed that they

did not have to wait, whereas 23.1% mentioned that they had to wait for 1 hour in vain, and 18.5% - 2-4 hours.

The assessment of attitude of the military enlistment office employees towards the recruits and their relatives is also important. 68.7% of the recruits and their relatives evaluated the attitude of the military enlistment office employees as positive when delivering notifications, and 31.3% - considered it as neutral-indifferent.

53.9% of respondents assessed the attitude towards the recruits in military enlistment offices as “Polite, careful”, whereas 46.1% of them regarded it as “indifferent”. 90.8% of respondents gave positive feedback to the attitude towards parents, relatives accompanying recruits, and only 9.2% regarded it as “indifferent”.

However, it should be mentioned that the stated gaps were conditioned with subjective and objective factors. In particular, it refers to the number of employees engaged in the call-up process in military enlistment offices, which is not always proportional to the number of persons involved in the call-up, which objectively causes time delays, needless waiting of recruits (this picture is observed in Ararat).

### **“Proactive Human Rights Society” NGO: Recommendations**

1. Special attention should be paid to provision of information to recruits about their rights. For that purpose it is recommended to give as a mandatory document an information leaflet explaining the grounds of extension of call-up time, service near residency area when delivering notifications to recruits.
2. The issue of medical examination of recruits needs clarification. It would be desirable that the final conclusion is provided by a group of specialists of relevant spheres in case the recruit has complaints of the concrete illness, rather than doctors having narrow specialization in different spheres.
3. Separate diseases require additional examinations which sometimes are not conducted due to their expensiveness or lack of appropriate equipments. It is necessary to develop effective mechanism (for example, signing of contracts with specialized hospitals having the necessary technical saturation on ensuring delivery of appropriate services at privileged/discount conditions) which will enable to refrain from such gaps.
4. More clarification is needed for features/properties of separate diseases included in the legislative acts, at the presence of which the recruit may be issued extension of call-up time. It is necessary to avoid the uncertainty and minimize the assessment aspect to the possible extent, and in case of doubts, to provide the conclusion in favor of sick recruit.
5. The issue of numerical distribution of employees in separate military enlistment offices needs revision, based on the size of catchment area and numerical proportion of recruits.
6. The issue of expediency of involving civic employees of military enlistment offices in civilian-related process needs to be considered, by taking into account that the latter, as a rule, are mainly have relations with recruits who are civic persons or servicemen in reserve.
7. The recruit related information communication mechanism between military enlistment offices and local-government bodies, schools and polyclinics needs improvement and clear regulation. Mechanisms of information communication/distribution should be defined, based on proactive work style. For example, headmasters should provide military enlistment offices the full information (especially regarding the marital status of recruits) necessary to resolve the issue of providing extension of call-up time or exemption from military service of the recruit, rather than wait for the request/requirement to provide appropriate information.

8. Hospitals, polyclinics should pay more attention to the process of preparation of sick recruits for examination by the military-medical commission. The latter should be provided with instructions on which complaints they must tell the medical commission.
9. Schools, local-government bodies, polyclinics should undertake measures aimed at informing their employees about the grounds of the rights of call-up process, extension of call-up time, exemption from military service and serving near residency area, which will enable the latter to communicate clearer information to the military enlistment office.