"I thought that was the end, my life was over": Mandatory treatment in a mental hospital in Armenia - an "easy" way to solve the issues

By Marianna Grigoryan

78-year-old Amalya Nazaretian, exhausted, thoughtful, indifferent and gloomy, has completely changed, according to her neighbors, after the incident that happened one year ago. On May 16, 2013 the woman who lived alone in her apartment on Komitas avenue in Yerevan was transferred to a mental clinic for mandatory treatment by the police intervention, allegedly because of her "not adequate" behavior and "ravings addressed to certain people". One month later she was released due to public fuss.

The pensioner woman who never had any mental health problems was hospitalized because to controversy between her and a leading shop of construction materials located under her apartment. The shop management, however, refuted the rumors.

Fortunately, one month later Amalya Nazaretian came back home. As her neighbors said, she had changed beyond recognition.

"She had got extremely lean; once an active person ready to fight for her rights and also stand up for her neighbors and neighborhood kids, she became an absolutely different person after the "treatment" at the mental hospital," a neighbor tells Medialab. "We were very anxious when the police and the ambulance came to take her away; we alarmed about this case, but what we saw was the return of a silent and lonely woman who lives in her house like a shadow and does not even respond to the door knocks."

Back in Soviet era, mandatory treatment at mental hospitals was used for political purposes as a most severe punishment for dissent. According to human rights activists, though the motives are different today, the legislation is ambiguous, and the issue still causes concerns and jeopardizes human rights and freedom.

As a rule, this chain involves interested parties, i.e. the relatives and hospitals which get state funding of 6000 AMD (nearly $13) per day for each patient; this is a huge sum for a country with 32 percent poverty rate where the monthly disability allowance is 16000 AMD (nearly $34).

"People can consider themselves absolutely normal, with no mental disorders, but a single telephone call, a complaint filed by their relatives, neighbors or other interested parties can lock them in a mental hospital for years, for an indefinite period of time, through joint effors of police and emergency doctors," Arthur Sakunts, human rights activist and chairman of the Helsinki Citizens' Assembly Vanadzor office (HCAV) tells MediaLab.am. The organization Sakunts runs deals with monitoring and reports in this sphere.

Finding oneself in a mental hospital is not a big deal in Armenia. The police have the right to move a person with a mental disorder or a suspicion thereof to a mental hospital basing on a single request or call.

Patients admitted not voluntarily should be examined by the psychiatric commission within 72 hours; the commission, however, usually consists of doctors of the same mental hospitals, which is unacceptable in terms of bias, human rights activitists say. Basing on the commission's decision, the court may deliver a verdict on mandatory treatment, even without the given person's presence, and lock them in a mental hospital for years.

According to the data provided to MediaLab.am by the Judicial Department of RA, in 2008-2014 the Armenian first instance courts of general jurisdiction recognized 1367 people as incapable, and verdicts on mandatory treatment in mental hospitals for 247 people were delivered.

At the same time, neither the Judicial Department nor the RA Healthcare Ministry provided any data on the number of patients released after the mandatory treatment, claiming there is no statistics on this.

Deputy ombudsman of Armenia Tatevik Khachatrian says they receive numerous reports on similar cases, but there is hardly any way out for these people.

"We have registered cases when people with no health problems were kept in mental hospitals for some reasons. They were tied up, faced violence, got injections of drugs; people were beaten with blankets covering their faces to avoid bruises," Khachatrian says.

"The legislation inherited from the Soviet years is so outdated that our help in most cases is minimal, when the person is already in a hospital."

In this regard, Julietta Amarikian may be considered a lucky one. After spending 28 days in a mental hospital where she was moved by force, she managed to restore her rights due to a HCAV officer who visited the Avan clinic for monitoring and noticed the woman sitting alone in a corner.

Julietta Amarikian is 54. Many years ago she became disabled due to a car accident. She is single and lives with the family of her brother Muraz who is 18 years her junior. They live in a four-bedroom apartment they inherited from their father. It has become the apple of discord between the brother and the sister, Julietta says, causing brawl, cursing, and threats.

"The day before my brother threatened me saying my papers were ready and I would be taken to a mental hospital to have things settled. I had no idea he was really serious about this," Amarikian says to [MediaLab.am](). "I never had any mental health issues, the only problem lay with my brother's family."

Julietta remembers the day of May 30. Early in the morning, about 8 a.m. she got up, dressed as usual and made her coffee when a loud knock on the door came.

"The police officers and medical workers in white gowns, six in total, stormed into my room and forced me into the ambulance to take me to Avan mental hospital. They locked the door on me," she says. "I thought that was the end, and my life was over. I had my phone with me, and I started calling every possible contact I had. I called even the Ministry of Emergency Situations, but everything was useless."

Human rights activist Marietta Temurian says that according to Julietta Amarikian, she had been unnecessarily tortured in the atmosphere of Avan mental hospital for many days; the doctors tried to make her take the medicine and injected it by force; she was exposed to violence.

"We met Julietta by chance during our monitoring mission in the hospital. She was depressed, sitting on a bench in the corridor. With our support, she managed to file a lawsuit, and the court verdict rejected the hospital claim to have her undergo mandatory treatment. The woman was released from the hospital, and she is still fighting for her rights, while her brother tries to move her to the mental clinic and recognize her as incapable," Temurian says.

However, head of Avan mental clinic Arega Hakobian claims the reality is different.

"A healthy person cannot appear in a mental hospital; that is impossible," Hakobian says to MediaLab.am. "It is up to doctors, and not to human rights activists or journalists to decide whether a person is sick or healthy. I am sure she [Julietta Amarikian] will end up in a mental clinic, sooner or later. Who will bear the responsibility if something happens to her some day? Maybe the human rights activists or the journalists, huh?"

According to human rights activists, recognizing someone as incapable is the easiest way for guardians to settle accounts with "unwanted" people once and for all.

According to the civil procedure code of Armenia, a citizen's family members, guardians and the administration of the psychiatric institution can apply to the court to recognize the citizen as incapable.

The verdict on recognizing one as incapable can be delivered in the absence of the given person. Once the verdict is passed, the person can no longer make relevant decisions.

Deputy ombudsman of Armenia Tatevik Khachatrian mentioned the collision of interests here; in many cases the guardians are interested to get their relatives into mental hospitals. According to Khachatrian, the legislation needs amendment.

"This situation is disturbing," Arthur Sakunts tells MediaLab.am. "Mental hospitals are closed institutions, and, unfortunately, they can serve as an instrument to settle interpersonal relations, namely, the issues related to revenge, will, inheritance, or housing problems. A person who refuses to undergo treatment can be recognized as incapable by the judge's verdict and appear under the guardianship of the relative who is interested in their isolation."

Narine Avetisian, 46, says she will never forget the 5.5 years she spent in different mental clinics of Armenia, though many years have passed since. This absolutely changed her life, ruined her health and her youth.

At the age of 14 the girl was raped by her cousin, but instead of getting support by her relatives she was moved to a mental clinic a year later, because she became isolated and longed for revenge after the incident.

"My mother told me to keep silent; others did not believe my words. When I was 15, they moved me to a mental hospital for mandatory treatment, and I wasted my youth on numerous attempts to escape the clinics. I was constantly beaten and humiliated. Then at last I managed to flee and start a new life," says Avetisian who has been living in Denmark for the last 15 years.

The head of the Armenian NGO [Protection of Rights Without Borders](#) Haykuhi Harutyunian says only in exceptional cases a person won't have to cope with the consequences of spending some time in psychiatric institutions.

"The atmosphere is very oppressing, the methods are even worse, and it is very hard to distinguish the borders of mental health in an environment like that," Harutyunian says.

Harutyunian represents in ECHR the case of Sona Avagian, a popular singer who was unnecessarily sent to a mental hospital for mandatory treatment. The human rights activist believes this case may become a precedent for achieving changes in this area.

Sona Avagian, a graduate of two universities never had any mental health problems. She twice underwent mandatory treatment in a mental clinic spending there a total of 37 days in depressing and hard atmosphere.

Tatevik Khachatrian says they cannot provide a comprehensive picture of violations, since their activity in this sphere is limited to responses to alarming calls they receive. Meanwhile, many people in similar situations even do not know who to address or what to do.

According to the Article 134 of the Criminal Code of Armenia, moving or keeping a person in a mental hospital illegally shall be punished by imprisonment of up to three years at most. Still, the data provided to Medialab.am by the police showed that no one has been jailed by this article over the past 15 years; the only case filed in 2011 was later suspended.

"When people appear in a mental hospital, they can get injections of psychotropic, sedative drugs; this atmosphere can affect their mental health, and after a month it's really hard to say whether the person did have mental problems or not," Khachatrian says.

According to human rights activists, the situation demands that the whole legislation be changed, and the international practice should be taken into account.

"If a problem is being discussed, it means the problem does exist," chief psychiatrist of the Healthcare Ministry Samvel Torosyan says. "The more we develop the legislation to make it more accessible and clear, the more the patients will benefit; increased transparency will result in greater trust."

However, Sakunts mentions that no practical moves have been undertaken, apart from words.

"We submitted proposals to the government related to the establishment of an independent body in mental hospitals, legislative amendments," Sakunts said. "Still, we've got no response so far."

Julietta Amarikian fears her nightmare is not over yet; every knock on the door still bothers her.

"I do not know what happens to me tomorrow, where I shall appear. I never imagined a row over an apartment would go this far," she says.

Photos by Emma Grigoryan

© Medialab.am

Original link (In Armenian) http://medialab.am/news/id/6718

The article was prepared with support of the Fund for Investigative Journalism (FIJ) http://fij.org/