

Statement on the election of a judge investigating corruption crimes by the Supreme Judicial Council

On November 21, 2022 the Supreme Judicial Council elected Mnatsakan Martirosyan as a judge investigating corruption crimes from the 2 candidates participating in the interview stage, with 6 votes in favour and 3 against.

We, the undersigned civil society organizations, consider the election of Judge Mnatsakan Martirosyan among the judges investigating corruption crimes by the Supreme Judicial Council as highly unacceptable and condemnable.

Mnatsakan Martirosyan is known as a judge involved in high-profile political cases. On his court decisions a number of political prisoners were convicted, including Alexander Arzumanyan, Nikol Pashinyan and other persons of the “7case” after the events of March 1, 2008.

In 2006, upon the court decision of Mnatsakan Martirosyan, Arman Babajanyan, editor-in-chief of "Zhamanak" newspaper at that time, who carried out opposition activities, Zhirayr Sefilyan in 2007, Gevorg Safaryan in 2017 and other persons were sentenced to prison. In 2001 Mnatsakan Martirosyan also investigated the criminal case regarding the murder of Poghos Poghosyan.

The judgments of the European Court of Human Rights confirmed the violations of fundamental human rights and the fact of political persecution, as a result of which some of the prisoners were acquitted years later by the courts of the Republic of Armenia.

In the given context the activity of Mnatsakan Martirosyan, who exclusively serves the interests of political clans, not only undermined the perception of justice and damaged the authority and public trust of the judiciary of Armenia, but also caused material damage to the Republic of Armenia.

The election of a judge with such reputation to the position of judge of the anti-corruption court by the members of the Supreme Judicial Council distorts the anti-corruption policy of the state and deepens the distrust towards the judicial system.

Such an election directly contradicts the values and choice of values of the Velvet Revolution of 2018, considering that the popular movement in Armenia was against the corrupt manners of justice, corruption and persecution. Such an election is against the democratization agenda of Armenia and is a consequence of the failure of vetting and transitional justice by the authorities of the Republic of Armenia, the necessity of which has been repeatedly voiced and justified by representatives of civil society and the legal community.

Development of democracy in Armenia is our political capital, due to which number of Western countries and agencies are involved in security issues of Armenia. In the absence of democracy development, we create problems regarding the security of our country.

Hereby, we also have to note that the Supreme Judicial Council completely ignores the conclusions on the integrity check of candidate judges, carried out by the Corruption Prevention Commission and the representative of the "Union of Informed Citizens" involved by the SJC as a national expert. The appointment of a candidate who received a negative conclusion of integrity check proves the fact that the majority of members of the SJC ignore this important anti-corruption tool.

In case of final appointment of Mnatsakan Martirosyan, we will have to reassess the participation of the representative of the civil society, represented by the "Union of Informed Citizens" in the process of integrity check.

Based on the above, we strongly condemn the election of Mnatsakan Martirosyan as a judge of the anti-corruption court by the Supreme Judicial Council.

For this purpose, we request the President of the Republic of Armenia Mr. Vahagn Khachaturyan not to appoint Mnatsakan Martirosyan to the position of a judge investigating corruption crimes and to return his candidacy to the Supreme Judicial Council with objections.

"Protection of rights without borders" NGO

Transparency International Anti-Corruption Center

Helsinki Citizens' Assembly-Vanadzor

Open Society Foundations - Armenia

Journalists Club Asparez

Law Development and Protection Foundation

"Union of Conscious Citizens" NGO

"For Equal Rights" NGO