



**Helsinki Citizens' Assembly  
Vanadzor**



**Situation of Human Rights  
Defenders in Armenia  
2014-2015  
Report**







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# Situation of Human Rights Defenders in Armenia

2014-2015

Report

Armenia 2016

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This report has been compiled and published via the financial support of The Sigrid Rausing Trust Fund and Open Society Foundations within the framework of “General Support Grant to HCA Vanadzor” and “HCA Vanadzor Sustainability in light of Democracy and Human Rights Challenges in the RA” projects.

The opinions contained in this report are those of the authors and may not reflect the views of funding organizations.

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## Introduction

The report sums up the situation of human rights defenders in Armenia in 2014-2015 and provides follow up information on the cases presented in the report on the Situation of Human Rights Defenders in Armenia in 2013. The report presents also information on the general political and civil situation to the extent it affects the opportunities for human rights protection. The report is based on 2014-2015 media publications, information provided by partners, as well as information received through inquiries to state and local authorities.

HCA Vanadzor would like to thank those partners, who assisted in compiling information for the report to apologize if any incident was left out of the report and will readily add omitted relevant information if it is brought to our attention.

For the purposes of this report Human Rights Defenders (hereinafter, Defenders) are those, who individually or in group defend human rights<sup>1</sup>, this includes but is not limited to NGOs, activists, advocates, lawyers, whistle-blowers, and journalists<sup>2</sup>. While the report refers to persecution of political/partisan actors, these cases are not presented separately, but are covered in the general context.

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<sup>1</sup> Who is a defender, UN SR on the Situation of Human Rights Defenders, retrieved on April 16, 2014, <http://www.ohchr.org/EN/Issues/SRHRDefenders/Pages/Defender.aspx>

<sup>2</sup> The cases of violation of rights of journalists are presented in this report if they happened within the context of defending human rights, for other cases you can refer to the annual report by the Committee to Protect Freedom of Expression, which was consulted extensively for the preparation of this report as well. <http://khosq.am/en/reports/>

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## General Context

2014, was in essence a year of stagnation and uncertainty in terms of EU – Armenia relations. During the same period, the Armenian authorities intensively prepared for Armenia' accession into the Customs Union and the Eurasian Economic Union. Consequently, the Armenian authorities made a number of decisions which put Armenia in more strategic dependence from the Russian Federation in economic and other spheres.

By the gas agreement entered in December 2013, until 2043 Armenia was bliged to acquire gas solely from Russian Gazprom. In 2014 Armenia transferred its last 20% share in “ArmRosGazprom” to Russian Gazprom, thus depriving the country of the right to make decisions and to manage all infrastructures in the sphere of gas.<sup>3</sup>

Starting from January, 2014 combat operations became more frequent. If in 2013 in RA Armed Forces and NK Defense Army 31 death cases were recorded, of which 14 resulted from ceasefire violations, then in 2014, 46 death cases were recorded, of which 26 resulted from ceasefire violations. And in 2015, 76 cases of servicemen death were recorded, of which 41 resulted from ceasefire violations.<sup>4</sup>

In the beginning of 2014, Armenia attempted to become a bridge between the markets of European Union and Eurasian Economic Union<sup>5</sup>, nevertheless no further actions were taken regarding this suggestion. Armenia was mainly excluded from the EU Eastern partnership projects, which was meant to emphasize the incompatibility of association with the European Union and membership of the Eurasian Economic Union, because Armenia's independence in decision making was not guaranteed. Nevertheless, at the end of 2015

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<sup>3</sup> “ArmRosGazprom” turned into “Gazprom Armenia”, Liberty Radio Station, January 17<sup>th</sup>, 2014, <http://www.azatutyun.am/content/article/25233023.html> (in Armenian)

<sup>4</sup> Reference on death cases in RA Armed forces and NKR Defense army in 2015, HCA - Vanadzor <http://hcav.am/en/publications/reference-09-01-2016-en/>

<sup>5</sup> Armenia is calling on Europe to make investments, Liberty Radio Station, January 31<sup>th</sup>, 2014, <http://www.azatutyun.am/content/article/25249384.html> (in Armenian)

negotiations started on the new format of EU-Armenia cooperation, which are planned to be finished at the end of 2016.

In the region, and especially in the relations with the other EU Eastern Partnership countries, Armenia's positions were not advantageous. Particularly, RA president Serzh Sargsyan, during a telephone conversation with RF president Vladimir Putin expressed his opinion that the referendum held in Crimea in march, 2014 "was another example of exercising the right to self-determination through expression of free will", which had a negative impact on the rating of Republic of Armenia.<sup>6</sup> And in March 27<sup>th</sup>, Armenia was one of the 11 countries, which voted against the UN resolution that recognized Ukraine's territorial integrity and considered the referendum held in Crimea On March 16<sup>th</sup> unlawful, which resulted in the annexation of Crimean Peninsula to Russia. Armenia also voted against the resolution prescribing sanctions against Russia that was discussed in the Parliamentary Assembly of the Council of Europe, thus further isolating itself from the international community. At the end of 2013 and at the beginning of 2014, non-ruling 4 powers (Armenian National Congress, Prosperous Armenia, Heritage, and Armenian Revolutionary Federation parties) started to cooperate making joint demands regarding various social issues. The main contradiction among the powers nicknamed "The Wonderful Four" was attitude towards constitutional changes, as well as the difference in political demands and motives.

United non-ruling powers were able to achieve some results in the fight against the mandatory cumulative pension system, when the RA Constitutional Court recognized the mandatory component in the law on "Cumulative Pensions" to be unconstitutional. However, the RA Constitutional Court permitted the enforcement of the law until September 30<sup>th</sup>, 2014 in order to make changes to the linked laws and other legal acts. As a result, mandatory cumulative payments were rephrased as mandatory social payments being applied to the citizens employed since July, 2015.

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<sup>6</sup> Ukraine recalled its ambassador extraordinary and plenipotentiary in Armenia, Liberty Radio Station, March 21<sup>st</sup>, 2014, <http://www.azatutyun.am/content/article/25305440.html> (in Armenian)



On April 3<sup>rd</sup>, 2014, prime-minister Tigran Sargsyan resigned without any public justification. On June 26<sup>th</sup>, 2014 Tigran Sargsyan was appointed RA ambassador extraordinary and plenipotentiary to the USA, and on December 21<sup>st</sup>, 2015 the Supreme Council of Eurasian Economic Union appointed him the Chairman of the Board of Eurasian Economic Commission starting from February 1<sup>st</sup>, 2016 for a 4 year term. Neither during his tenure as prime-minister, nor afterwards Tigran Sargsyan was interrogated for the off-shore scandal mentioned in the previous report.<sup>7</sup>

In ten days following Tigran Sargsyan's resignation RA National Assembly President Hovik Abrahamyan was appointed the Prime-minister of the Republic of Armenia.

On April 25<sup>th</sup>, 2014 the Secretary of RA National Security Council Artur Baghdasaryan resigned also announcing that the Rule of Law party had become oppositional.<sup>8</sup> During the same days Artur Baghdasaryan was appointed the President of the Council of CSTO Academy.

At the end of April 2014, Armenia announced that it had completed all activities designed by the “Road Map” to the membership of the Customs/Eurasian Economic Union. At the same time, during the discussions on the question of Armenia's membership it was obvious that Armenia was being excluded from the decision making process, because Armenia was not invited to several meetings of EAEU member state heads, and the President of Kazakhstan Nursultan Nazarbayev had a clear position that Armenian's membership of the EAEU would be restricted at Azerbaijan's will.<sup>9</sup>

In Spring 2014, “The Pre-parliament” led by Jirayr Sefilyan started “The Centennial Without the Regime” initiative, which

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<sup>7</sup> Report on the Situation of Human Rights Defenders in Armenia in 2013, page 14, HCA – Vanadzor, <http://hcav.am/wp-content/uploads/2014/09/HRD-Eng-Final2.pdf>

<sup>8</sup> Artur Baghdasaryan is resigning, Liberty Radio Station, April 25<sup>th</sup>, 2014, <http://www.azatyun.am/content/article/25362891.html> (in Armenian)

<sup>9</sup>Armenian was offered to join the Eurasian Union with the borders recognized by the UN, Liberty Radio Station, May 29<sup>th</sup>, 2014, <http://www.azatyun.am/content/article/25402956.html> (in Armenian)

intended to remove the existing regime until the 100<sup>th</sup> anniversary of the Armenian Genocide through civil disobedience and other means.

On May 17<sup>th</sup> 2014, shootings were heard at Vernissage area of Yerevan city, as a result of which 5 persons received gunshot wounds. The shooter was RA National Assembly Deputy Karo Karapetyan's (Yuvetsi Karo) son-in-law, who wounded not only the two persons arguing with him, also three passersby. In a year following the incident, during the court proceedings, referring to the fact that he pointed the gun barrel below horizontal when shooting at persons arguing with him, the prosecutor mitigated the accusation. Gor Araqelyan was not accused of murder attempt, which prescribes 8-15 years of imprisonment, but was rather accused of deliberately causing heavy and medium gravity damage to health, which in one case prescribes 3-7 years of imprisonment, in the other – maximum 1-3 years of imprisonment. The prosecutor left the charge of illegally carrying arms-ammunition unchanged.<sup>10</sup> In October 2015, Gor Araqelyan was sentenced to imprisonment for 6 years and 6 months.

In June 2014, the Four presented a demand-announcement consisting of 12 points, which mainly referred to socio-economic problems.<sup>11</sup>

The oppositional Four gave the authorities time until 2014 September 30<sup>th</sup> to implement the 12-point demands, not excluding that authorities will have a “heated fall” ahead in case of not implementing the demands. In response to that RA Chief of Police Vladimir Gasparyan promised “cold showers” or “more heated fall” in September to the proponents of “heated fall”,<sup>12</sup> and in December 2014, the Head of National Security Service Gorik Hakobyan announced that “NSS is

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<sup>10</sup> The prosecutor is accusing Gor Araqelyan of a less grave crime, Liberty Radio Station, May 7<sup>th</sup>, 2015, <http://www.azatutyun.am/content/article/27000315.html> (in Armenian)

<sup>11</sup> The Four released the 12-point demand-statement, <http://www.7or.am/am/news/view/69508/> (in Armenian)

<sup>12</sup> The Chief of Police is promising “cold showers” to the proponents of “heated fall”, Liberty Radio Station, September 13<sup>th</sup>, 2014, <http://www.azatutyun.am/content/article/26581915.html> (in Armenian)



going to “resolutely prevent” any illegal act aimed at breaking the constitutional order”<sup>13</sup>.

However, it should be noted that the demands formed within the framework of cooperation of the Four were a compromise and did not assume abrupt political changes, and because of the fundamental disagreement regarding the constitutional changes, the cooperation with the ARF discontinued.

In September 2014, the former governor of Syunik region Surik Khachatryan was reappointed in his post, and with regard to the case of armed incident at his house the only accused person was Artak Budaghyan. Noisy incidents related to his family went on happening in 2014 and 2015 as well.

On October 10<sup>th</sup>, 2014 it was officially confirmed that in Minsk, the capital of Belarus, the contract of Armenia’s membership in the Eurasian Economic Union was signed, according to which Armenia had to join the Union since January 1<sup>st</sup>, 2015. By the way, the only oppositional power that was against Armenia’s membership of the Eurasian Economic Union was “Heritage” party.

On October 10<sup>th</sup>, 2014, the joint rally of Armenian National Congress, Prosperous Armenia and Heritage parties took place, where they stated that, in essence, none of their 12 demands was implemented.<sup>14</sup> In November 10<sup>th</sup>, 2014, Serzh Sargsyan announced that the Government carefully studied the document presented by the oppositional Trio and presented detailed responses, but the Trio was not satisfied with those answers. Serzh Sargsyan suggested the government to reconsider the document, discuss it point by point and to indicate the processes through which they were going to implement those points.<sup>15</sup>

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<sup>13</sup> The Head of NSS “warned” the ones calling on people to overthrow the authorities, Morning daily newspaper, December 21<sup>st</sup>, 2014 <http://www.aravot.am/2014/12/21/527064/> (in Armenian)

<sup>14</sup> The evaluation of the implementation of 12 points tasked to the RA authorities by the Four, Lragir, October 10<sup>th</sup>, 2014, <http://www.lragir.am/index/arm/0/country/view/105150> (in Armenian)

<sup>15</sup> The president suggested the government to reconsider the 12-point document of the Four, Liberty Radio Station, November 10<sup>th</sup>, 2014, <http://www.azatutyun.am/content/article/26684292.html> (in Armenian)

On October 14<sup>th</sup>, 2014, the Specialized Commission on Constitutional Reforms confirmed the Concept Paper on the Constitutional Reforms.<sup>16</sup>

At the end of November 2014, in Yerevan, 6 automobiles belonging to oppositionists and activists were set on fire.<sup>17</sup> The attempt to set the 7<sup>th</sup> car on fire did not succeed. The logo of “Pre-parliament” and the slogan of “The Centennial without the Regime” were posted on those 6 cars. The 7<sup>th</sup> car belonged to civil activist Karen Harutyunyan. The investigation on the cases of car arson was futile, and in the opinion of victims and human rights defenders the arsons were sponsored by the Police itself. By the way, in 2015 the photographs of these burnt automobiles were disseminated as disinformation that there was anti-Russian hysteria in Armenia and Armenians were setting cars belonging to Russians on fire.<sup>18</sup>

In the same period cases of former freedom fighters beatings were recorded, who called on change of power. Those cases were not subjected to effective investigation either.<sup>19</sup>

In December 1<sup>st</sup>, 2014 NA Deputy Nikol Pashinyan’s initiative was turned down, by which he wanted to impeach the RA president Serzh Sargsyan. Only Zaruhi Postanjyan and Alexander Arzoumanian representing the “Heritage” faction joint the initiative. On December 4<sup>th</sup>, 2014, RA National Assembly ratified the EAEU contract, and only deputies Alexander Arzoumanian, Nikol Pashinyan, Zaruhi Postanjyan, Rubik Hakobyan, Tevan Poghosyan, Khachatur Kokobelyan and Edmon Marukyan voted against it.

On December 11<sup>th</sup>, NA ANC faction deputy Aram Manukyan was beaten at the entrance of his home. According to A. Manukyan an

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<sup>16</sup> Concept Paper on the Constitutional Reforms of the Republic of Armenia., Specialized Commission on Constitutional Reforms Adjunct to the President of the Republic of Armenia, October 2014.  
[http://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-REF\(2014\)050-e](http://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-REF(2014)050-e)

<sup>17</sup> Oppositionists’ and civil activists’ cars are being set on fire in Yerevan, Liberty Radio Station, November 27<sup>th</sup>, 2014, <http://www.azatutyun.am/content/article/26713666.html> (in Armenian)

<sup>18</sup> Against disinformation in Russian social and mass media, Lragir, January 25<sup>th</sup>, 2015, <https://www.youtube.com/watch?v=H3KPDZ3i7Oc>, (in Russian)

<sup>19</sup> Dear people, we are in need, Tehmine Yenoqyan, December 30<sup>th</sup>, 2014, <https://www.youtube.com/watch?v=9EBog84qRyw> (in Armenian)



unknown person attacked and hit in his face without a word. In order to discuss the recent cases of violence against Aram Manukyan, freedom fighters and oppositionists, on December 15<sup>th</sup>, 2014, opposition tried to invite an extraordinary sitting of the National Assembly, which was turned down, because the deputies of ruling Republican party did not attend the sitting and a quorum was not present. As a result oppositional powers boycotted the extraordinary sitting initiated by the government. On December 16<sup>th</sup>, 2014 Republican and ARF factions invited an extraordinary sitting, where they adopted a statement condemning the violence against oppositionists. Both the sitting and the statement were considered formality by the opposition, which was also backed by the fact that Republican faction deputy Seyran Saroyan announced that “slapping” Aram Manukyan was justified, because he had publicly sworn at the president of the republic. The person hitting Aram Manukyan, Arshak Svazyan was accused of deliberately inflicting light damage to health (RA, Criminal Code, 117<sup>th</sup> Article), although according to Armenian National Congress legal coordinator, he should have been charged by Article 113 of the RA Criminal Code, because Aram Manukyan suffered a concussion, which entails a long-lasting deterioration of health. On June 18<sup>th</sup>, 2015 Arshak Svazyan was sentenced to 1 month detention.

Starting from January 2015 Armenia officially became a full member of EAEU. From a political point of view the year of 2015 was a turning point in terms of political rearrangements and constitutional changes, which were aimed at strengthening the positions of ruling Republican Party. At the same time new political entities were formed, which aspired to take on important political roles.

In January 12<sup>th</sup>, 2015, six members of Avetisyan family were murdered in Gyumri, including a 2 year old child. Their other child, 6 months old Seryoja Avetisyan, who was stabbed several times, died in hospital a week later. From the military clothes discovered in Avetisyans' house it was assumed that the murder was carried out by a conscript soldier of Russian military base Valeri Permyakov, who was found at the Turkish border. Despite numerous demonstrations and

demands, Valeri Permyakov was transferred to the Russian military base and court examination is currently held in the territory of the military base, although it is being carried out by RA judicial bodies according to the RA legislation. In international media, the demonstrations demanding to hand over V. Permyakov to the Armenian authorities were presented as anti-Russian wave of protest, often being based on obvious disinformation.

As mentioned in the assessment report on the process of Constitutional changes<sup>20</sup>, in January 2015 Gagik Tsarukyan initiated a conference with the participation of non-ruling political powers, non-governmental organizations, as well as representatives of civil initiatives and movements, where the complicated political and economic situation of the country was discussed with an attempt to unite those powers in finding solutions to those problems.

On January 31<sup>st</sup>, 2015 persons with police cars encircled and beat up the members of Founding Parliament formed on the basis of “Pre-Parliament”, who were holding a motorcade to Nagorno Karabakh to raise awareness of “The Centennial without the Regime” movement<sup>21</sup>. According to the participants of motorcade the representatives of police attacked and beat up Jirayr Sefilyan even when he agreed to go back to Yerevan, because police officers forbade them entry to Nagorno Karabakh. Other than J. Sefilyan, his wife and son, Founding Parliament members Pavlik Manukyan, Varuzhan Avetisyan, Igor Muradyan, Alec Yenikomshian, a journalist of “Noyan Tapan” and other people were beaten.

Regarding the incident the NKR police disseminated a statement, according to which police had taken corresponding measures in order to prevent possible mass disorders, as a result of which there were injured persons. One week after the incident a group of RA National Assembly deputies left for Nagorno Karabakh to get familiar

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<sup>20</sup> Report on Adoption Process of Imposed Constitutional Amendments, HCA-Vanadzor, January 2016, <http://hcav.am/wp-content/uploads/2016/01/Constitutional-Reform-2015-HCAV-ENG.pdf>

<sup>21</sup> The participants of Founding Parliament motorcade were beaten at Berdzor, Liberty Radio Station, January 31<sup>st</sup>, 2015, <http://www.azatutyun.am/content/article/26823522.html> (in Armenian)



with the details of the incident on the spot. NKR authorities assured that the incident was being investigated, but criminal case was instituted with regard to it, and as a result of internal investigation 10 police officers were dismissed from service, 9 of them were reprimanded.<sup>22</sup> None of them was subjected to criminal liability.

At the beginning of 2015, The Republican Party of Armenia dealt a severe blow to the second biggest faction in the National Assembly and, in general, to Prosperous Armenia Party. In February 2015, during the RPA executive body sitting Serzh Sargsyan qualified Gagik Tsarukyan as evil. Serzh Sargsyan informed that he had dismissed G. Tsarukyan's membership from RA National Security Council and demanded to examine the questions regarding Gagik Tsarukyan's absence from National Assembly sessions and the fulfillment of tax obligations related to his businesses. Consequently, after around a month Gagik Tsarukyan announced about leaving the position of party president and politics and remaining a member of RA National Assembly. G. Tsarukyan also announced that he had nothing to do with Prosperous Armenia Party any more. Following this announcement of Prosperous Armenia Party president, some of NA Prosperous Armenia faction members left the faction. Prosperous Armenia party, which was based on the financial resources of one person and his authority conditioned on those resources, in essence stopped from having a political influence, and NA Prosperous Armenia faction became divided and weakened. Thus, Serzh Sargsyan used G. Tsarukyan's vulnerability for being the biggest oligarch and suspended the possible political processes, and the examination of crimes that Serzh Sargsyan was alluding to did not reveal any abuses. As a result, the unquestionable and dominant positions of Republican Party of Armenia were strengthened in the political arena.

From the beginning of 2015 ceasefire violations became more frequent entailing maximum human losses. According to HCAV data, 76 serviceman death cases were recorded in 2015, of which 41 resulted

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<sup>22</sup> Related to the Berdzor incident the "juniors" have been removed from service. Armenian times, March 9<sup>th</sup>, 2015, <http://armtimes.com/hy/read/60792> (in Armenian)

from ceasefire violations.<sup>23</sup> Also, Eurasian Economic Union, which was being presented as the guaranty of country's security, proved to not be viable either in terms of economy, or ensuring the security. Moreover, taking into consideration the situation at the border in 2014 and 2015, at the end of 2015 the spokesperson of RA Defense Ministry announced that hereinafter we can speak about a crawling, slow or hybrid war, rather than a ceasefire.<sup>24</sup> The silence of Collective Security Treaty Organization regarding border tensions was numerously criticized by RA oppositional forces; nevertheless the response of RA authorities was, in essence, to shield the CSTO inaction.

From the security point of view it is even enough to study the data on world trade of conventional arms in terms of reliability of CSTO and EAEU member states.<sup>25</sup> According to officially registered data, 3 CSTO member states, which are also EAEU founding members, have sold arms to non-CSTO country Azerbaijan (see Table 1). By the way, from these countries Russian Federation is also an OSCE Minsk group co-chair country and must have been tended to promote the resolution of the problem exclusively by peaceful ways. In this situation the only official response of the Republic of Armenia in 2014-2015 was that during the interview with Clarin newspaper in Buenos Aires Serzh Sargsyan said: "It is a very painful topic for us, and our nation is very concerned about the fact that our strategic partner is selling arms to Azerbaijan".<sup>26</sup>

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<sup>23</sup> Reference on death cases in RA Armed forces and NKR Defense army in 2015, HCA - Vanadzor <http://hcav.am/en/publications/reference-09-01-2016-en/>

<sup>24</sup> There is no ceasefire, there is a crawling war, CivilNet, December 23, 2015, <http://civilnet.am/2015/12/23/interview-artsrun-hovhannisyan-no-ceasefire/#.Vrs8Thh97cc> (in Armenian)

<sup>25</sup> The Global Reported Arms Trade, the UN Register of Conventional Arms, <http://www.un-register.org/HeavyWeapons/index.aspx?CoI=AM&year=0&Cat=&type=2>

<sup>26</sup> Serzh Sargsyan: "It is a pity that Russia delivers weapon to Azerbaijan", Liberty Radio station, July 7<sup>th</sup>, 2014, <http://www.azatutyun.am/content/article/25452351.html> (in Armenian)



100<sup>th</sup> anniversary of Armenian Genocide was commemorated in 2015, which was of great importance in terms of domestic and international politics of the country. In terms of international politics the raise of popularity of the Republic of Armenia, the adoption of resolution on Genocide Prevention by the UN, as well as the recognition and condemnation of genocide by a number of countries were important for Armenia.<sup>27</sup>

In terms of domestic politics genocide anniversary events were not perceived unambiguously. Continuing the “Centennial without the Regime” initiative, on March 26<sup>th</sup>, 2015 Jirayr Sefilyan announced that on April 24<sup>th</sup> after paying tribute to the victims in Tsitsernakaberd, they were planning to start round-the-clock and continuous protests, which would be peaceful assemblies. On March 28<sup>th</sup>, 2015 during the assembly held in Gyumri on the “Centennial without the Regime” initiative of the Founding Parliament a group of young people instigated incidents with the participants of the rally, during one of which Founding Parliament member Hrachya Mirzoyan was stabbed.<sup>28</sup> The decision on Kamo Khachatryan’s detention (who was arrested for being suspected of stabbing and had previously been sentenced) was replaced by release on bail.

At the beginning of April, 2015 Yerevan municipality suggested the Founding Parliament to start the assembly and march planned for April 24<sup>th</sup> at the surrounding area of Erebuni museum instead of Liberty square in order to avoid interfering with genocide commemoration events. The Founding Parliament accepted the suggestion, although it is unclear why the same limitation was suggested for the round-the-clock rally planned to be held on April 26<sup>th</sup>.

In the early morning of April 7<sup>th</sup>, 2015 the RA Investigative Committee and the RA National Security Service searched the homes of Founding Parliament members Jirayr Sefilyan, Varuzhan Avetisyan, Pavel Manukyan, Gevorg Safaryan, Karo Yeghnukyan and Garegin

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<sup>27</sup> Resolution on the Prevention of Genocide, UN HR Council.  
[http://www.un.org/ga/search/view\\_doc.asp?symbol=A/HRC/28/L.25](http://www.un.org/ga/search/view_doc.asp?symbol=A/HRC/28/L.25)

<sup>28</sup> The rally of Founding Parliament in Gyumri was accompanied by incidents, Liberty Radio Station, March 28<sup>th</sup>, 2015, <http://www.azatutyun.am/content/article/26925591.html> (in Armenian)

Chugaszyan. Around 06:35am about 2 dozen law enforcement officials appeared at the main office of Founding Parliament. Refusing to present a document warranting the search they forbade the advocate that arrived upon Founding Parliament's call and the representatives of Founding Parliament to enter the building. As a result of the search law enforcement officials confiscated computers, data storage devices, etc. Police officers searched Hovhannes Ghazaryan's apartment, a Founding Parliament Deputy from Vanadzor, then apprehended him.

As a result of searching the Vanadzor office of Founding Parliament police confiscated 2 computers, 2 phones, booklets, other items. Police officers searched Aram Hakobyan's house, the representative of Founding Parliament in Gyumri, justifying that they had received information that the latter was keeping arms. It was announced that as a result of the search a grenade was found in the roof of his house, nevertheless Aram Hakobyan's relatives assured that the grenade was found in the roof of the neighboring house, which was open and anyone at any time could have placed the grenade there. Following the search, police confiscated 2 computers from Aram Hakobyan's house, took his phone, Founding Parliament CDs, certain documents, as well as books. The phones of other family members were also taken, but were returned. Aram Hakobyan was apprehended and arrested.<sup>29</sup>

In Yerevan Jirayr Sefilyan, Varuzhan Avetisyan, Pavel Manukyan, Gevorg Safaryan, Garegin Chugaszyan, Karo Yeghnukyan and Jirayr Sefilyan's brother Toros Sefilyan were apprehended. On the same day the head of Founding Parliament office in Kapan, Gevorg Gasparyan was apprehended as well.

Varuzhan Avetisyan, Pavel Manukyan, Gevorg Safaryan, Jirayr Sefilyan, Garegin Chugaszyan were charged under the RA Criminal

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<sup>29</sup> Garegin Chugaszyan, Jirayr Sefilyan, Varuzhan Avetisyan, Pavel Manukyan, Gevorg Safaryan are arrested, Armenian Times, April 7<sup>th</sup>, 2015, <http://armtimes.com/hy/read/62223> (in Armenian)

Code Article 35-225, 1<sup>st</sup> part and two-month pre-trial detention was chosen as a restraining measure.<sup>30</sup>

Founding Parliament Deputy Aram Hakobyan was charged under RA Criminal Code Article 235 (illegally keeping arms, ammunition). As a restraining measure against him a bail of 500 thousands AMD was applied.<sup>31</sup>

RA oppositional powers and a number of civil society organizations deemed the pre-trial detentions of Founding Parliament members to be political persecutions. Taking into consideration that the items confiscated from Founding Parliament offices and detained members' homes were not dangerous and were mainly household items, numerous people started a flash mob on Facebook, showing their home "arsenal" - the household items the likes of which were confiscated as possible mass disorder tools.<sup>32</sup>

At the same the head of ruling Republican Party parliamentary faction Vahram Baghdasaryan announced that people having an intention to hold a rally on April 24<sup>th</sup> must have been incarcerated, even if nothing suspicious was found during the search.<sup>33</sup>

On April 27<sup>th</sup>, 2015, Human Rights Watch applied to the RA Prosecutor General, expressing concern that Founding Parliament members' pre-trial detention was aimed at hindering their freedom of assembly and expression and called on to change the decision on detention.<sup>34</sup>

On May 4<sup>th</sup>, 2015, by the prosecutor's decision the restraining measure against Jirayr Sefilyan and others was replaced with written

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<sup>30</sup> Jirayr Sefilyan and his friends have been detained, they are not accepting the charges against them, Armenian Times, April 10<sup>th</sup>, 2015, <http://armtimes.com/hy/read/62453> (in Armenian)

<sup>31</sup> FP Deputy Aram Hakobyan has paid the bail, but he is refused to be released. Advocate, Armenian Times, April 10<sup>th</sup>, 2015, <http://armtimes.com/hy/read/62482> (in Armenian)

<sup>32</sup> People are showing their home "arsenal" in defense of FP, Liberty Radio Station, April 13<sup>th</sup>, 2015, <http://www.azatutyun.am/content/article/26953589.html> (in Armenian)

<sup>33</sup> Vahram Baghdasaryan. The ones calling on rallying on April 24<sup>th</sup> must be incarcerated, Liberty Radio Station, April 18<sup>th</sup>, 2015, <http://www.azatutyun.am/content/article/26965245.html> (in Armenian)

<sup>34</sup> Letter to the RA Prosecutor General, Human Rights Watch, April 27<sup>th</sup>, 2015, <https://www.hrw.org/news/2015/05/01/letter-prosecutor-general-armenia>

pledge not to leave.<sup>35</sup> Investigative activities regarding Founding Parliament members went on. On May 27<sup>th</sup>, at night 6 members of Founding Parliament were apprehended for posting fly sheets on a rally in different places of Yerevan and then were released.<sup>36</sup> Founding Parliament continued the demonstrations in Yerevan and other places.<sup>37</sup>

On May 4<sup>th</sup>, 2015, information was spread on another incident related to the governor of Syunik region Surik Khachatryan. On May 2<sup>nd</sup>, 2015, in “Sdghi gyol” area of Goris an argument took place, where Surik Khachatryan’s son Tigran Khachatryan was involved, as a result of which Goris resident Harutyun Zaqaryan received an eye injury, and his bother received other injuries. Surgery failed to result in restoring his vision. Two weeks after the incident Tigran Khachatryan went to the police. Being in pre-trial detention since July 27<sup>th</sup>, 2015, Tigran Khachatryan was released on October 1<sup>st</sup>, when it became known that Harutyun Zaqaryan had changed his testimony and denied Tigran Khachatryan’s participation in the beating.<sup>38</sup> With regard to the incident 6 persons were charged; court examination is going on.

On May 20<sup>th</sup>, 2015 gunshots were fired on Syunik region governor Surik Khachatryan’s car, where his assistant and driver were also in at that time. No one was injured from the gunshots. The same day a criminal case was initiated under the articles of murder attempt and illegally acquiring, realizing, keeping, transferring or wearing arms, ammunition, explosives or explosive devices.<sup>39</sup> With regard to the incident four residents of Syunik region were detained - Garen Atajanyan, Henrik Avagyan, Vitali Minasyan and Ara Budaghyan, the latter was the younger brother of former Goris city mayor candidate

<sup>35</sup> The members of Founding Parliament are at large, CivilNet, May 4<sup>th</sup>, 2015, <http://civilnet.am/2015/05/04/founding-parliament-sefilyan-avetisyan-manukyan-free/#.VukAw3197ce> (in Armenian)

<sup>36</sup> Last night FP 6 members were apprehended, Liberty Radio Station, May 27<sup>th</sup>, 2015, <http://www.azatutyun.am/content/article/27039584.html> (in Armenian)

<sup>37</sup> Jirayr Sefilyan kept silence during interrogation, <http://www.a1plus.am/1416551.html> (in Armenian)  
<sup>38</sup> What task will be given to the governor of Syunik for his son’s freedom, “Time”, Aravot, October 2<sup>nd</sup>, 2015, <http://www.aravot.am/2015/10/02/614626/> (in Armenian)

<sup>39</sup> Gunshots were fired on Surik Khachatryan’s car. There are no victims according to preliminary information, Liberty Radio Station, May 20<sup>th</sup>, 2015, (in Armenian)  
<http://www.azatutyun.am/archive/news/20150520/2031/2031.html?id=27027438>

Avetiq Budaghyan who was killed at Surik Khachatryan's house in 2013.<sup>40</sup> Although examination made it clear that gunshots could not have harmed the people who were in the car and only Henrik Avagyan from detainees confessed that he was the one who shot the gun, the articles of the criminal case remained unchanged.<sup>41</sup> On June 10<sup>th</sup>, 2016 the criminal prosecution of Ara Budaghyan and Vitali Minasyan was suspended. The part of the criminal case regarding Henrik Avagyan was separated, and Garen Atajanyan remained in pre-trial detention.<sup>42</sup>

In 2015, several local referenda were held on the issue of community enlargements. Regardless of the referenda results, the RA government made affirmative decisions on community enlargements.

The local elections in 2015 mainly went without any competition, because for various reasons candidates withdrew during the campaign period. In a few competitive communities, the competition, in essence, was not ideological, but was rather in the context of possessing and redistributing administrative resources. In terms of this, the elections of Abovyan city mayor are noteworthy, where the Republican Party of Armenia decided to support the candidate of Prosperous Armenia. Accordingly, Republican Party member Artur Harutyunyan (better known with the nickname Palach), who wanted to compete for the position of city mayor, was firstly removed from the party for insisting on his candidacy and then pressures started against a local TV company owned by him and against his relatives.<sup>43</sup> On the last day of candidate registration unexpectedly another candidate was registered with the same name, last name and patronymic name, which would cause confusion. Incidents related to Artur Harutyunyan went on until the voting day. This internal fight, not being a political or ideological contest, essentially manifested the

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<sup>40</sup> 4 persons have been arrested for being suspected in murder attempt on Surik Khachatryan, Liberty Radio Station, July 3<sup>rd</sup>, 2015, <http://www.azatutyun.am/archive/news/20150703/2031/2031.html?id=27108501> (in Armenian)

<sup>41</sup> They did not want to kill Surik Khachatryan, but to frighten him, new details, "Zhoghovurd", Aravot, February 13<sup>th</sup>, 2016, <http://www.aravot.am/2016/02/13/657192/> (in Armenian)

<sup>42</sup> Pre-trial detention as a restraining measure against Ara Budaghyan has been revoked by the prosecutor's decision, June 10<sup>th</sup>, 2016, <http://armtimes.com/hy/read/87292> (in Armenian)

<sup>43</sup> Abovyan city mayor candidate's brother has been apprehended and then released, Liberty Radio Station, May 20<sup>th</sup>, 2015, <http://www.azatutyun.am/content/article/27027447.html> (in Armenian)

“arsenal” of legal and illegal methods that is used to eliminate the competitors, establish political monopoly and solely possess all administrative resources.

Mainly the candidates representing the Republican Party or supported by that party won in the local elections.

20In May 2015, “Electric Networks of Armenia” company applied to the Public Services Regulatory Commission (PSRC) requesting to raise the electricity tariff by 17 drams. Despite numerous abuses recorded during the examination of the submitted application, on June 17th the Public Services Regulatory Commission (PSRC) unanimously made a decision on raising the electricity tariff. According to the decision, starting from August 1st, 2015, the electricity daytime tariff from current 41.85 drams KW/h became 48.78 drams, and nighttime tariff from 31.85 drams became 38.78 drams.

Starting from June 19<sup>th</sup>, 2015, “No to Plunder” civil initiative<sup>44</sup> started a sit-in in Liberty Square demanding to immediately rescind the unlawful decision on electricity price hikes.<sup>45</sup> On June 22<sup>nd</sup>, the demonstration moved to Baghramyan Avenue. HCA Vanadzor prepared a separate report regarding this phase of the fight against raising the electricity tariffs<sup>46</sup>, but the separate incidents will be presented in this report as well. In the early morning of June 23<sup>rd</sup>, police tried to disperse the sit-in using a water cannon, exerting violence against demonstrators and apprehending 237-246 of them. In the evening of the same day, the number of demonstrators multiplied, and the sit-in continued. At the end of June, 2015 Serzh Sargsyan made a decision on an independent audit in “Electric Networks of Armenia”. After the decision was made public, one part of the demonstrators returned to the Liberty Square,

<sup>44</sup> “No to Plunder” civil initiative was created in June 2014. From the day of its formation up to now “No to Plunder” civil initiative has had an immediate participation in the revelation of various social problems in the Republic of Armenia and in the processes of solving those problems. <http://vochtalanin.am/վեր-սուսիս/> (in Armenian)

<sup>45</sup> The announcement of “No to Plunder” civil initiative. We are moving to Baghramyan 26, 20 June, 2015, Lragir.am, <http://www.lragir.am/index/arm/0/country/view/116312> (in Armenian)

<sup>46</sup> «Human Rights Violations of the Electricity Price Hike Protesters», HCA - Vanadzor, September 2015, [http://hcav.am/wp-content/uploads/2015/09/Electricity-Price-Hike-Protest\\_2015-ARM.pdf](http://hcav.am/wp-content/uploads/2015/09/Electricity-Price-Hike-Protest_2015-ARM.pdf)

and the part that stayed in Baghramyan Avenue, was removed by the police on July 6th.

After being removed from Baghramyan Avenue on July 6<sup>th</sup>, the movement did not fade away. In the evening of the same day hundreds of citizens gathered in Liberty Square, from where they tried to move to Baghramyan Avenue, which police did not permit. “Rise up, Armenia movement” was initiated by Andreas Ghukasyan, Davit Sanasaryan and others, which started a sit in the Republic Square on July 27<sup>th</sup> demanding of PSRC to cancel the decision on electricity price hikes.

In the spring of 2015 “No Pasaran” initiative started active discussions with the civil society and political parties in order to unite in the fight against constitutional changes. On September 12<sup>th</sup>, 2015, the initiative held a conference, political parties participating in which, including ANC and “Heritage” that have parliamentary factions, as well as a number of non-governmental organizations and civil initiatives formed the “No” front of the fight against constitutional changes.<sup>47</sup>

On October 8<sup>th</sup>, 2015, RA president signed the decree on setting the date of the referendum at December 6<sup>th</sup>.

On October 12<sup>th</sup>, 2015, the creation of political board of “New Armenia” public salvation front and United Headquarters of Opposition was announced. Representatives from Heritage party, Founding Parliament, Democratic Homeland party, Union of Armenia’s political scientists and “Raise up, Armenia” civil movement became members of the political board. Jirayr Sefilyan was chosen to be the Head of the United Headquarters of Opposition.

On December 6<sup>th</sup>, 2015, the referendum on constitutional changes was held, during which authorities used the entire reserve of electoral fraud in order to ensure the adoption of constitutional changes. From pressures against and bribery of participants of the referendum to ballot stuffing, voter impersonation, results falsification,

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<sup>47</sup> “No pasaran” is initiating a conference of the “No” front <http://nopasaran.am/2015/09/10/չէ՛ք-անցկացնի՛ն-նախաձեռնում-է-ն՛ջ/> (in Armenian)  
The announcement of “No” front, <http://nopasaran.am/2015/09/12/ն՛չ-ի-ճակատի-հայտարարութիւնը/> (in Armenian)

etc. were recorded. The constitutional referendum was unprecedented in terms of the number of documented violations, the number of criminal cases initiated as a result of which was the highest since the independence of the Republic of Armenia.

According to the statement released by the office of RA Prosecutor General:

“As of May 27<sup>th</sup>, 597 pieces of various information /media and NGO publications, also reports and written applications of common citizens/ on hindering RA citizens from realizing their electoral rights were examined in the RA Prosecutor’s office. 79 criminal cases have been instituted, 47 criminal cases with indictments regarding 51 persons were sent to the court, in 53 criminal cases 56 persons have been involved as culprits, 31 criminal cases have been dismissed, the proceedings of 2 criminal cases have been suspended, as a result of examining 504 pieces of information by pre-investigation and investigation agencies initiation of criminal cases was rejected, in 39 criminal cases judgments of convictions have been rendered regarding 43 persons.”<sup>48</sup>

Despite concerns regarding the referendum and numerous recorded violations, the referendum was considered accomplished and constitutional changes entered into force.

The talks on the new format of Armenia - EU cooperation that had started at the beginning of the year, became more tangible with the official start of negotiations in December 2015, some results of which will be known at the end of 2016.

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<sup>48</sup> 56 persons have been involved as culprits, <http://prosecutor.am/am/news/6499/> (in Armenian)

## Overview of Defnding Human Rights

The process of Constitutional Amendments was launched by the RA Presidential Decree № 207-N of September 4, 2013, the day following Serzh Sargsyan's unilateral decision whereby the Republic of Armenia joined the the Customs Union and later also the Eurasian Economic Union. Pursuant to the Decree, the process of Constitutional Amendments was necessitated by improvement of the constitutional mechanisms to ensure the application of the rule of law principle and guarantee fundamental human rights and freedoms, to secure the full balance of powers and improve the efficiency of public administration. Nevertheless, constitutional amendments restricted a number of rights and freedoms of citizens. And the principle of partisan ruling was established instead of the principle of balance of powers, by giving all leverages to the political majority in the National Assembly.

Both during the campaign for Constitutional Amendments and on the Referendum day, there were several violations related to the rights of voters, initiatives against the Constitutional Amendments, proxies, observers, and media representatives. The investigation of these violations did not ensure that those rights are restored and further violations are prevented.

HCA Vanadzor prepared a separate report on the contents and adoption process of the Constitutional Amendments, which presented both content and procedural issues that according to HCA Vanadzor make the amendmensts imposed and illegitimate.<sup>49</sup>

Police violence, prohibition of discrimination and corruption, freedom of assembly, opinion and expression, effective mechanisms of fair trial and redress remained the most problematic issues in Armenia in 2014-2015. This fact was recognized by international entities, including the USA Department of State,<sup>50</sup> and the Council of Europe Commissioner for Human Rights.<sup>51</sup> Former United Kingdom

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<sup>49</sup> HCA Vanadzor report on Adoption Process of Imposed Constitutional Amendments, January 2016, <http://hcav.am/publications/21-01-2016-555879/>

<sup>50</sup>Country Reports for Human Rights Practices for 2015, Armenia

<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2015&dliid=252819>

<sup>51</sup> CoE Human Rights Commissioner criticizd the Armenian authorities,

<http://www.azatutyun.am/content/article/27027425.html>

Ambassador to Armenia, Katherine Leach, also expressed her concerns with freedom of assembly in Armenia.<sup>52</sup> Several international entities have particularly addressed the physical attacks against war veterans, activists, and politicians and violence against peaceful protestors and reporters in 2015.<sup>53</sup>

The report presents 162 cases related to human rights defenders: 63 of which took place in 2014 and 99 took place in 2015. A follow on the cases and an indication of the right or rights violated during the incident is presented as well.

Table 2. Number of cases with alleged violation of the related rights by year

Related Right	2013	2014	2015
Electoral rights	5	0	8
Freedom of assembly and association	26	29	47
Freedom of information	3	11	26
Freedom of movement	6	13	25
Freedom of speech and expression	16	28	28
Property rights	8	7	13
Right to be free from discrimination	12	9	8
Right to be free from torture and inhuman or degrading treatment and punishment	10	29	42
Right to fair trial	32	17	23
Right to liberty and security	24	23	32
Right to life	10	10	12
Right to participation in decision-making	2	1	4
Right to respect for private life	8	3	10
<b>Total</b>	<b>162</b>	<b>180</b>	<b>278</b>

Despite the declared efforts, there was no progress in terms of human rights in Armenia in 2014-2015. Public discontent increased with the worsening of the general economic situation in the country, and was manifested in more frequent protests. The protests in the regions

<sup>52</sup>There are several issues with freedom of assembly in Armenia, Ambassador of Great Britain, <http://www.azatutyun.am/content/article/27073015.html>

<sup>533</sup> Armenia: Police Violence Against Protesters, Journalists, Investigation needed, Human Rights Watch <https://www.hrw.org/news/2015/06/24/armenia-police-violence-against-protesters-journalists>

mainly related to the abuse of community resources, such as rivers and mines and pollution of the environment, as well as economic and social issues, including harvest procurement<sup>54,55</sup> and set-up of privileges<sup>56</sup> and so on.

Table 3. Notifications of assemblies in Yerevan

Notifications of assemblies in Yerevan	2013	2014	2015
Notification acknowledged	241	119	246
Urgent gathering		13	4
Amendments/restrictions to the venue or the route	20	3	73
Prohibition	0	0	0
Return for noncompliance with law	3	1	10
Cancellation by the organizer	0	4	2
<b>Total</b>	<b>264</b>	<b>140</b>	<b>335</b>

The number of notifications about assemblies in Yerevan surely does not represent all assemblies held. Moreover, these notifications also include various public events which are not related to protests; hence it is difficult to count how many protests were held. However based on the number of cases presented in the report we can assume that the number of protests has increased and the number of violations during these assemblies has disproportionately increased as well.

In January 2014, The RA Chief of Police, Vladimir Gasparyan, announced that the police were reformed and did not use violence anymore.<sup>57</sup> However, the violations of the right to freedom of assembly in 2014-2015 were committed exclusively by the police and stood out for particular cynicism and cruelty.

Exceeding their authorities, Police repeatedly obstructed the right of citizens to holding peaceful and unarmed assemblies. Namely, policemen obstructed rallies from marching by the planned route or

<sup>54</sup> Villagers affected by low prices for milk procurement threaten to shut down the interstate road. <http://www.azatutyun.am/content/article/27032898.html>

<sup>55</sup> Another lie from the Government: Villagers have shut down the road, <http://www.lragir.am/index/arm/0/country/view/120604>

<sup>56</sup> Independent taxi drivers from Gyumri demand preferential treatment, <http://www.azatutyun.am/content/article/27032898.html>

<sup>57</sup> Ոստիկանապետ. «Հինս մենք վերափոխվել ենք», <http://www.azatutyun.am/content/article/25245435.html>

approaching the target institution (e.g. RA Presidential Residence, premises of NCS, RF Embassy, Office of the RA General Prosecutor, CEC premises), holding long-term assemblies and opportunities for wider awareness. Police conduct had explicit discriminatory and disrespectful treatment of protestors, which was manifested in not only direct insults but also clearly selective restrictions.

The RA Law on “Freedom of Assembly” prescribes that the Police shall be obliged to ensure free access to buildings, structures, and other premises located at the assembly venue or adjacent to it. However, it should be noted that in several of the assemblies held near the above-mentioned institutions the assemblers did not obstruct the free access to these buildings and did not threaten their natural activity and the police actions against them were disproportionate. In this respect, we should note the police activities during the actions of protest held near the RA Presidential Residence by several parents of servicemen who died in peacetime. Police constantly prohibit them from approaching the gates of the Presidential Residence, when the gates themselves are not in the prohibited area and the pedestrian and vehicle traffic near them is not anyway restricted.

Police justified prohibition of assemblies in some areas, for example Republic Square, by the decision of the RA Government that the center of the Republic Square is a cultural landmark and it is not allowed to hold assemblies there. While there are constantly different public events held in the center of the Republic Square, which are not any way obstructed by the police.

There is differentiated approach in restrictions of assembly venues and routes as well. In 2014-2015 when considering the notifications of assemblies, restrictions were placed only on assemblies and marches organized by the Founding Parliament and its members. Their prevailing majority referred to prohibition of setting up a tent; however, this ban was never clearly justified.

During assemblies, Police mostly referred to Article 182 of the RA Code on Administrative Offenses to justify apprehensions (not executing the lawful order of a servicemen of police troops or a police

officer). It should be noted, however, that in many cases those taken to police stations report that during apprehension the police officers did not present any demands, they were taken to the police arbitrarily and learned about the reason of apprehension only at the police station. Commonly, the police officers often did not introduce themselves or present the legal grounds for their actions. In several cases, police officers in plainclothes acted during the assemblies, while Article 12 of the RA Law on Police stipulates that Police officers shall, while ensuring public order, be obliged to wear a uniform of specified form whereon a distinctive emblem enabling personal identification of police officers shall be affixed in a visible place.

Article 258 of the RA Code of Administrative Offenses prescribes bringing the person to the police station for drafting of a protocol shall be done only if drafting of the protocol is obligatory and it is not possible to draft it on the site. Hence, bringing people to police stations from the assembly site for the reason of drafting the protocol, in fact aimed to remove them from the assembly area and did not derive from the procedural or other necessity. Moreover, their apprehension was accompanied with physical violence and restriction of the right to receive legal assistance.

During 2014 and 2015 hundreds of protesters were taken to the police.

In 2013 around 245 people were apprehended in relation to assemblies, of which 38 were apprehended on November 5, 2013, and 110 were apprehended on December 2.

In 2014, 106 people were apprehended in relation to protests and 472<sup>58</sup> people were apprehended in 2015.

According to the RA Law on Freedom of Assembly, If the assembly is conducted in violation of the notification requirements, then the Police shall be obliged to inform by a loudspeaker that the assembly is unlawful and that the participants may be held liable. Nevertheless, the violation of notification requirements itself should not

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<sup>58</sup> N.b. This number does not include the members of Founding Parliament

be a ground for considering an assembly illegal. Moreover, according to the UN Special Rapporteur on Freedom of Assembly and Association, the State has a positive obligation to facilitate peaceful assemblies and the purpose of notification is protection of participants.<sup>59</sup> If the assembly is peaceful then the police are obligated to assist it within its authorities. Thus even during assemblies held in violation of the notification requirements, the police have to simply notify the participants of the assembly that they may be subject to administrative liability and not obstruct the natural procession of the assembly.

During assemblies police have often obstructed the work of reporters as well, in particular, by using violence against them, pushing, cussing, taking away and damaging video equipment. Only on June 23, 2015, when dispersing the demonstration against electricity price hike, police used violence against around 20 media representatives.

At the same time, as a result of distrust based on police arbitrariness and negligence, human rights defenders avoid filing crime reports about infringements against them as they are convinced that police are directly involved in these infringements. The accuracy of this conviction is seen in the results of investigation of violence against human rights defenders which are never effective and the criminal cases are generally covered up.

And cases of police violence against protesters and reporters, in best case scenario, end in a reprimand. In 2014-2015, internal investigation of only one incident brought to institution of a criminal case, which resulted in termination of an officer's duties.<sup>60</sup>

The RA Investigative Committee was created in 2014 as joint pretrial investigation body in order to solve the issue of effective investigation of criminal cases.<sup>61</sup> According to the directive by the RA President, the joint investigative committee was to include also the

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<sup>59</sup> The Right to Freedom of Peaceful Assembly: Best Practices Fact Sheet, <https://docs.google.com/viewer?url=http%3A%2F%2Ffreeassembly.net%2Fwp-content%2Fuploads%2F2014%2F11%2FFreedom-of-Assembly-best-practices-factsheet.pdf>

<sup>60</sup> See Case 75, from the year 2015 in this report

<sup>61</sup> Directive of the RA President on Establishing a Legal Support Committee for forming a Unified Investigative Body, <http://www.president.am/en/Directives/item/975/>

investigative body under the state revenue committee: however the newly created entity combined only the investigative bodies under the RA Ministry of Defense and the RA Police. The Head of the structure was the former Prosecutor General Aghvan Hovsepyan, which is problematic in terms of unlocking the innovative potential and new quality of investigation of this body.

Absence of judicial independence remained the most problematic issue in terms of redress of rights. Any discussion of effective remedy for human rights becomes self-serving in light of ineffective judiciary. The Judiciary is used to establish disproportionate punishments against activists and human rights defenders, to justify violations of the right to freedom of assembly, and to restrict the freedom of media. The rare judgements in favor of human rights defenders only speak of widespread selective justice and consolidate the atmosphere of legal uncertainty and arbitrariness.

There were several criminal and administrative cases against human rights defenders, on some of which there are judgments made already. Courts mainly satisfied the RA Police suits filed against activists and the counterclaims submitted by the activists were rejected. Examination of many cases has been suspended until the RA Constitutional Court considers the constitutionality of Article 182 (not executing the lawful order of a servicemen of police troops or a police officer) of the RA Code of Administrative offenses based on an application from Kim Minasyan, Lusine Harutyunyan, and Vardges Gaspari.

Table 4. Judgements regarding apprehension during assemblies

Application/claim	2013	2014	2015
Number of apprehended people	245	106	472
Administrative offenses, of which	<b>48</b>	<b>25</b>	<b>7</b>
Rejected	16	10	1
Satisfied	<b>32</b>	<b>15</b>	<b>6</b>
Criminal offenses, of which	<b>14</b>	<b>3</b>	<b>1</b>
Rejected	0	1	0
Satisfied	<b>14</b>	<b>2</b>	<b>1</b>
Counterclaim by the apprehended person,	<b>35</b>	<b>7</b>	<b>2</b>



of which			
Rejected	29	3	2
Satisfied	6	4	0
Submitted to the European Court	4	1	2

The first challenge in 2014 regarding freedom of speech and expression of media was the draft amendments to the Civil Code that prescribed liability for media for disseminating posts and comments from “fake” anonymous or nicknamed users of social media. According to the Committee to Protect Freedom of Expression, the draft aimed to restrict freedom of speech in internet and pressure the media.<sup>62</sup> The next restriction was the reminder by the RA Prosecutor General to the media about criminal liability for releasing confidential information about pretrial investigation, which was rightfully perceived as a threat. In 2015, there were several cases of unlawful demand to release sources of information. The most problematic issue in these cases was that instead of investigation into the incidents described in the published articles, there was intimidation of the media outlets and threats to prosecute them for false statement. This in itself aimed at restricting freedom of speech and information of media.

The situation of human rights defenders in Armenia clearly reflects the actual attitude of the authorities toward the protection of human rights in the given area. The protection of human rights defenders, especially defenders and organizations of vulnerable groups remained problematic. Particularly, the threats and hate speech against organizations protecting rights of LGBT people were regularly instigated to disguise sensitive issues taking place in the country. There were no steps taken by the law enforcement bodies regarding the hate speech and calls for violence, which proves that this attitude was steered and encouraged by the authorities.

There were cases, when police officers did not follow the rules of police ethics in social media as well (e.g. Advisor to the Chief of

<sup>62</sup> Annual Report on the Situation with Freedom of Expression and Violations of Rights of Journalists and Media in Armenia, Committee to Protect Freedom of Expression, 2014, <http://khosq.am/en/reports/the-2014-annual-report-of-cpfe-on-the-situation-with-freedom-of-expression-and-violations-of-rights-of-journalists-and-media-in-armenia/>

Police, Narek Malyan and commander of 4<sup>th</sup> battalion of “Angels” Gegham Khachatryan). It was argued that the officers acted as civilians and expressed their personal views. However, according to the RA Law on Approval of Police Disciplinary Code,<sup>63</sup> rules of ethics are obligatory for a police officer both when performing their duties and outside of duty. Among ethics rules of the police are obligation to know and respect human rights and freedom, to show restraint and courtesy, to treat people with decency and respect.

Discrediting human rights defenders and activists as western agents and provokers continued as well. In April 2014, the RF Ambassador to the Republic of Armenia, I. Volinkin, stated that Moscow would stop any aggressive intervention aimed at injecting ideas foreign to Russia’s thoughts and preferences into the domestic affairs of its friendly countries.<sup>64</sup> Considering the practice of intimidation and persecution of civil society in RF, civil society in the Republic of Armenia perceived this as a threat and an uncalled-for intervention into domestic affairs of a sovereign country. The rhetorics of imposing RF interests was particularly pushed forward by the Russian Federation during the wave of public discontent related to the murder of the Avetisyan Family in Gyumri and Electricity price hike, at attempt was made to present the rightful civic discontent as an instigated conspiracy against the Russian Federation<sup>65</sup> and Armenian “Maydan”.<sup>66</sup> This disinformation and particularly the Armenian public’s outbreak against it proved that Armenia was fully influenced by the Russian propaganda and assessment of the situation and events was conducted in the light of this rhetoric.

Un uncalled-for attempt of control over civil society was the concept of institutional and legislative reforms for development of civil society organizations,<sup>67</sup> which prescribed additional increase of

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<sup>63</sup> Law on Approval of Police Disciplinary Code <http://www.irtek.am/views/act.aspx?aid=29617>

<sup>64</sup> Civil Society is Concerned about the statement of the Russian Ambassador, <http://www.azatutyun.am/content/article/25354688.html>

<sup>65</sup> Russian Media on the Armenian events, <http://www.azatutyun.am/content/article/27089419.html>

<sup>66</sup> “Armenian Maydan” the peaceful protest of Armenians is being distorted in Russia,

<http://www.azatutyun.am/content/article/27093541.html>

<sup>67</sup> The concept of Institutional Development of Non-Governmental Organizations and Legislative Reforms, [https://www.e-gov.am/u\\_files/file/decrees/arc\\_voroshum/2104/09/40-42.pdf](https://www.e-gov.am/u_files/file/decrees/arc_voroshum/2104/09/40-42.pdf)

accountability for non-governmental organizations and expansion of opportunities for their control, and presented this as providing an opportunity for organizational development. Non-governmental organizations insisted that the requirement for double-reporting on finances should be put before organizations that receive funding from the state budget and the results of whose activities are not visible to the public.

Various legislative initiatives for civil society development were suspended in 2014-2015 as a result of discussions, amendments, and political decisions.

After her visit in 2010, the Special Rapporteur on the Situation of Human Rights Defenders issued 34 recommendations, including 23 to the government, 4 to the office of the ombudsperson, 5 to international community and donors, and 2 recommendations to human rights defenders.

In the report on the Situation of Human Rights Defenders in Armenia in 2013, HCA Vanadzor assessed the implementation of the recommendations.<sup>68</sup> Looking at the situation of human rights defenders in 2014-2015, we can argue that there was only one change in terms of implementing the recommendations and there was a regress. The Special Rapporteur had recommended the RA Government:

- *Recognize the role of the Ombudsperson as an important actor within Armenian society.* - not implemented (worsened)

The attitude toward the Office of the RA Ombudsperson and specifically toward the 3<sup>rd</sup> Ombudsman Karen Andreyan became particularly negative after he published a special report on the right to fair trial. This report received harsh criticism from all bodies in the justice sector of Armenia, while it was highly regarded by human rights defenders and advocates. In 2015, during the presentation of his annual report at the National Assembly, the criticism against the Ombudsman Karen Andreyan became personal aiming to devalue the institute of

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<sup>68</sup> See Situation of Human Rights Defenders in Armenia in 2013 report, p. 35



the Ombudsman and his exposure of the human rights situation in the Republic of Armenia.

In January 2016, the 3<sup>rd</sup> RA Ombudsman resigned for reasons unknown to the public.

## Additional information regarding cases recorded in 2013

The background information for the cases presented in this section is available in “The Situation of Human Right Defenders in Armenia in 2013” report of HCA Vanadzor.<sup>69</sup>

### Case 21. Tents

The proceedings of the criminal case filed in the RA SIS regarding the violence exerted against Argishti Kiviryan by the Police on August 1, 2013 were closed on October 28, 2014.

The RA Police applied to the court with a claim to subject Argishti Kiviryan to liability on the grounds of disobeying the lawful order by a police officer.<sup>70</sup> However, Argishti Kiviryan submitted a counterclaim over the breach of his right to liberty and security to have administrative detention applied. On April 30, 2015 the Administrative Court charged Argishti Kiviryan 50.000 AMD, and rejected the counterclaim. The aforementioned decision was appealed at the RA Court of Appeals, which began the examination of the case, but the verdict was not delivered on the scheduled date. On November 13, 2015 the RA Administrative Court of Appeals resumed the proceedings of the case.<sup>71</sup> On March 2016 Argishti Kiviryan’s claim against the RA Police was partially satisfied, however, Kiviryan submitted a cassation appeal claiming full satisfaction of claim. The RA Court of Cassation refused to take the case into trial.<sup>72</sup>

<sup>69</sup> «Իրավապաշտպանների վիճակը Հայաստանում 2013թ.» զեկույց, ՀՔԱ Վանաձորի գրասենյակ <http://hcav.am/wp-content/uploads/2014/09/HRD-Arm-Final.pdf>

<sup>70</sup> The court cases against lawyer and editor Argishti Kiviryan have amounted to 10, <http://www.aravot.am/2015/04/08/559047/>

<sup>71</sup> Argishti Kiviryan is being tried for putting up a tent, but no tent existed, <http://www.a1plus.am/1416999.html>

<sup>72</sup> Court case N: AC /8619/05/13, <http://www.datalex.am>

**Case 22. Against paid parking**

The appeal regarding the fine against Sevak Mamyan was returned by September 10, 2014 decision for revision of gaps, however, Sevak Mamyan failed to resubmit it in the set deadline.<sup>73</sup>

**Case 26. Tigran Khzmalyan and Anushavan Grigoryan**

On June 27, 2014, Tigran Khzmalyan received a notification stating that the Court had rejected the claim of the Police.<sup>74</sup>

**Case 28. Flash Mob, first attempt**

In April, 2014, the RA Administrative Court satisfied the claim of the Police against Vardges Gaspari on the grounds of Article 172.3 (Publicly insulting a police officer during carrying out their duties on ensuring public order) by charging him a fine of 50.000 AMD, while rejecting the claim on the basis of Article 182 (disobeying the lawful order by a police officer). The activist appealed the verdict, but it was returned and never resubmitted in a 2-week term.<sup>75</sup>

During one of the court hearing over this case Vardges Gaspari declared, “A number of police officials, including the ones, who filed the claim in the court, are criminals and liar scoundrels”. Police representatives Diana Vardanyan, Khachik Avetisyan, and Sona Melkonyan, to whom the activist’s words were addressed, turned to the court claiming to oblige Vardges Gaspari to apologize, and pay each 300.000 AMD in damages. In December 2014 the Court of General Jurisdiction of Kentron and Nork-Marash Administrative Districts rejected the claim.<sup>76</sup>

**Case 29. Komitas 5. Argishti Kiviryan**

On November 21, 2014, the Administrative Court reached a decision to subject Argishti Kiviryan to an administrative fine of 50.000

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<sup>73</sup> Court case N: AC /8995/05/13

[http://www.datalex.am/dl\\_case\\_view.php?caseType=5&courtID=0&caseID=38562071809774257](http://www.datalex.am/dl_case_view.php?caseType=5&courtID=0&caseID=38562071809774257)

<sup>74</sup> Tigran Khzmalyan won the trial over the case of Komitas 5, <https://www.youtube.com/watch?v=A4kxoRSMnyE>

<sup>75</sup> Court case N: AC/9581/05/13 datalex.am

<sup>76</sup> Court case N: ԵԿԴ/0236/02/14 datalex.am

AMD for disobeying the lawful order by a police officer, and turn down his counterclaim.

On April 21, 2015, the Administrative Court of Appeals rejected the activist's appeal, while the Court of Cassation left it unexamined.<sup>77</sup> Attorneys Lusine Sahakyan, Yervand Varosyan and Vahe Grigoryan filed a claim to the European Court of Human Rights over the case on December 29, 2015.<sup>78</sup>

On June 8, 2015, the RA Court of General Jurisdiction of Arabkir and Qanaqer-Zeytun Administrative Districts found Argishti Kiviryan guilty for exerting harmless violence against the police official subjecting the latter to a fine of 400.000 AMD, however, the court ended up with applying an amnesty.<sup>79</sup> The accusatory verdict was appealed, and on August 20, 2016 the Court of Criminal Appeals abrogated the verdict of the First Instance Court by acquitting Argishti Kiviryan.<sup>80</sup>

### **Case 32. Mkrtych Tonoyan**

The preliminary investigation over the case of Mkrtych Tonoyan is still underway, which, according to Tonoyan, tends to cover up the case and to leave it fully unveiled.<sup>81</sup>

### **Case 33. Apprehension for sleeping**

The verdict reached by the Administrative Court was promulgated on October 10, 2014, whereby, the claim of the Police was satisfied, and Vahagn Minasyan was fined in the amount of 50.000 AMD.

On October 14, 2015 the RA Administrative Court of Appeals satisfied Vahagn Minasyan's appeal by abolishing the decision of the RA Administrative Court.<sup>82</sup>

<sup>77</sup> Court case N: AC/8030/05/13, <http://www.datalex.am>

<sup>78</sup> Attorneys turn to the ECHR over the cases of Hayk Krueghyan and Argishti Kiviryan today, <http://www.aravot.am/2015/12/29/643994/>

<sup>79</sup> Kiviryan was acquitted through amnesty,

<sup>80</sup> The Criminal Court of Appeals acquitted Argishti Kiviryan <http://www.aravot.am/2015/08/20/601315/>

<sup>81</sup> M. Tonoyan mentioned about this in his open letter to the RA Human Rights Defender on June 21, 2016

<sup>82</sup> Court case N:AC/8104/05/13, <http://www.datalex.am>

The penalty applied by the RA Administrative Court against Suren Sahakyan was also eliminated by the RA Administrative Court of Appeals, while the appeal submitted to the RA Court of Cassation by the Police was not taken into trial.<sup>83</sup>

By its verdict reached in December, 2015, the RA Administrative Court satisfied the claim of Gohar Simonyan versus the Police appointing a fine of 50.000 AMD against Gohar Simonyan.<sup>84</sup> On July 25, 2014 the RA Administrative Court rejected the claim of the Police against Karen Harutyunyan, and satisfied the latter's counterclaim on declaring the Police actions illegitimate by levying 150.000 AMD from the Police in favor of the activist.<sup>85</sup>

### **Case 36. A protest action against the Customs Union**

A protocol on administrative offenses was compiled under Article 182 of the RA Code on Administrative Offenses<sup>86</sup> (disobeying the lawful order by a police officer) against 9 activists (Aren Manukyan, Vilen Gabrielyan (boat shaker), Davit Sanasaryan, Lusine Hovsepyan, Sipan Pashinyan<sup>87</sup>, Dvin Isanyans<sup>88</sup>, Argishti Kiviryan<sup>89</sup>, Karen Harutyunyan, Suren Sahakyan) apprehended during the protest action.

On May 16, 2014 the RA Administrative Court charged Davit Sanasaryan a fine of 50.000 AMD. The activist did not appeal the verdict.<sup>90</sup> On June 12, 2014, Vilen Gabrielyan was charged by the RA Administrative Court in the amount of 50.000 AMD for disobeying the lawful order by a police officer. On February 25, 2015, the Administrative Court of Appeals abrogated the aforementioned decision sending the case for new investigation. The decision of the RA

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<sup>83</sup> Court caseN: AC/9472/05/13, <http://www.datalex.am>

<sup>84</sup> Court caseN: AC/8113/05/13, <http://www.datalex.am>

<sup>85</sup> Court caseN: AC/8131/05/13, <http://www.datalex.am>

<sup>86</sup> Administrative apprehension applied in relation to 9 citizens, carrying out a protest action before the President's office, <http://civilnet.am/2013/09/04/Խախտվածը-նիստ-սկզբու-ընդհանրացման-ՎրՆԿԼՐՄ>

<sup>87</sup> A protest action in front of the President's office against accession into the Customs Union, 7 individual apprehended, <http://news.am/arm/news/169652.html>

<sup>88</sup> When will the police uniform comply with the contents of law and right ? <http://www.lragir.am/print/arm/1/right/print/105216>

<sup>89</sup> Argishti Kiviryan considers the Police's action illegitimate, <http://www.aravot.am/2015/02/04/538816/>

<sup>90</sup> Court caseN: AC/9040/05/13, <http://www.datalex.am>

Administrative Court of Appeals was appealed at the RA Court of Cassation, which, however, was left untried.<sup>91</sup>

On June 23, 2014 the RA Administrative Court charged Suren Sahakyan a fine of 50.000 AMD. On August 4, 2014 the RA Court of Appeals returned the appeal. The appeal was not resubmitted in a set deadline.<sup>92</sup>

On July 25, 2014 the RA Administrative Court satisfied the Police's claim imposing a fine of 50.000 AMD on Karen Harutyunyan. On December 18, 2014 the RA Administrative Court of Appeals turned down the appeal. On February 11, 2015 the RA Court of Cassation left the appeal untried.<sup>93</sup>

On October 6, 2014, the RA Administrative Court charged Dvin Isanyans a fine of 50.000 AMD, and declined the claim regarding his violated rights and recognizing the Police's actions illegal. The verdict was appealed, but inefficiently.<sup>94</sup>

Via October 30, 2014 verdict, the RA Administrative Court charged Sipan Pashinyan a fine of 50.000 AMD, while, on March 19, 2015 the appeal was turned down.<sup>95</sup>

On September 30, 2014 the RA Administrative Court set a fine of 50.000 AMD in relation to Argishti Kiviryan for disobeying the lawful order by a police officer, and declined his counterclaim to recognize the Police's action unlawful. On February 25, 2015, the RA Administrative Court of Appeals refused the appeal. The Court of Cassation did not take the appeal into trial via its May 20, 2015 decision. By the way, during one of the court hearings over this case Argishti Kiviryan qualified the claim of the police representative that videotaping would embarrass him as a typical behavior of a kindergarten aged kid, regarding which the Court applied a reprimand sanction.

On June 8, 2015 the Administrative Court charged Aren Manukyan a fine of 50.000 AMD and declined his counterclaim. The

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<sup>91</sup> Court caseN: AC/9041/05/13, <http://www.datalex.am>

<sup>92</sup> Court caseN: AC/9039/05/13, <http://www.datalex.am>

<sup>93</sup> Court caseN: AC/9034/05/13, <http://www.datalex.am>

<sup>94</sup> Court caseN: AC/9043/05/13, <http://www.datalex.am>

<sup>95</sup> Court caseN: AC/9042/05/13, <http://www.datalex.am>

decision was appealed; however, it was not abrogated by the Court of Appeals.<sup>96</sup>

On June 9, 2015 the Administrative Court satisfied the claim of the Police and charged Lusine Hovsepyan a fine of 50.000 AMD. On December 22, 2015 the Court of Appeals rejected the appeal against the verdict. The aforementioned decision has been appealed. The Court trial is underway.<sup>97</sup>

#### **Case 40. Participation in the City Council meeting was impeded**

Through its verdict reached on November 14, 2014 the RA Administrative Court declined the claim of the Police, and partially satisfied the counterclaim by recognizing the actions of the Police to unnecessarily detain and keep Suren Sahakyan in police custody as unlawful. Whereas, Suren Sahakyan appealed the verdict for failing to recognize the breach of the other rights, but the RA Court of Appeals returned the appeal through its decision made on January 23, 2015. The verdict reached by the RA Court of Appeals was appealed, but the RA Court of Cassation refused to take it into trial.<sup>98</sup>

On October 22, 2015 the RA Administrative Court turned down the claim of the Police against Karen Harutyunyan for disobeying the lawful order by a police official.<sup>99</sup>

On December 9, 2014 the RA Administrative Court satisfied the claim of the Police to charge Ruzanna Grigoryan a fine of 50.000 AMD. The Court's decision was appealed inefficiently.<sup>100</sup>

On September 24, 2014 the RA Administrative Court issued a decision to subject Hasmik Grigoryan to administrative liability by defining a fine in the amount of 50.000 AMD. On November 17, 2014 the RA Administrative Court of Appeals returned the appeal, which was not resubmitted in a defined term.<sup>101</sup>

On December 16, 2014 the RA Administrative Court satisfied the claim of the Police by subjecting Vahagn Minasyan to a fine of

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<sup>96</sup> Court caseN: AC/9038/05/13, <http://www.datalex.am>

<sup>97</sup> Court caseN: AC/9046/05/13, <http://www.datalex.am>

<sup>98</sup> Court case N: AC/9294/05/13, <http://www.datalex.am>

<sup>99</sup> Court case N: AC/8880/05/13, <http://www.datalex.am>

<sup>100</sup> Court case N: AC/8119/05/13, <http://www.datalex.am>

<sup>101</sup> Court case N: AC/8941/05/13, <http://www.datalex.am>

50.000 AMD, and rejected the latter's counterclaim. On March 13, 2015 the appeal was returned. The cassation appeal against the decision to return the appeal was not taken into trial.<sup>102</sup>

On February 19, 2015 the RA Administrative Court issued an administrative fine of 50.000 AMD in relation to Gohar Saroyan. On October 27, 2015 the RA Administrative Court of Appeals decided to leave the verdict delivered by the RA Administrative Court in force. On December 23, 2015 the RA Court of Cassation returned the appeal of the activist over the case for elimination of drawbacks. The resubmitted cassation appeal was not taken into trial by February 17, 2016 decision.<sup>103</sup>

#### **Case 41. Activists' cars destroyed**

On December 2, 2014, the RA Administrative Court satisfied the claim of the Police by appointing a fine of 50.000 AMD in relation to Vahagn Minasyan, and turned down the counterclaim. On March 13, 2015 the appeal was returned. The cassation appeal against the decision of returning the appeal was not taken into trial.<sup>104</sup>

By its ruling issued on November 14, 2014 the RA Administrative Court announced a fine of 50.000 AMD in relation to Suren Sahakyan. The decision was appealed at the RA Court of Appeals and Court of Cassation, but it remained unaltered.<sup>105</sup>

#### **Case 42. Volodya Avetisyan**

In September 2014 the RA Criminal Court of Appeals left the verdict taken by the RA Court of General Jurisdiction of Arabkir and Qanaqer-Zeytun Administrative Districts unmodified. The decision of the RA Criminal Court of Appeals was appealed, but the Court of Cassation refused to take it into trial through its ruling delivered on January 30, 2015.<sup>106</sup>

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<sup>102</sup> Court case N: AC/9155/05/13, <http://www.datalex.am>

<sup>103</sup> Court case N: AC/8977/05/13, <http://www.datalex.am>

<sup>104</sup> Court case N: AC/9522/05/13, <http://www.datalex.am>

<sup>105</sup> Court case N: AC/9521/05/13, <http://www.datalex.am>

<sup>106</sup> Court case N: YAKC/0027/01/14,

[http://www.datalex.am/dl\\_case\\_view\\_page.php?caseType=1&courtID=0&caseID=14918173765708800](http://www.datalex.am/dl_case_view_page.php?caseType=1&courtID=0&caseID=14918173765708800)

After exhausting all domestic remedies, Volodya Avetisyan's lawyer Ara Zakaryan applied to the European Court of Human Rights.<sup>107</sup>

On October 25, 2015 the Independent Commission on Early Conditional Release the second time declined Volodya Avetisyan's application on his early conventional release without presenting any explanation.<sup>108</sup> On October 30, after the Commission's decision the veteran started a hunger strike demanding a meeting with Minister of Justice Arpine Hovhannisyan, Human Rights Defender Karen Andreasyan and journalists.<sup>109</sup> The Minister of Justice tasked the Penitentiary Department to meet with the veteran.<sup>110</sup> Deputy Ombudsman Yeranuhi Tumanyants from the Office of the Human Rights Defender met with the veteran, whom she informed that his claim concerned not only her decision, but also that of the Commission on Prisoners.<sup>111</sup> As of November 2, another 7 prisoners joined Volodya Avetisyan's hunger strike. On top of all, 88 prisoners serving their sentence in "Vardashen" Penitentiary turned to incumbent President Serzh Sargsyan with an open letter demanding to end the arbitrary decisions of the Commission.<sup>112</sup>

On November 4 Human Rights Defender Karen Andreasyan held a meeting with prisoners on hunger strike, who had applied to the Chairman of the Commission requesting to provide Volodya Avetisyan with a grounded decision of the rejection.<sup>113</sup>

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<sup>107</sup> Volodya Avetisyan to declare an indefinite hunger strike, <http://www.azatutyun.am/content/article/27335809.html>

<sup>108</sup> Commission decided: Volodya Avetisyan won't be early released, <http://www.epress.am/2015/10/30/հասնանաժողովը-վճռել-է-վողողյա-ալվետիս.html>

<sup>109</sup> Volodya Avetisyan to launch a hunger strike, <http://www.a1plus.am/1414241.html>

<sup>110</sup> Minister refused to meet with Volodya Avetisyan, who had declared a hunger strike, <http://www.a1plus.am/1414333.html>

One of the prisoners stopped the hunger strike, <http://www.aravot.am/2015/11/04/625594/>

<sup>111</sup> Deputy Ombudsman to visit Volodya Avetisyan having declared a hunger strike at "Nubarashen" Penitentiary, <http://www.lin.am/1756871.html>

<sup>112</sup> In case the issue fails to be resolved, the prisoners promise Serzh Sargsyan to increase the number of people on hunger strike tenfold, <http://www.epress.am/2015/11/03/խնդիրը-չլուծելու-դեպքում-կալանավորն.html>

<sup>113</sup> Karen Andreasyan to meet with prisoners, who have declared a hunger strike, <http://www.aravot.am/2015/11/04/625599/>

On November 4, one of the prisoners stopped the hunger strike, however, another two joined in.<sup>114</sup> Later, the prisoners started ending the hunger strike. On November 9 Volodya Avetisyan ended the hunger strike, while on November 20 the last prisoners stopped it, nonetheless, the issue brought up by them was not resolved.<sup>115</sup>

On June 17, 2016 Volodya Avetisyan and a group of prisoners addressed an open letter to the RA Prosecutor General, the RA Minister of Justice, the RA Human Rights Defender, RA MPs Elinar Vardanyan, Zaruhi Postanjyan, Nikol Pashinyan, and Artur Sakunts, Chairman of Helsinki Citizens' Assembly Vanadzor office. Via the letter they expressed discontent that on top of other rights, they were also denied their rights to early conventional release. They demanded switching to open regime, as well as undertaking of relevant measures in compliance with the law in order to reinstate their breached rights. On June 20, 2016 Volodya Avetisyan re-launched a hunger strike demanding undertaking measures regarding the resolution of the issues stated in the open letter, as well as a meeting with the addressees of the letter.<sup>116</sup>

#### **Case 45. Activists prevented from participating in the City Council Meeting**

On June 1, 2015 the RA Administrative Court appointed a fine of 50.000 AMD in relation to Dvin Isanyans under Paragraphs 11 and 15 of Article 180.1 of the RA Code on Administrative Offenses. The Court partially satisfied the activist's counterclaim by finding unlawful only the failure of the police officials to notify Dvin Isanyans about his right to declare a self-recusation to the official conducting the administrative proceedings. Whereas, the Court rejected Dvin Isanyans' claim regarding his demand to declare the actions of the police officials from the Central department of Yerevan Police as unlawful regarding the

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<sup>114</sup> Another two prisoners have launched a hunger strike at "Vardashen" Penitentiary, <http://armtimes.com/hy/read/73170>

<sup>115</sup> Prisoner Never Zakharyan was talked out of hunger strike by physician's advice to get treatment, <http://armtimes.com/hy/read/74278>

The health condition of the prisoner on his 12<sup>th</sup> day on hunger strike at "Vardashen" Penitentiary is sufficient, <http://news.am/arm/news/297388.html>

<sup>116</sup> Political prisoner Volodya Avetisyan to declare a hunger strike, he poses two demands, <http://hcav.am/events/20-06-2016-01/>

limitation of his right to freedom of assembly and freedom of speech and expression, restriction of his liberty and freedom of movement, breach of his right to liberty and security, as well as failure to notify him about the grounds and reasons for restricting his rights, along with emerging rights and obligations. An appeal was submitted, which was returned on July 21, 2015. The decision of the RA Administrative Court of Appeals was appealed, however, the RA Court of Cassation did not take it into trial.<sup>117</sup>

On April 4, 2016 the RA Administrative Court appointed a fine of 100.000 AMD in relation to Vahagn Minasyan under Sections 11 and 15 of Article 180.1 of the RA Code on Administrative Offenses.<sup>118</sup>

#### **Case 46. Shant Harutyunyan et al**

On October 17, 2014 the verdict over the case of Shant Harutyunyan and friends was promulgated, whereby, Shant Harutyunyan was sentenced to a 6-year imprisonment, while his son, Shahen Harutyunyan to a 4-year conventional imprisonment. The other accused over the case Albert Margaryan was sentenced to a 6-year imprisonment, Alek Poghosyan to a 4-year, Armen Hovhannisyanyan to a 2-year, Avetis Avetisyan and Liparit Petrosyan to a 5-year, Mkrtich Hovhannisyanyan to a 4-year, Tigran Petrosyan to 1-year, Vahe Mkrtchyan to a 7-year, Vardan Vardanyan to a 5-year, Sevak Mnatsakanyan to 1,5-year, Hayk Harutyunyan to a 4,5-year imprisonment, and Misak Arakelyan was charged a fine of 50,000 AMD.<sup>119</sup>

After the promulgation of the verdict Armenian National Congress and “Heritage” parties disseminated statements recognizing Shant Harutyunyan and his friends as political prisoners.<sup>120</sup> The verdict was appealed, but the Court of Appeals rejected the appeals, while the Court of Cassation failed to take them into trial.<sup>121</sup>

<sup>117</sup> Court case N: AC/11069/05/13, <http://www.datalex.am>

<sup>118</sup> Court case N: AC/11073/05/13, <http://www.datalex.am>

<sup>119</sup> Shant was sentenced to a 6-year, while his son to a 4-year imprisonment,

<http://civilnet.am/2014/10/17/շանթը-դասապարտվեց-վեց-որդին-չորս-տարի/#.VrhyGhiLRMx>

<sup>120</sup> ANC recognized Shant and his friends as political prisoners, <http://civilnet.am/2014/10/19/anc-shant-haruty%D6%82unyan-and-friends-political-prisoners/#.Vrh1ZBiLRMy>

<sup>121</sup> Court case N: ԵԿԴ/0071/01/14, <http://www.datalex.am>

On September 15, 2015 the case of Shant Harutyunyan and et al was submitted to the European Court of Human Rights, which took it into trial in a 15-day unprecedentedly short timeline.<sup>122</sup>

Alek Poghosyan, who was serving his sentence at Kosh Penitentiary, applied to the penitentiary administration to continue his sentence in an open regime in order to take care of his 5 minors. The latter declined his claim grounding that Alek Poghosyan was self-contained and distrustful.<sup>123</sup>

On June 8, 2015 Shant Harutyunyan, who was serving his term in a semi-open regime at “Vardashen” Penitentiary, launched an indefinite hunger strike, demanding being taken to the cell-block.<sup>124</sup> Through MP Nikol Pashinyan, who had visited him, he disseminated information, pursuant to which, his life was endangered at the penitentiary relating it to SIS Deputy Chief Arzuman Harutyunyan. Vardan Vardanyan also joined Shant Harutyunyan’s hunger strike.<sup>125</sup>

Shant Harutyunyan sent a letter from the penitentiary to the RA Minister of Defense Seyran Ohanyan, Police Chief Vladimir Gasparyan, human rights activist Artur Sakunts and political scientist Stepan Danielyan notifying that an overseas agency network operated in Armenia headed by General Arzuman Harutyunyan regarding which he possessed information and demanded a meeting with Minister of Defense and Police Chief in order to share it.<sup>126</sup> On June 16, 2015 the Placement Committee under Penitentiary Department of the Ministry of Justice of the Republic of Armenia satisfied the claims of Shant Harutyunyan and Vardan Vardanyan to be placed in separate cell blocks, but they did not stop the hunger strike, instead, they demanded satisfying the others’ claim too.<sup>127</sup> Minister of Defense and Police Chief

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<sup>122</sup> “Shant Harutyunyan +10” case admitted to the ECHR in a unprecedentedly short timeline, <http://www.tert.am/am/news/2015/10/15/shant-harutyunyan/1816890>

<sup>123</sup> Shant’s friend refused: “He is self-contained and distrustful”, <http://www.a1plus.am/1406007.html>

<sup>124</sup> Does Shant Harutyunyan have problems with his cellmates? He has declared a hunger strike, <http://armtimes.com/hy/read/65446>

<sup>125</sup> Shant Harutyunyan’s statement, <http://armtimes.com/hy/read/65482>

<sup>126</sup> Shant Harutyunyan sent a letter-warning from the prison, <http://168.am/2015/06/13/502622.html>

<sup>127</sup> Shant Harutyunyan refuses to stop hunger strike, he has a new demand to pose, <http://armtimes.com/hy/read/65600>

never met with Shant Harutyunyan, however, on June 24 the prisoners stopped the hunger strike.<sup>128</sup>

#### **Case 47. The Khudoyan family**

The ruling of the acting investigator over especially important cases of the RA Special Investigation Service to refuse instituting a criminal case regarding the unlawful actions exerted against the Khudoyan family by the Police, has been appealed both at the Court of Appeals and the Cassation Court. On September 18, 2014 the Court of Cassation decreed not to examine the appeal, since it was not signed by the attorney. After the fact that over another case the RA Constitutional Court declared the binding requirement for appeals to be signed by attorneys as unconstitutional.<sup>129</sup> On June 20, 2015 a new cassation appeal was instituted, however, the case was not admitted for examination.<sup>130</sup> HCA Vanadzor has applied to the European Court of Human Rights over this case.

On May 22, 2015 the RA Administrative Court rejected the claim of Ashot Khudoyan and Heghine Makaryan versus the Police regarding the demand to recognize the actions of the Police officials unlawful. The Police had previously noted that the Khudoyan family left the area out of their own safety since the Police had received alerts regarding mass unrests due in that area and presence of an improvised explosive device. However, according to Khudoyan's representative Tatevik Siradeghyan, they had been displaced prior to the received alerts.<sup>131</sup> On November 25, 2015 the RA Administrative Court of Appeals declined the appeal. The ruling of the RA Court of Appeals was appealed, but the RA Court of Cassation refused to take it into trial.<sup>132</sup>

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<sup>128</sup> Shant Harutyunyan stopped the hunger strike,

<http://www.azatutyun.am/archive/news/20150624/2031/2031.html?id=27091107>

Shant Harutyunyan stopped the hunger strike, <http://www.a1plus.am/1391958.html>

<sup>129</sup> See case 32, 2015

<sup>130</sup> Khudoyans' Case again under Examination at the RA Cassation Court, <http://hcav.am/events/17-09-2015-08/>

<sup>131</sup> The claim of the family forced out of the area in front of the Presidential Residence on the day of Putin's visit to be rejected again, <http://www.epress.am/2015/11/26/պոլիսիս-այցի-օրը-իւրազատիւնի-ընդացի-2.html>

<sup>132</sup> Court case N: AC/1847/05/14, <http://www.datalex.am>

#### Case 48. Putin's visit

In March 2014, the RA Administrative Court stopped the trial of cases over the claims filed against Zaruhi Hovhannisyanyan and Olya Azatyan by the Police, and in July the trial over Lala Aslikyan's case was stopped.<sup>133</sup>

On June 23, 2014, Zaruhi Hovhannisyanyan, Artur Petrosyan, Olya Azatyan, and Babken Ter-Grigoryan instituted a claim against the Police with a demand to declare the actions of the Police carried out on December 2, 2013 unlawful. On June 18, 2015 the court rejected the claim. The appeal has been returned.<sup>134</sup>

In October, 2014, the administrative proceedings over Artur Petrosyan's case were suspended until the examination of the filed claim against the Police ended, while, in October, 2015 after the ruling over the case above had been issued, the trial was resumed and in March, 2016 the RA Administrative Court appointed a fine of 50.000 AMD in relation to the activist. Artur Petrosyan has appealed the decree of the RA Administrative Court.<sup>135</sup> In September, 2015 the Court stopped Ter-Grigoryan's case, since the Police had taken back the claim instituted against him.<sup>136</sup>

On April 11, 2014, Levon Barseghyan, Vardges Gaspari, Vardan Harutyunyan, Andranik Harutyunyan, Daniel Ioannisyanyan, Nerses Poghosyan, Kristine Goroyan, Arman Yeghoyan, Narek Ayyazyanyan, Taron Harutyunyan, Davit Sanasaryan, Ruben Alanakyan, Avag Mirzoyan, Artsrun Nshanyan, and Gor Shakaryan filed a claim against the Police with a demand to recognize the breach of their rights to freedom of speech and expression, freedom of peaceful assembly and association, freedom of movement, right to liberty and security, right to be free from torture and inhuman or degrading treatment and punishment, the right of access to a lawyer of his/her choice from the actual moment of arrest exerted by the police officials on December 2.

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<sup>133</sup> Court caseN: AC/0378/05/14, <http://www.datalex.am>

Court caseN: AC/0379/05/14, <http://www.datalex.am>

Court caseN: AC/0383/05/14, <http://www.datalex.am>

<sup>134</sup> Court caseN: AC/3043/05/14, <http://www.datalex.am>

<sup>135</sup> Court caseN: AC/0377/05/14, <http://www.datalex.am>

<sup>136</sup> Court caseN: AC/8115/05/13

However, the RA Administrative Court refused to accept the claim. The appeal over the ruling was rejected by the Administrative Court of Appeals. The appeal filed to the Court of Cassation was returned.<sup>137</sup> The RA Administrative Court refused the claims of Levon Barseghyan, Anton Ivchenko, Arman Yeghoyan, and Daniel Ioannisyan against the Police.<sup>138,139,140</sup>

The claims submitted by the Police against activists Vardan Harutyunyan, Andranik Harutyunyan, Kristine Goroyan, Artsrun Nshanyan were taken back, and the Court dropped the aforementioned cases.<sup>141</sup> A fine of 50.000 AMD was announced to Nerses Poghosyan, Taron Harutyunyan and Avag Mirzoyan, while a fine of 70.000 AMD was issued against Ruben Alanakyan.<sup>142</sup>

In September, 2014 the RA Administrative Court appointed a fine of 50.000 AMD against Davit Sanasaryan. This ruling was appealed, but the RA Administrative Court of Appeals did admit the appeal for examination.<sup>143</sup> Gor Shakaryan and Vardges Gaspari were also charged a fine of 50.000 AMD. The appeals filed by the latter were rejected, and the RA Cassation Court left the appeals untried.<sup>144</sup> Judge Artsrun Mirzoyan, presiding one of the court hearing over the case brought up against Vardges Gaspari, first issued a warning and then forbade him to speak after the activist had refused to stand up while speaking as a sign of protest against the Court. In response, Vardges Gaspari and his attorney left the courtroom.<sup>145</sup>

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<sup>137</sup> Court caseN: AC/1829/05/14

<sup>138</sup> The Court declined the claim of the Police against Levon Barseghyan, <http://www.azatutyun.am/content/article/27193665.html>

<sup>139</sup> Court caseN: AC/0276/05/14, <http://www.datalex.am>

<sup>140</sup> Court caseN: AC/0323/05/14, Court caseN: AC/0371/05/14

<sup>141</sup> Court caseN: AC/0332/05/14, Court caseN: AC/0326/05/14, Court caseN: AC/0374/05/14, Court caseN: AC/0331/05/14

<sup>142</sup> Court caseN: AC/0330/05/14, Court caseN: AC/0365/05/14, Court caseN: AC/0347/05/14, Court caseN: AC/0364/05/14

<sup>143</sup> Court caseN: AC/0329/05/14, <http://www.datalex.am>

<sup>144</sup> Court caseN: AC/0376/05/14, Court caseN: AC/0333/05/14

<sup>145</sup> Gaspari was disallowed to speak sitting during the court hearing: He left the courtroom, <http://www.epress.am/2014/09/26/257930.html>

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The RA Administrative Court returned the claim of the Police against Narek Ayvazyan.<sup>146</sup>

### **Case 50. Christmas Lights**

On December 5, 2014 the RA Administrative Court satisfied the claim of the Police by imposing a fine of 50.000 AMD on Gevorg Safaryan.<sup>147</sup> A fine in the same amount was also imposed on Armen Mikaelyan in March, 2015.<sup>148</sup>

### **Case 51. Gas Deal on the Agenda**

In October 2014, by satisfying the claim of the Police, the RA Administrative Court imposed a fine of 50.000 AMD on Vardges Gaspari, while his counterclaim about declaring the actions of the Police as unlawful was declined. The RA Court of Appeals rejected the appeal instituted against the ruling. The RA Court of Cassation left it untried.<sup>149</sup>

### **Case 53. Denfamation charges against Gaspari**

On December 19, 2014 the RA Court of General Jurisdiction of Kentron and Nork-Marash Administrative Districts decreed to oblige Vardges Gaspari to make a public apology to Aida Demirkhanyan by publishing the apology text in a RA daily with a print run of over 1000 copies and in Vardges Gaspari's social networks, as well as obligate him to pay her a compensation of 200.000 AMD. Vardges Gaspari's appeal was returned twice, while the cassation appeals were not admitted for examination.<sup>150</sup>

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<sup>146</sup> Court caseN: AC/0395/05/14 <http://www.datalex.am>

<sup>147</sup> Court caseN: AC/0609/05/14, <http://www.datalex.am>

<sup>148</sup> Court caseN: AC/0610/05/14, <http://www.datalex.am>

<sup>149</sup> Court caseN: AC/0277/05/14, <http://www.datalex.am>

<sup>150</sup> Court caseN: EKD/3368/02/13, <http://www.datalex.am>

## 2014 cases

### **Case 1. A protest action in Shant's defense and against the Customs Union**

*Date:* January 1, 2014

*Description:* The supporters of political prisoner Shant Harutyunyan carried out a protest action demanding the release of Shant and his 13 friends. The action also accented on the protest against Armenia's accession into the Customs Union, since according to the action participants; accession into that agency posed threats to Armenia's sovereignty. Accompanied by the Police, the protesters headed from Liberty Square to "Yerevan-Kentron" Penitentiary, where Shant was to be found, however, in the intersection of Nalbandyan-Sayat-Nova the police officials began obstructing the procession of the action participants, preventing them from moving on. In response to the actions initiated by the Police, the protesters blocked Nalbandyan and Sayat-Nova streets for a short period, and clashes commenced between the protesters and the Police. As a result of negotiations with the police officials, the protesters were able to continue and finish their march.<sup>151</sup>

By the way, previously the police officials attempted to obstruct the actions of Shahen Harutyunyan and his friends in "Barekamutyun" metro station, while they were distributing informative flyers about the action to be held on January 1. A man in civilian clothing, who was a police official according to Shahen and his friends, pushed him while he was making his way out of the metro, threw him to the ground, and by twisting his hands, forced him to eat the flyer lying on the ground. Activist Maria Petrosyan, who witnessed the crime, revealed that the man uttered profanities in their address, but the police officials never intervened, moreover, they obeyed his orders.<sup>152</sup> On February 7, 2014 during the convened press conference Shahen Harutyunyan's mother Ruzanna Badalyan announced she was deeply convinced that the man, who had exerted violence against his son, was a police official in civilian

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<sup>151</sup> Clashes during protest action, <http://www.azatutyun.am/content/article/25218291.html>

<sup>152</sup> Family demands identifying the person, who exerted violence against Harutyunyan's son, <http://www.azatutyun.am/content/article/25223794.html>

clothing although the Police denied it, in the same time failing to reveal the identity of the person having beaten Shahan.<sup>153</sup>

*Follow-up:* No other data regarding the incident are available.

*Related rights:* Freedom of assembly and association, Right to freedom of movement, Right to be free from torture and inhuman or degrading treatment and punishment.

## Case 2. "Army in Reality" initiative action

*Date:* January 28, 2014

*Description:* On January 28, on the Armenian Army day, the "Army in Reality" initiative held a protest action with a slogan "No to Violence and Killings in the Army"<sup>154</sup>, during which through excessive use of violence, the police officials prevented the mothers of servicemen, who died in peace, from approaching the area of Liberty Square, then without bringing any explanations they coercively apprehended members of "The Army in Reality" civil initiative Vardges Gaspari, Ara Nedolyan, and Artashes Sergoyan. In the police department Vardges Gaspari demanded the copies of his case related documents, instead, he was forced out of the Central department of the Police to the street, leaving him in the rain and mud, by displaying inhuman treatment.<sup>155</sup>

*Follow-up:* The apprehended activists were released on the same day.<sup>156</sup> The Police filed a claim to the Court for disobeying the lawful order by a police official.

The RA Administrative Court rejected the claims of the Police against Ara Nedolyan and Artashes Sergoyan dated April 7, and September 16, 2015, respectively. The Court partially satisfied Nedolyan's counterclaim on declaring the actions of the Police unlawful in terms of preventing the staging of the scheduled protest action,

<sup>153</sup> Shant Harutyunyan's wife alerts on reprisals against his underaged son, <http://www.azatutyun.am/content/article/25256847.html>

<sup>154</sup> "No to Violence and Killings in the Army". January 28, Protest action in Yerevan, <http://www.epress.am/2014/01/27/«ՈՆ՝ ԲՆՈՒՄ ԵՐՅՈՒՆՆԵՐԻ-Լ՝ ՍԱԳՈՒՆՈՒՅՈՒՆՆԵՐ. HTML>

<sup>155</sup> The statement of "The Army in Reality" civil Initiative, <http://www.lragir.am/index/arm/0/right/view/94268#sthash.1UDfpby8.dpuf>

<sup>156</sup> The activists apprehended from Liberty Square were released, (video material), <http://www.aravot.am/2014/01/28/426400/>

failing to draw up a protocol on site regarding the administrative offense, and keeping the activists in custody longer than allowed by law on the grounds of compiling a protocol on the administrative offense.<sup>157</sup> On January 25, 2016 The RA Administrative Court satisfied the claim of the Police against Vardges Gaspari by imposing a fine of 50.000 AMD on him, and rejected the activist's counterclaim on declaring the actions of the police unlawful.<sup>158</sup>

*Related rights:* Freedom of assembly and association, Right to freedom of movement, Right to be free from torture and inhuman or degrading treatment and punishment.

### **Case 3. Rally dedicated to Shant Harutyunyan's birthday**

*Date:* February 2, 2014

*Description:* Political prisoner Shant Harutyunyan's friend had organized a rally in Liberty Square on the occasion of his birthday, during which Yerevan Deputy Police Chief Valeri Osipyan ordered rally organizer Vrezh Zatikyan to remove the cake with "Freedom to political prisoners" note on it from the table. During the rally a drunkard insulted Shant Harutyunyan's wife Ruzanna Badalyan, used oath words and attempted to hit his son Shahen Harutyunyan. Yerevan Deputy Police Chief Valeri Osipyan switched off all the installments declaring he would not allow continuing the unauthorized event. Note that the number of the rally participants did not exceed 100, therefore, there was no need for prior notification pursuant to the law on Freedom of Assembly.<sup>159</sup>

*Follow-up:* There are no data available regarding the events recorded during the rally.

*Related rights:* Freedom of assembly and association

### **Case 4. Incident in Shahen Harutyunyan's school**

*Date:* February 4, 2014

*Description:* Pursuant to the Facebook post of Shant Harutyunyan's son Shahen Harutyunyan, an incident and a fight

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<sup>157</sup> [www.datalex.am](http://www.datalex.am), Court caseN: AC6/0069/05/14, Court caseN: AC/1559/05/14

<sup>158</sup> [www.datalex.am](http://www.datalex.am), Court caseN: AC/1558/05/14

<sup>159</sup> Provocation in Liberty Square, <http://www.aravot.am/2014/02/02/427755/>

occurred during the class of Military Science at school between him and Military Science teacher Mayor Hrachya Grigoryan after Shahen had burst into laughter while singing the Armenian national anthem. The tension between Shahen Harutyunyan and Military Science teacher broke out 2 weeks prior to the incident, when the teacher insisted that Armenia will not be independent since it could not exist without Russia. Mayor Hrachya Grigoryan denied the data reported by Shahen claiming that he could not have insulted him, no political discussions were ever held during the classes and that he never hit Shahen.

*Follow-up:* Pursuant to the Police report, Hrachya Grigoryan applied to the Police Nork department and submitted a report, whereby informing that one of #139 high school students, 15-year-old Shahen Harutyunyan hit him on the head with a school chair in the classroom of military training and inflicted injury. Shahen Harutyunyan also reported to the police that in the classroom of military training of #139 high school, his teacher of Military Training Hrachya Grigoryan hit him twice in the chest and inflicted physical pain. A forensic-medical examination was appointed, and investigation was carried out.<sup>160</sup> No other information is known regarding the incident.

*Related rights:* Right to be free from torture and inhuman or degrading treatment and punishment, Right to life.

### **Case 5. Awareness on March 1 Rally**

*Date:* February 10, 2014

*Description:* On the night of February 9 the police officials apprehended Armenian National Congress activists Areg Gevorgyan, Sargis Gevorgyan, Hayk Petrosyan, Davit Vardanyan, Andranik Davtyan, Karen Hakobyan, Vardan Harutyunyan, Tatevik Poghatyan and Tatul Saroyan from Mashtots-Amiryan intersection in Yerevan, who were going to carry out a public awareness campaign for the rally scheduled for March 1.<sup>161</sup> Areg Gevorgyan expressed an opinion that the

<sup>160</sup> The teacher of military training instigated Shant's son by defaming today's veterans, [http://henaran.am/news\\_view.php?post\\_id=35704](http://henaran.am/news_view.php?post_id=35704)

<sup>161</sup> 9 ANC activists were apprehended, <http://www.pastinfo.am/hy/node/32961>,

9 ANC activists were apprehended at night. [azatutyun.am](http://azatutyun.am) ,

<http://hra.am/hy/events/2014/02/10/HAK#sthash.7yDlBkWJ.dpuf>

Police might have coercively wiretapped their conversations, otherwise, they could not have known about their actions in advance.<sup>162</sup>

ANC activist Tatul Saroyan informed that one of the authorized operations officers, dressed in civilian clothing, shoved and insulted him during the apprehension.<sup>163</sup>

The apprehended activists were released within the prescribed time.

*Follow-up:* A protocol was drawn up in relation to the apprehended activists on committing an offense prescribed by Article 172. 2 of the RA Code on Administrative Offenses (Violation of the rules for the use of public places). According to Ani Gevorgyan, sister of apprehended activists Areg and Sargis Sargsyan, in the police department the latter were notified that “an administrative detention had been applied against them, given that they never managed to post anything or initiate any specific action related to the awareness campaign.”<sup>164</sup> There are no data available regarding further administrative proceedings initiated against the activists.

*Related rights:* Right to liberty and security, Freedom of speech and expression, Freedom of information.

## **Case 6. Violence against Karen Harutyunyan**

*Date:* February 12, 2014

*Description:* On the night of February 11 civil activist Karen Harutyunyan was assaulted by an unidentified man in Yerevan's Mashtots-Pushkin intersection on his way back home. According to the activist, the assaulting person was over 30-years old, with average height, wearing black clothing and a black hat. The activist linked this incident with the scope of his activities.<sup>165</sup>

*Follow-up:* Karen Harutyunyan applied to the Police, from where he was sent for forensic medical examination. No further details regarding the case are available.

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162 ANC activist: “Police have wiretapped”, <http://www.a1plus.am/1297917.html>

163 Authorized operations officer in civilian clothing used obscene language in the address of the ANC activist, <http://www.aravot.am/2014/02/10/430061/>

164 9 ANC activists were apprehended in the night, <http://www.azatutyun.am/archive/news/20140210/2031/2031.html?id=25258470>

165 An unidentified person to assault the activist, <http://www.aravot.am/2014/02/14/431778/>

*Related rights:* Right to be free from torture and inhuman or degrading treatment and punishment, Right to life, Freedom of speech and expression.

### **Case 7. ANC activists and reporters**

*Date:* February 12, 2014

*Description:* On February 12, clashes occurred on Mashtots Avenue between the ANC activists and a groups of young men, who attempted to thwart the awareness campaign about March 1 rally carried out by the activists. Among them were RPA members, the chairperson and the member of the student council of the Armenian National Agrarian University.

At around 19:00 pm the participants of the clashes were apprehended by the Pollice. The police officers attempted to seize the video cameras of correspondent of “Chorrord Ishkhanutyun” daily Ani Gevorgyan, and “iLur.am” informative website cameraman Sargis Gevorgyan to which they resisted.

As a result the Police also apprehended the latter. The police officials hit Ani Gevorgyan in the car, and later in the police station they slapped her and took her phone away. The police officers swore at Sargis Gevorgyan and applied force against him. Without the binding presence of an advocate, the reporter and the operator underwent a search, their video cameras were taken away, and recordings were deleted. The apprehended activists were released at around 22:30 pm, 30 minutes later than maximum defined term.<sup>166</sup>

*Follow-up:* A number of media organizations came up with a statement regarding the unlawful actions by the police exerted against the mass media representatives demanding the punishment of law-breaking police officers

On February 13, 2014 a criminal case under Paragraph 1, Article 258.3 (hooliganism implemented by a group of individuals) was

<sup>166</sup> Violence in the Police department: Statement, <http://www.Iragir.am/index/arm/0/right/view/94921>

6 ANC activist were apprehended, [http://forrights.am/?ln=1&id=29&page\\_id=112](http://forrights.am/?ln=1&id=29&page_id=112)



because of an outage entailing a long breakdown of power supply.<sup>171</sup> After examining the case for over 7 months, in December, 2014 the Judge decreed to resume it.<sup>172</sup> On July 13, 2015 the court partially satisfied the claim by declaring the orders of dismissing the metro employees as invalid, and obliging to pay them an amount of average salary for the period of compulsory inactivity, as well as a compensation for failure to return their jobs. In October, 2015, the RA Civil Court of Appeals quashed the ruling of the Court of First Instance in favor of the metro. The cassation appeal was not admitted for examination.<sup>173</sup> The case is being submitted to the European Court of Human Rights.<sup>174</sup>

*Related rights:* Freedom of Assembly and Association, Right to property, Right to fair trial

### **Case 9. Action against the construction of a café near Garni temple**

*Date:* March 2, 2014

*Description:* After the media disseminations regarding alleged construction of a café near Garni Temple by an Armenian residing in Russia, the members of “We are heading to shovel the sands of Garni’s café” initiative set out for Garni with an aim to stop the construction. They removed the construction material from the temple in sacks, although the police officials attempted to obstruct by qualifying their actions unlawful.<sup>175</sup> The young activists dumped several sacks of construction waste in front of the Ministry of Culture building warning of more radical moves to be undertaken in case the construction was not stopped. After the action, two protesters Yeghia Nersisyan and Gevorg Safaryan were apprehended to the police department.<sup>176</sup>

<sup>171</sup> Metro employees were dismissed because of “failure to make notes in the register”,

<http://www.azatutyun.am/content/article/25374896.html>

<sup>172</sup> Delayed justice of dismissed metro employees, [http://arm.favl.am/2015/01/19/արդարադատությունը\\_մետրոպոլիտենից\\_աշխատանքից\\_ազատված-ա/](http://arm.favl.am/2015/01/19/արդարադատությունը_մետրոպոլիտենից_աշխատանքից_ազատված-ա/)

<sup>173</sup> Court Case N: YAKC/0621/02/14, [www.datalex.am](http://www.datalex.am)

<sup>174</sup> Former metro employees are going to apply to the ECHR,

<http://www.azatutyun.am/content/article/27538915.html>

<sup>175</sup> Public won again. No café will be constructed near Garni temple,

<http://www.panarmenian.net/arm/news/176636/>

<sup>176</sup> Construction waste “headed” to the Ministry of Culture,

<http://www.lragir.am/index/arm/0/country/view/95722>

*Follow-up:* The reason for the activists' apprehension was littering of the Ministry's adjacent territory. A protocol on administrative offense was drawn up against the, and one and a half hours later they were released.

*Related rights:* Right to liberty and security, Freedom of speech and expression.

### **Case 10. Action near the RF Embassy**

*Date:* March 5, 2014

*Description:* A group of activists staged a protest action in front of the RF Embassy by denouncing Vladimir Putin's actions in Ukraine and expressing their support for Kiev's Maidan.<sup>177</sup> The police officials blocked the access of the activists to the Embassy building. Protester Tigran Parsilyan was forced into a police car and apprehended along with Lala Aslikyan, Eduard Mkrtchyan and Anton Ivchenko.<sup>178</sup> Yerevan Deputy Police Chief Valeri Osipyanyan declared that the activists had been apprehended for obstructing the work of the RF Embassy and disobeying the legal order by a police official.

*Follow-up:* The police instituted claims against the activists, but later they were taken back, and the Court closed the cases.<sup>179</sup>

*Related Rights:* Freedom of Assembly and Association, Right to freedom of movement, Right to liberty and security, Right to be free from torture and inhuman or degrading treatment and punishment.

### **Case 11. A protest against HPP construction**

*Date:* March 6, 2014

*Description:* The villagers from 7 nearby villages blocked Yerevan-Aparan highway as a sign of protest against the construction of a new HPP(hydropower plant) near Karbi and Ohanavan villages of Aragatsotn Marz. They were joined by the members of "Pre-Parliament" who suffered violence from 10 police officials dressed in

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<sup>177</sup> 3 of the protesters were apprehended near RF Embassy,

<http://www.azatutyun.am/archive/news/20141003/2031/2031.html?id=25286093>

<sup>178</sup> The police forced out the protesters from the Russian Embassy and apprehended 4 of them, <http://news.am/arm/news/197456.html>

<sup>179</sup> [www.datalex.am](http://www.datalex.am), Court case N: AC/2158/05/14, Court Case N: AC/2159/05/14, Court case N: AC/2161/05/14, Court case N: AC/2160/05/14

plain clothes attempting to apprehend them. After the intervention of the villagers the Police refrained from implementation of their intention.<sup>180</sup>

At around 7 pm after returning from the protest venue, “Pre-Parliament” members Yeghia Nersisyan, Gevorg Safaryan, Harut Malkhasyan and Hovhannes Ghazaryan were apprehended from Yerevan’s Leningradyan Avenue to the Police department of Ashtarak.<sup>181</sup>

*Follow-up:* The apprehended activists were released on the same day at around 23:00pm. The Police filed claims to the RA Administrative Court against the activists under Article 182 of the RA Code on Administrative Offenses (disobeying the legal order by a police official). In 2015 the RA Administrative Court rejected the claims brought up against Hovhannes Ghazaryan and Harut Malkhasyan, but satisfied the claims against Yeghia Nersisyan, Gevorg Safaryan by imposing a 50.000 AMD fine on each. The latter appealed the rulings issued against them, the court trial over their cases is underway.<sup>182</sup>

*Related Rights:* Freedom of Assembly and Association, Right to liberty and security, Right to fair trial.

## Case 12. “I am against” initiative action I

*Date:* March 7, 2014

*Description:* “I am against” initiative members staged a protest action in front of the Ministry of Finance building with a demand to see Minister Davit Sargsyan. Chief of Ministry staff declared that instead the Minister was willing to accept a delegation comprised of the initiative members. The protesters did not consent and blocked Nalbandyan Street as a sign of protest. While forcing the activists out, the police officials apprehended 3 members of the initiative Eduard Minasyan, Davit Aghabekyan, and Hakob Arshakyan. A protocol on

<sup>180</sup> Villagers prevented apprehension of Pre-Parliament’s members, <http://news.am/arm/news/197669.html>

<sup>181</sup> Pre-Parliament’s 4 young activists were just released from the Police department of Ashtarak, <http://blognews.am/arm/news/138027/nakhakorhrdarani-4-eritasard-ajakicneri-henc-nor-azatecin-ostikanutyan-ashtaraki-qaxmasic.html>

<sup>182</sup> [www.datalex.am](http://www.datalex.am), Court caseN: AC/1702/05/14, Court caseN: AC/1701/05/14, Court caseN: AC/1934/05/14, Court caseN: AC/1933/05/14

administrative offense was drawn up in relation to the activists before they were released.<sup>183</sup>

*Follow-up:* The claims against Hakob Arshakyan and Davit Aghabekyan were satisfied, and a fine of 50.000 AMD was imposed on them. The claim against Eduard Minasyan was declined.<sup>184</sup>

*Related Rights:* Freedom of Assembly and Association, Right to liberty and security

### **Case 13. Obstruction of Marina Poghosyan's activities**

*Date:* March 17, 2014

*Description:* During the eviction of the family residing in the fabric store located in Abovyan street, the JACES officers exerted violence against elderly woman 76-year-old Zinaida Gyozyan and when Head of "Veles" human rights NGO Marina Poghosyan attempted to intervene, she was first locked in the room and later was thrown to the concrete stairs inflicting bodily injuries.<sup>185</sup>

*Follow-up:* On April 14, 2014 a criminal case was filed regarding the incident under Paragraph 2, Article 309 of the RA Criminal Code on exceeding official powers through use of violence.

On August 27, 2014 acting investigator over especially important cases Sargsyan closed the case due to lack of corpus delicti taking as grounds the fact of "gently embracing" the human rights activist by the JACES officers. An appeal regarding the investigator's ruling was submitted to the RA General Prosecutor's Office. The aforementioned ruling was also appealed in the RA Court of General Jurisdiction of Arabkir and Qanaqer-Zeytun Administrative Districts, which declined it on March 6, 2015 declaring it ungrounded.<sup>186</sup> The human rights activist appealed the ruling above in higher instances, but

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<sup>183</sup> Subsequent protest action and clashes in the capital city, [http://www.asparez.am/news-hy/boxoqi\\_hertakanp\\_akcia-hy/](http://www.asparez.am/news-hy/boxoqi_hertakanp_akcia-hy/)

Today's action of "I am against" initiative, footage, <http://www.lragir.am/index/arm/0/country/view/96010>

<sup>184</sup> [www.datalex.am](http://www.datalex.am), Court case N: AC /2230/05/14, Court case N: AC /2231/05/14, Court case N: AC /2229/05/14,

<sup>185</sup> Open letter of "Veles" Human Rights NGO to the RA Prosecutor General, <http://www.aravot.am/2014/10/30/511218/> ds

<sup>186</sup> The human rights activist's appeal on violence was declined. The Court to agree that she was "gently embraced", <http://www.epress.am/2015/03/06/263175.html>

inefficiently.<sup>187</sup> Marina Poghosyan has applied to the European Court of Human Rights.<sup>188</sup>

*Related Rights:* Right to be free from torture and inhuman or degrading treatment and punishment, Right to life, Right to fair trial

### **Case 14. Pan-Armenian Environmental Front activist**

*Date:* March 25, 2014

*Description:* During “Responsible Mining in Armenia” international conference a number of environmental activists rushed into the conference hall, and offered Nature Protection Minister Aram Harutyunyan to drink river water contaminated with mining wastes. The minister told one of the protesters, “Watch your mouth. I’ll cut your ears off and hand them to you.”<sup>189</sup>

*Follow-up:* The following day, on March 25 in response to the reporter’s question, Aram Harutyunyan stated he acted in line with the situation, and that he was not going to apologize.<sup>190</sup> In relation to this case Transparency International Anticorruption Center turned to Ethics Commission of High-Ranking Officials, which inferred that already former Nature Protection Minister had breached the rules of ethics stipulated by the Public service law on failing to demonstrate respect in their dealings with every person during the exercising of their powers.<sup>191</sup>

*Related Rights:* Right to be free from torture and inhuman or degrading treatment and punishment

### **Case 15. Argishti Kiviryan and Vardges Gaspari**

*Date:* April 4, 2014

<sup>187</sup> Statement on stopping reprisals and harassment against human rights activist Marina Poghosyan, <http://www.aravot.am/2015/10/05/615549/>

<sup>188</sup> The case of violence against the human rights activist was sent to European Court, <http://www.lin.am/1864471.html>

<sup>189</sup> Mr. Minister, now drink the river water. Shocking answer, <http://www.lragir.am/index/arm/0/videos/view/96801>

<sup>190</sup> Aram Harutyunyan about “cutting off” the activist’s ears, <http://galatv.am/hy/news/ram-arutyunyan-aktivisti-akanjy-ktrelu-masin/>

<sup>191</sup> Ethics Commission satisfied the appeal regarding Aram Harutyunyan, <http://www.azatutyun.am/content/article/25412779.html>

*Description:* A rally in support of Shahen Harutyunyan, who was accused of hitting a police official with the loudspeaker during the clashes on November 5, 2013, was held near the General Investigation Department of the Police. The rally participants marched to the RA General Prosecutor's Office demanding to put an end to the criminal prosecution against political prisoner Shant Harutyunyan and his friends.<sup>192</sup> Activists Argishti Kiviryan and Vardges Gaspari wanted to stage their protest on the sidewalk adjacent to the Prosecutor's Office, but the police prevented their actions and apprehended them.<sup>193</sup>

*Follow-up:* The police applied to the court with a demand to subject the activists to liability for committing the act under Article 182 of the RA Code on Administrative Offenses. In February, 2015, the RA Administrative Court imposed a fine of 50.000 AMD on Argishti Kiviryan and Vardges Gaspari by satisfying the claims of the Police. The aforementioned decrees were appealed. In July, 2015 the RA Administrative Court of Appeals rejected Argishti Kiviryan's appeal, moreover, the RA Cassation Court refused to admit the appeal for examination in September of the same year. Vardges Gaspari's appeal was returned. The activist re-submitted the appeal in a defined deadline, but no decree over the case has been issued so far.<sup>194</sup>

*Related Rights:* Freedom of Assembly and Association, Right to Freedom of movement, Right to liberty and security

### **Case 16. Judicial sanction against Vardges Gaspari**

*Date:* April 7, 2014

*Description:* On April 7, 2014, during one of the court hearings the RA Administrative Court Judge Ruzanna Hakobyan imposed a judicial sanction on Vardges Gaspari in the amount of 50.000 AMD and dismissed him from the courtroom for 36 hours. The reason for applying the judicial sanction was that during the court hearing the activist said, "You are criminal scoundrels, murderers, rejects and brats, you murdered my brother, enough of your disguised murderers, including Vova Gasparyan! What have you been up to for six years, rejects and

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<sup>192</sup> Neither me, nor my father is a hooligan, Shahen Harutyunyan, <http://news.am/arm/news/202638.html>

<sup>193</sup> Vardges Gaspari and Argishti Kiviryan were apprehended, <http://www.a1plus.am/1309052.html>

<sup>194</sup> [www.datalex.am](http://www.datalex.am), Court case N: AC/2711/05/14, Court case N: AC/2710/05/14

criminals?” in the address of police representatives Diana Vardanyan and Sona Melikyan, while he told Judge Ruzanna Hakobyan, “It is your sort of undignified and indecent judges that have escalated the situation to this point, the fact that 46 out of your 47 rulings have been found invalid in European Courts, you should be at least slightly concerned, but since you are undignified and indecent, you are implementing your agency’s tasks”, “You are low and undignified judges, and as agents you keep these criminal authorities on their tasks.”<sup>195</sup>

The court hearing related to the incident that occurred near “Closed Market” on September 2, 2013, during which Vardges Gaspari lay on the carriageway of the highway as a sign of protest, because according to him, the police officials displayed inactivity regarding the robbery that had taken place on the same venue several moments before. The police officials hauled him away from the highway and apprehended him. The police representative notified the reporter that Vardges Gaspari had been apprehended as a robbery witness,<sup>196</sup> however, later the Police instituted a claim to the Administrative Court against him under Article 182 of the RA Code of Administrative Offenses (disobeying the legal order by a police official).

In November, 2014 the court satisfied the claim by imposing a fine of 50.000 AMD on Gaspari. The activist appealed the ruling of the Administrative Court in higher instances, but they were rejected.<sup>197</sup>

*Follow-up:* The activist appealed the ruling of the Administrative Court dated April 7, 2014 about imposing a judicial sanction, but the RA Administrative Court of Appeals left it unaltered.

In relation to the incident a criminal case was filed under Part Articles 342.2, 342.3 of the RA Criminal Code (Contemptuous treatment of court which was expressed in insulting the participants of the trial and the judge). During the trial Gaspari refused to partake in the court hearings, as a result, he was forced into the courtroom several times, and on February 19, 2016 the Court of General Jurisdiction of

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<sup>195</sup> [www.datalex.am](http://www.datalex.am), Court Case N: YSHP/0125/01/14

<sup>196</sup> This is how “Witness” Vardges Gaspari was apprehended, <http://www.aravot.am/2013/09/02/282284/>

<sup>197</sup> [www.datalex.am](http://www.datalex.am), Court Case N: AC /9157/05/13

Shengavit Administrative District of Yerevan decreed to arrest the activist.

On February 24, Vardges Gaspari was sent to “Nork” psychiatric medical center to undergo a psychological examination, but due to the intervention of advocates, the examination did not take place.<sup>198</sup> During a tête-à-tête conversation with the advocates in the psychiatric hospital the activist notified that his inmates in the penitentiary had subjected him to violence and inhuman, degrading treatment, as a result of which he declared a hunger and water-strike, but he was not moved to an appropriate cell.<sup>199</sup> The Public Monitoring group over the Penitentiary Institutions under the Ministry of Justice, MP Nikol Pashinyan and others also reported on the violence and pressures exerted against Vardges Gaspari in the penitentiary.<sup>200</sup> The human rights defender also informed that he had applied to the RA Prosecutor General with a claim to launch a trial.<sup>201</sup> As a result, a criminal case under Article 315.1 of the RA Criminal Code (Official negligence) was filed in the RA SIS based on prepared materials.<sup>202</sup> Within the scope of the criminal case Vardges Gaspari was declared an aggrieved party. The trial of the case is underway.

On February 26 the RA Court of Appeals invalidated the judgment of arresting the activist.<sup>203</sup>

Through the decree dated March 26, 2016 a fine of 500.000 AMD was imposed on Vardges Gaspari under Articles 342.2, 342.3 of the RA Criminal Code, and release on his recognizance was selected as a measure of restraint.

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<sup>198</sup> Gaspari did not undergo an examination at psychiatric hospital, <http://armtimes.com/hy/read/80220>

<sup>199</sup> “You won’t get out of here alive”, inmates beat Gaspari and pour water on him, <http://armtimes.com/hy/read/80208>

<sup>200</sup> Vardges Gaspari re-informed the Monitoring Group about violence and reprisals exerted against him at “Nubarashen” Penitentiary, <http://hcav.am/events/26-02-2016-05/>  
The authorities square accounts with activists by means of criminal elements of outer forces. Pashinyan, <http://www.aravot.am/2016/02/22/659890/>

<sup>201</sup> Human Rights Defender disseminated a statement about Vardges Gaspari’s case, <http://armtimes.com/hy/read/80270>

<sup>202</sup> Criminal case was filed in SIS regarding the torturing of Gaspari, [http://www.epress.am/2016/03/10/quuuqup\[h\]h\[un\]2nuud agant\[un\]q\[un\]i-phiuuuh-ilt\[un\]p\[un\]p\[un\].html](http://www.epress.am/2016/03/10/quuuqup[h]h[un]2nuud agant[un]q[un]i-phiuuuh-ilt[un]p[un]p[un].html)

<sup>203</sup> NA four-day sitting was launched by speeches condemning Gaspari’s arrest, <http://www.azatutyun.am/content/article/27566915.html>

*Related Rights:* Right to fair trial, Freedom of speech and expression

### **Case 17. Protest action II of “I am against” initiative**

*Date:* April 9, 2014

*Description:* “I am against” initiative struggling against mandatory funded pension system staged the subsequent action.

The protesters demanded an explanation why the Government had failed to task the State Revenues Committee to switch off the automatic deductions calculator of the mandatory funded pension after the judgment of the Constitutional Court. The action participants blocked Nalbandyan Street clogging the traffic. Yerevan Police Chief Ashot Karapetyan qualified the actions of the activists unlawful. The police official exerted violence in order to open the street, and one of the activists Arsen Davtyan was apprehended.<sup>204</sup>

The demand of the protesters was addressed to temporary acting Minister of Finance David Sargsyan, but then former Prime minister Tigran Sargsyan came down to speak to them, who suggested forming a working group to discuss the legislative amendments. The protesters declined his suggestion with a demand to simply execute the CC’s ruling.

*Follow-up:* According to Yerevan Deputy Police Chief Valeri Osipyan, Arsen Davtyan was released at the end of the protest.<sup>205</sup>

The RA General Prosecutor’s Office disseminated a statement, whereby warning “I am against” movement that blocking the street and obstructing the traffic may inflict legal liability.<sup>206</sup>

The Police instituted a claim against Arsen Davtyan to subject him to administrative liability for disobeying the legal order of the police official. In March, 2015 the Court satisfied the claim by imposing a fine of 50.000 AMD on the activist. The decree was appealed, but the RA

<sup>204</sup> “I am against” protest action participants blocked Nalbandyan Street with a sit-in strike, <http://www.azatutyun.am/content/article/25327475.html>

<sup>205</sup> “I am against” activists opened Nalbandyan street, <http://www.aysor.am/am/news/2014/04/09/dem-em-manukyan/772193>

<sup>206</sup> Is the Prosecutor’s office after “I am against”?, <http://www.lragir.am/index/arm/0/society/view/97677>

Court of Appeals declined it, while the Court of Cassation did not admit it for examination.<sup>207</sup>

*Related Rights:* Freedom of Assembly and Association, Right to be free from torture and inhuman or degrading treatment and punishment, Right to liberty and security

### **Case 18. Vardges Gaspari's unilateral protest action**

*Date:* April 9, 2014

*Description:* On April 9, 2014 activist Vardges Gaspari launched a unilateral action in front of Serzh Sargsyan's private house protesting that the administrative fine imposed on him by the court entailed an arrestment of his bank accounts.

On the same day while leaving his apartment a group of young people threw eggs at the activist, one of them snatched the poster in his hand, tore it apart and ran away. During the protest the aforementioned individuals followed Vardges Gaspari. They attempted to grab the activist's new poster, but during the scuffle they stole his earphones.<sup>208</sup>

*Follow-up:* No other data are available regarding the incident.

*Related Rights:* Freedom of Assembly and Association, Freedom of speech and expression, Right to property, Right to be free from discrimination, Right to liberty and security

### **Case 19. Vardges Gaspari and parents of deceased soldiers**

*Date:* April 10, 2014

*Description:* The parents of soldiers, who had died during non-war conditions, staged the subsequent protest action in front of the Presidential Palace. Activist Vardges Gaspari also joined them with "Serzhik the murderer" poster. The police officials started a dispute but finally allowed him to partake in the protest. When Vardges Gaspari lay on the ground as a sign of protest, he was hauled away.<sup>209</sup>

*Follow-up:* Later he was to be found near Demirchyan-Kaputikyan intersection.<sup>210</sup>

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<sup>207</sup> [www.datalex.am](http://www.datalex.am), Court Case N: AC/2885/05/14

<sup>208</sup> Vardges Gaspari's accounts under arrestment, <http://armtimes.com/hy/read/50434>

<sup>209</sup> Mothers of soldiers deceased during non-war conditions are again near the presidential residence, <http://www.aravot.am/2014/04/10/449594/>

<sup>210</sup> From where Vardges Gaspari appeared, <http://www.aravot.am/2014/04/10/449634/>

*Related Rights:* Freedom of Assembly and Association, Freedom of speech and expression, Right to be free

### **Case 20. Advocate Artak Voskanyan**

*Date:* April 11, 2014

*Description:* In Lori Court of General Jurisdiction Judge Suren Baghdasaryan forbade defendant Hmayak Sahakyan's advocate Artak Voskanyan to attend the trial on the grounds of his removal from the case, moreover, he refused to provide an explanation regarding his dismissal from the trial and suggested leaving the advocate's stand and taking a seat in the courtroom. Later through a written note advocate Artak Voskanyan submitted all the documents prescribed by law, whereby he had obtained his status of an advocate, but the Judge prevented him from acting as an advocate and suggested his taking a seat in the courtroom. When the defendant and A. Voskanyan refused to obey the Judge's order by invoking the provisions of the law, the latter decreed to force A. Voskanyan out of the courtroom, given that the Judge had no power to apply such a judicial sanction against the advocate.<sup>211</sup>

*Follow-up:* Advocate Artak Voskanyan told Aravot.am that defendant Hamayak Sahakyan's mother Arpik Ajamyan had applied to the RA Prosecutor General on the grounds of the crime committed by Judge Suren Baghdasaryan.<sup>212</sup>

On March 6, 2014 disciplinary proceedings were filed against advocate Artak Voskanyan based on the application of Judge Suren Baghdasaryan, but on May 16, 2014 the Board of the Chamber of Advocates decreed to close the disciplinary proceedings.<sup>213</sup>

*Related Rights:* Right to fair trial

### **Case 21. Veteran Susanna Margaryan**

*Date:* April 17, 2014

<sup>211</sup> Statement of advocates of Lori marz, <http://www.lragir.am/index/arm/0/right/view/97850>

<sup>212</sup> Advocate Artak Voskanyan qualifies the incident in Lori Region Court of General Jurisdiction as condemnable, <http://www.aravot.am/2014/04/17/451927/>

<sup>213</sup> # 77 decree of AC sitting of the Board of the Chamber of Advocates of RA dated on May 16, 2014 <http://www.advocates.am/resources/advocates/img/decision/06d3ffe4425f9954bd2843f70a9d6ab9.pdf>

*Description:* Veteran Susanna Margaryan staged a protest action outside the RA Government building by releasing a cat and a mouse as a sign of protest to the recent decision of appointing Hovik Abrahamyan as Prime Minister. In the evening a great number of police officials visited her flat with the intention to subject her to administrative apprehension.<sup>214</sup> The police officials ordered to open the door, but she refused to obey, and called Human Rights Defender's office. In the company of HRD representative, she was apprehended to the police department.<sup>215</sup> A protocol under Article 172.2 of the RA Code on Administrative Offenses (Violation of the rules for the use of public places) was drawn up against her.<sup>216</sup>

*Follow-up:* Later Susanna Margaryan reported she had not received a notification from the court and was not going to pay the administrative fine.<sup>217</sup> On June 16, the veteran staged a demonstration in the Republican Square to gather the amount for the fine during which the police officials apprehended Susanna Margaryan for explanation. According to her words, she was told to wait at the police department with a promise to cancel the claim for bringing up an administrative fine.<sup>218</sup>

*Related Rights:* Freedom of Assembly and Association, Freedom of speech and expression, Right to liberty and security, Right to fair trial

## **Case 22. Pressures against Marina Poghosyan**

*Date:* May 5, 2014

*Description:* In May, 2014 a criminal case under extortion was instituted against Head of “Veles” human rights NGO Marina Poghosyan based on the claim of former chief of the RA General Department of Civil Aviation Hovhannes Yeritsyan. The organization renders legal assistance to moneylenders, including those who were

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<sup>214</sup> The woman, who released a mouse near the Government Building, was charged 20.000 AMD (updated), <http://www.epress.am/2014/04/17/կարսակալը-մոտ-մուկ-բաց-քոչած-կննդ.html>

<sup>215</sup> Advice: Declare the mouse a victim, conduct confrontations with it and interrogate, “Haykakan Zhamanak”, <http://www.aravot.am/2014/04/18/452292/>

<sup>216</sup> What if Susanna took a dog to the Government building, would she be fined then?, <http://www.lragir.am/index/arm/0/country/view/97999>

<sup>217</sup> Who paid the fine for the mouse?, <http://www.a1plus.am/1316527.html>

<sup>218</sup> The “mouse fine” was collected in the Republican Square, <http://www.aravot.am/2014/06/16/471351/>

affected by Hovhannes Yeritsyan. The human rights defender accused the latter of being linked to “Kazakh mafia” and other crimes.<sup>219</sup>

*Follow-up:* During the trial of the criminal case all of the witnesses, with the exception of Hovhannes Yeritsyan, denied the fact of extortion committed by Marina Poghosyan, and the case was dismissed.

In September, 2014 Marina Poghosyan submitted a crime report against Hovhannes Yeritsyan with features of false crime reporting, based on which a criminal case was filed and attached to the “extortion” case against Poghosyan under examination. Before long the trial of the case was stopped, which was appealed by the human rights activist. On July 29, 2015 the Court of General Jurisdiction of Kentron and Nork-Marash Administrative Districts satisfied Poghosyan’s appeal. Hovhannes Yeritsyan’s representative, the investigator and prosecutor Nalbandyan appealed the ruling, and on November 5, 2015 the RA Court of Appeals satisfied their appeal.<sup>220</sup> The human rights activist appealed the decree of the RA Court of Appeals at the RA Cassation Court.

On July 29, 2015 Marina Poghosyan received a phone call from the Investigative Committee notifying that a new criminal case had been instituted against her. Without an official notification letter, only through phone calls she was successively summoned for interrogation, meanwhile subjected to threats. Over this case Marina Poghosyan is accused of “fraud”. Pursuant to the statement disseminated by the human rights activist, the aforementioned criminal case was filed in parallel with another criminal case submitted based on the crime reports of foreign investors, and during the protection of the rights of foreign investors affected by the actions of Viktor Ter-Hovsepyan, the son of another former official RA Prosecutor General S. Osipov. A great number of illegalities occurred within the framework of the case.

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<sup>219</sup> Statement on stopping harassments and persecutions against human rights activist Marina Poghosyan, <http://168.am/2015/10/06/546475.html>

<sup>220</sup> Two simultaneous decrees by the courts were against the human rights activist and her beneficiary, <http://www.aravot.am/2015/11/06/625847/>

Wasn’t considering a human rights female activist member of “Kazakh mafia” a false crime report?, <http://www.aravot.am/2015/10/08/616619/>

As a result of convictions on behalf of the RA NA deputy, the RA Human Rights Defender and international human rights organizations, the case was closed on October 19, 2015, however, in January of 2016 the case was re-opened. The human rights organization had it in the statement that the filing of the criminal case was linked with the organization's rights protection activities, whereby signaling of a red flag that the Investigative Committee exceeded its powers.<sup>221</sup>

On August 9, 2015 unidentified persons committed an arson attempt by burning the power lines of "Veles" NGO. On August 11 Marina Poghosyan's car was forcefully taken by the police officials on the grounds that it was wanted by the Police. On August 14 the human rights activist was notified that RA Court of General Jurisdiction of Arabkir and Qanaqer-Zeytun Administrative Districts had declared her bankrupt.<sup>222</sup>

In October, 2015 the civil society representatives issued a statement with a demand to stop reprisals against Marina Poghosyan.

*Related Rights:* Right to fair trial, Right to respect for private life

### **Case 23. Journalist Ani Hovhannisyan and activists**

*Date:* May 7, 2014

*Description:* On May 7, 2014 after elucidating a trial on the case of domestic violence, Hetq journalist Ani Hovhannisyan and several of activists from "Women's Resource Center" and "Women's Support Center" were attacked in the yard of Gavar Court of General Jurisdiction by Robert Aharonyan, who presented himself as the head of socialistic movement, and his supporters. They whispered sexually offensive words to them, voiced threats of sexual harassment and hit the journalist's camera.<sup>223</sup>

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<sup>221</sup> RA Investigative Committee exceeds its powers, Statement <http://168.am/2016/02/16/596839.html>

<sup>222</sup> Reprisals applied against head of "Veles" Human Rights NGO, <http://www.1in.am/1696287.html>

<sup>223</sup> Investigator inferred, the threats addressed to "Hetq" journalist were not serious, <http://hetq.am/arm/news/56431/ostikanutyuny-hakvats-che-bacahaytel-lragroxneri-nkatmamb-brnutyunneri-depqery-hancakazmy-grete-misht-bacakayum-e.html>



in the police department his state worsened again, and the ambulance was called for the second time.<sup>227</sup> One of the activists Dvin Isanyans fainted in the police car over which the police officials mocked by “Might he have died?” phrase.<sup>228</sup>

*Follow-up:* Protocol was drawn up against 6 apprehended activists Anna Shahnazaryan, Arsen Ohanyan, Ani Khachatryan, Roland Tmoyan, Dvin Isanyans, and Mika Elizbaryan <sup>229</sup> under Article 182 of the RA Code of Administrative Offenses (disobeying the legal order by a police official). After a 3-hour-stay in the police department they were released, while a criminal case under Article 316.1 (Violence or threat of violence, not dangerous for life or health, against a representative of authorities) was instituted against the 7th activist Gevorg Safaryan. The latter was released on his recognizance. Safaryan submitted a counterclaim on the case of violence applied against him.<sup>230</sup> He underwent a forensic medical examination, and was diagnosed with contusion.

Police Chief Vladimir Gasparyan denied the use of force by the police officials and stated they acted in line with the activists’ actions.<sup>231</sup>

The claim of the Police against Arsen Ohanyan was returned by the Court and was never resubmitted.<sup>232</sup> In June, 2015 the Court declined the claim of the Police against Anna Shahnazaryan and satisfied the latter’s counterclaim by recognizing the Police actions unlawful.<sup>233</sup> The Court satisfied the claims against Ani Khachatryan, Roland Tmoyan, and Dvin Isanyans by imposing on them a fine of 50.000 AMD.<sup>234</sup> Roland Tmoyan’s appeal was rejected, he appealed the

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<sup>227</sup> Gevorg Safaryan’s health condition drastically aggravated. Updated, <http://www.lragir.am/index/arm/0/country/view/99087>

<sup>228</sup> Police to mock the young man, who fainted in the police car, “might he have died?”, <http://armhels.com/2014/05/14/vostikanakan-meqenayi-mej-ushagnac-eghats-yeritasardin-vostikannery-caghrel-en/>

<sup>229</sup> Citizens apprehended from Mashtots Park. Footage, <http://www.lragir.am/index/arm/0/country/view/99058>

<sup>230</sup> High time we gave up pleasures and struggled, <http://himnadir.am/news/harcazrucner/18-2014-05-21-18-40-35/2014-06-17-12-45-36/64-2014-07-03-13-02-19>

<sup>231</sup> Vladimir Gasparyan: “We see our defects”. Azatutyun.am, <http://www.aravot.am/2014/05/15/460803/>

<sup>232</sup> [www.datalex.am](http://www.datalex.am), Court case N: AC/3432/05/14

<sup>233</sup> [www.datalex.am](http://www.datalex.am), Court case N: AC/3436/05/14

<sup>234</sup> [www.datalex.am](http://www.datalex.am), Court case N: AC/3433/05/14, Court case N: AC/3434/05/14, Court case N:

AC/3435/05/14

ruling at the RA Cassation Court, which did not admit it for examination. Dvin Isanyans' appeal is under examination. No additional information is available regarding the cases of Gevorg Safaryan and Mika Elizbaryan.

*Related Rights:* Right to be free from torture and inhuman or degrading treatment and punishment, Right to life, Freedom of Assembly and Association, Freedom of speech and expression, Right to liberty and security

### **Case 25. "Black list" of 60 people, in "Iravunk" newspaper**

*Date:* May 17, 2014

*Description:* Hovhannes Galajyan, the editor-in-chief of "Iravunk" newspaper, which is owned by Armenian Republican Faction deputy Hayk Babukhanyan, published an article on the newspaper's website titled "They serve the interests of international homosexual lobbying: the blacklist of country's and nation's enemies." In the article, the author presented the names of 60 people by urging everyone to "show zero tolerance". The newspaper selected especially those, who criticized members of Armenian National Jury of "Eurovision" Song Contest 2014, singers Inga and Anush Arshakyan during the "Facebook press conference" of Azatutyun radio station for expressing their "disgust" against Conchita Wurst, the representative of Austria.<sup>235</sup>

*Follow-up:* 19 out of the aforementioned people filed a lawsuit against "Iravunk" newspaper and editor-in-chief Hovhannes Galajyan. The united claim of the 16 of them was not satisfied, the appeal was rejected, while the RA Cassation Court did not admit the appeal into trial.<sup>236</sup> By the way, according to the Information Disputes Council, the Court failed to consider the factor of hate speech contained in the article.<sup>237</sup>

<sup>235</sup> "THEY SERVE THE INTERESTS OF INTERNATIONAL HOMOSEXUAL LOBBYING: THE BLACKLIST OF COUNTRY'S AND NATION'S ENEMIES."

[http://iravunk.com/index.php?option=com\\_content&view=article&id=16435:2014-05-17-16-18-23&catid=41:lurer&Itemid=57](http://iravunk.com/index.php?option=com_content&view=article&id=16435:2014-05-17-16-18-23&catid=41:lurer&Itemid=57)

<sup>236</sup> [www.datalex.am](http://www.datalex.am), Court case N: ԵԳԴ/2042/02/14

<sup>237</sup> IDC opinion regarding the case of 16 representatives of civil society versus "Iravunk media" LCD and Hovhannes Galajyan, <http://www.idcarmenia.am/hy/idc-conclusion-38>

Whereas, Court of General Jurisdiction of Kentron and Nork-Marash Administrative Districts partially satisfied the claims of “New Generation” NGO members Arman Sahakyan, Hovhannes Mkrtchyan and Grigor Gevorgyan on May 14, 2015, and the newspaper was obligated to pay 250.000 AMD to the citizens for discrediting their honor and dignity.<sup>238</sup>

*Related rights:* Right to respect for private life, Right to be free from discrimination

### **Case 26. “No putinism” protest**

*Date:* May 18, 2014

*Description:* A group of RA citizens staged a protest action titled “No putinism” in Liberty Square, and marched to the RF Embassy in Armenia, but the Police disallowed them to continue the protest in front of the Embassy building by obstructing the protesters to hand in a letter to the RF Embassy.<sup>239</sup> From the march route protesters Armen Ulikhanyan and Varuzhan Tribunyan were apprehended by the police officials to the police department.<sup>240</sup>

*Follow-up:* A protocol on administrative offenses was drawn up against the apprehended activists with features of Article 182 of the RA Code of Administrative Offenses.<sup>241</sup>

*Related rights:* Freedom of Assembly and Association, Freedom of speech and expression, Right to liberty and security.

### **Case 27. Journalist Ruzanna Stepanyan**

*Date:* May 19, 2014

*Description:* After listening to the question posed by journalist of “Azatutyun” radio station Ruzanna Stepanyan about Vernissage shootings that occurred on May 17, NA RPA MP Shushan Petrosyan said, “You are all immoral” and did not give any reasons for insulting the journalist. Later the deputy told the journalist of “Chorrord

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<sup>238</sup> Freedom of speech or call for insults and hatred?, <http://www.aravot.am/2015/06/04/578545/>

<sup>239</sup> Clash between the police official and activist, Paryur Hayrikyan calls Serzh Sargsyan, <http://www.lin.am/1296156.html>

<sup>240</sup> “Noputinizm”, protest in Yerevan, footage, <http://www.lragir.am/index/arm/0/country/view/99317>

<sup>241</sup> Apprehended Noputinizm activists will be soon released, <http://www.aravot.am/2014/05/18/461717/>

Ishkhanutyun” newspaper to “clear off” when the latter asked for clarification.<sup>242</sup>

*Follow-up:* Later Shushan Petrosyan apologized to the journalist explaining that she meant the insulting comments often left under the interviews-the working style of some journalists. The journalist did not initiate any actions.<sup>243</sup>

*Related rights:* Freedom of information, Right to be free from discrimination, Right to be free from torture and inhuman or degrading treatment and punishment

### **Case 28. Against dismantling of Afrikyans' Clubhouse Building protest action I**

*Date:* June 9, 2014

*Description:* Aiming to obstruct the demolition of Afrikyans' Clubhouse Building, a group of young activists attempted to dismantle the metal bars surrounding the building. The police officials apprehended activists Vahagn Minasyan, Babken Ter-Grigoryan, Dvin Isanyans, Vahagn Gevorgyan, Anton Ivchenko, Artur Poghosyan, Hrayr Svazyan, Herbert Gevorgyan, and Sipan Pashinyan.<sup>244</sup> The activists were apprehended not only from the Afrikyans' Building, but also from the police area, where some of them went in support of their apprehended friends. According to the activists, upon apprehension the police officials failed to introduce themselves and present any legal grounds.<sup>245</sup> Sipan Pashinyan told aravot.am that one of the police officials spoke to the activists using street language, and when the latter was talked into speaking properly, he said, “Push off, I am not in your mood, go anywhere to complain, either go to the ministry to file a claim, or to the Chief, complain to anyone you wish, you can apply to the prosecutor’s

<sup>242</sup> NA MP Shushan Petrosyan insulted journalists, <http://www.a1plus.am/1318270.html>

<sup>243</sup> Journalist of “Azatutyun” radio station about Shushan Petrosyan’s apology and private talk, <http://www.aravot.am/2014/05/20/462507/>

<sup>244</sup> Citizens were apprehended from the Afrikyans' Club Building, <http://www.lragir.am/index/arm/0/right/view/100299>

<sup>245</sup> Over a dozen of activists were apprehended in Yerevan during the night, <http://www.azatutyun.am/content/article/25416378.html>

office”. The activist notified the Chief of the Investigative Service about the misconduct of the policeman, who promised to “reprimand” him.<sup>246</sup>

*Follow-up:* Materials were prepared against the activists under Article 185 of the RA Criminal Code on willful destruction or spoilage of property, which caused significant damage and entailed their status of suspects. Vahe Gevorgyan informed that the possessions of the apprehended activists, including phones, watches and etc, were confiscated in the police department at around 03:00 in the night.<sup>247</sup>

*Related rights:* Right to liberty and security, Freedom of Assembly and Association

### **Case 29. “Out of our pocket” initiative protest action I**

*Date:* June 10, 2014

*Description:* “Out of our pocket” initiative struggling against speedometers and red lines launched a motorcade from the Brazil Square, but its route was clogged in Leningradyan Street. As a result clashes took place between the protesters and the police. The latter apprehended protesters Armen Melikyan, Armen Bilanyan, and Artashes Misakyan <sup>248</sup> on the grounds that they disobeyed the order of the police officials.<sup>249</sup>

*Follow-up:* Later the apprehended activists were released.<sup>250</sup> Artashes Misakyan reported that no protocol on administrative offenses had been drawn up against any of the apprehended activists.

*Related rights:* Freedom of Assembly and Association, Right to freedom of movement, Right to liberty and security

### **Case 30. Activist Sona Asatryan I**

*Date:* June 11, 2014

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<sup>246</sup> “Gross” police official to the citizen: “Go cad and complain where you want”, <http://www.aravot.am/2014/06/10/469491/>

<sup>247</sup> Police to confiscate the activists’ phones and file a criminal case , <http://www.aravot.am/2014/06/10/469195/>

<sup>248</sup> “Out of our pocket” initiative members will go out to the streets with families <http://www.aravot.am/2014/06/11/469687/>

<sup>249</sup> Two participants of the motorcade struggling against speedometers were apprehended: Leningradyan <http://news.am/arm/news/213654.html>

<sup>250</sup> “Out of our pocket” civic initiative conducted a motorcade, <http://www.lragir.am/index/arm/0/country/23669/100343>

*Description:* Near the Afrikyans' Clubhouse Building located at Teryan 11, Yerevan a group of civic activists wanted to shoot a video clip about why the building should not be dismantled. One of the police officials grabbed the poster titled “I am the builder of my memory” from activist Sona Asatryan’s hand.<sup>251</sup>

*Follow-up:* One of the police officials informed that the poster had been stripped away to prevent the actions of property damage.

*Related rights:* Freedom of speech and expression, Right to property

### **Case 31. Activist Vilen Gabrielyan I**

*Date:* June 12, 2014

*Description:* On June 12, 2014 the police officials apprehended civic activist Vilen Gabrielyan from the area of the Afrikyans' Clubhouse Building on the grounds of inflicting damage to somebody's property. The latter wanted to make a note on the metal plate of the Afrikyans' Building.

The activist had a dispute with the police official that he was not properly addressed, instead he was called, “Dude, dude”<sup>252</sup>

*Follow-up:* After his release the activist notified that in the police department SPS Deputy Chief Vardan Gevorgyan told him to pass his word to all of the activists, which said, “Whenever they touch somebody else’s property, they will be punished in line with the law”.

*Related rights:* Right to liberty and security, Freedom of speech and expression

### **Case 32. Activist Hayk Kyureghyan**

*Date:* June 12, 2014

*Description:* Just before the court hearing of Shant Harutyunyan and his friends, Hayk Kyureghyan got on top of a car parked in the yard and fired gunshots in the direction of the police officials claiming there was an explosive device in the car. According to the activist, the aforementioned action was meant to obstruct the illegal court hearing.

<sup>251</sup> Policeman to grab the activist's poster, <http://www.aravot.am/2014/06/11/469928/>

<sup>252</sup> Boat shaker: “I have not managed to write almost anything. They came to hold my hands”, <http://www.aravot.am/2014/06/12/470285/>

Hayk Kyureghyan was immediately apprehended to the police department.<sup>253</sup>

*Follow-up:* On June 13, 2014 after the visit to the detention facility of Yerevan city department, the Public Monitoring Group at the Detention Facilities of the Police Department of the Republic of Armenia found out that a number of bodily injuries had been inflicted to Hayk Kyureghyan and that no defense attorney was enrolled during his arrest.<sup>254</sup>

Charges against the activist were brought up under Article 258.4 of the RA Criminal Code (hooliganism committed with a weapon or another item used as a weapon), and detention was selected as a measure of restraint against him.<sup>255</sup> On August 21, 2014 the second accusation under the features of Article 316.2 of the RA Criminal Code was brought up against him (Violence against a representative of authorities concerned with performance of his official duties).<sup>256</sup> On September 15, 2015 the Court of General Jurisdiction of Kentron and Nork-Marash Administrative Districts sentenced Hayk Kyureghyan to a 9-year imprisonment. The latter appealed the Court's decree, but the RA Court of Appeals declined it, while, the RA Court of Cassation did not admit it for examination.<sup>257</sup>

A criminal case under Article 309 of the RA Criminal Code (exceeding official authorities) was filed regarding the case of violence against Hayk Kyureghyan exerted by the police officials in the RA SIS.<sup>258</sup> On October 3, 2014 the criminal case was dismissed.<sup>259</sup> On December 29, 2015 attorneys Lusine Sahakyan, Yervand Varosyan, and Vahe Grigoryan submitted a complaint to the European Court of Human Rights over the case of subjecting Hayk Kyureghyan to beatings. They

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<sup>253</sup> Hayk Kyureghyan fired gunshots in the court yard, <http://www.lragir.am/index/arm/0/country/view/100416>

<sup>254</sup> Hayk Kyureghyan, who fired gunshots in the court yard, has bodily injuries, <http://www.lragir.am/index/arm/0/right/view/100472>

<sup>255</sup> Hayk Kyureghyan was arrested, <http://www.lragir.am/index/arm/0/right/view/100544>

<sup>256</sup> New charges against Hayk Kyureghyan, <http://www.azatutyun.am/content/article/26542928.html>

<sup>257</sup> Court case N: YKC/0174/01/14, [www.datalex.am](http://www.datalex.am)

<sup>258</sup> Criminal case filed over the case of violence exerted against Hayk Kyureghyan, <http://www.lragir.am/index/arm/0/right/view/101110#sthash.2bd1UohG.dpuf>

<sup>259</sup> An obviously ungrounded, but quite expected ruling was decreed to close the case, in the SIS spirit, <http://www.pastinfo.am/node/53591#sthash.Rx1YCFpp.dpuf>

demanded recognizing the breach of Article 3 of the European Convention on Human Rights against Hayk Kyureghyan, as well as failure to conduct efficient investigation over the acts of violence.<sup>260</sup>

In November, 2015 Hayk Kyureghyan started a hunger strike demanding to be removed to a separate cell. On December 11 HCA Vanadzor disseminated a statement about the reprisals against Hayk Kyureghyan and expressed concerns that the political prisoner was being kept in an overcrowded cell with no relevant medical support provided, and was a target for pressures by criminal authorities. The statement also read that the escalation of pressures against Hayk Kyureghyan and his relatives was contingent upon his public support of forces acting against the Constitutional amendments.<sup>261</sup> According to the report of the Human Rights Defender's office, Kyureghyan's demand to be removed to a separate cell was satisfied, and on December 14 he stopped the hunger strike.<sup>262</sup>

*Related rights:* Right to liberty and security, Right to be free from torture and inhuman or degrading treatment and punishment, Right to life, Right to fair trial

### **Case 33. Advocate Inessa Petrosyan**

*Date:* June 14, 2014

*Description:* On June 14, 2014 the questioning of Inessa Petrosyan's client Anahit Mkrtychyan took place at Sevan Investigative Department of Gegharkunik marz. During the investigation operations, Sevan Investigation Service Department Chief Vardanyan and investigator Martirosyan insulted Inessa Petrosyan, and obstructed carrying out her activities.<sup>263</sup>

*Follow-up:* Chairman of the RA Chamber of Advocates Ara Zohrabyan applied to RA Police Chief Vladimir Gasparyan with an offer

<sup>260</sup> Complaint over the cases of Hayk Kyureghyan and Argishti Kiviryan was filed to the ECHR today, <http://www.aravot.am/2015/12/29/643994/>

<sup>261</sup> HCA Vanadzor is deeply concerned with pressures exerted against political prisoner Hayk Kyureghyan, <http://www.aravot.am/2015/12/11/638654/>

<sup>262</sup> Hayk Kyureghyan stopped his hunger strike, <http://www.a1plus.am/1424573.html>

<sup>263</sup> Sevan Investigation Service Chief assaulted the advocate and insulted her, <http://hetq.am/arm/news/55190/sevani-qnnchakani-pety-hardzakvel-e-pastabani-vra-u-viravorel-nran.html>

to appoint internal investigation regarding the incident.<sup>264</sup> Pursuant to the notification letter sent to Inessa Petrosyan, the conducted internal investigation revealed that the facts of obstructing Inessa Petrosyan to carry out her professional work, and insulting her client Anahit Mkrtchyan by Sevan Investigation Service Department Chief and the investigator were not confirmed, and all the chances of obtaining factual data were exhausted. However, according to Deputy Chairman of the RA Chamber of Advocates Karen Mezhlumyan, the internal investigation was not conducted objectively, since the fact of insulting the advocate and not her client was concerned. Inessa Petrosyan informed she was going to apply to the RA Special Investigation Service.<sup>265</sup>

*Related rights:* Right to be free from torture and inhuman or degrading treatment and punishment, Right to fair trial

#### **Case 34. Activist Sona Asatryan II**

*Date:* June 17, 2014

*Description:* When the laborers started the dismantling of the Afrikyans' Clubhouse, activist Sona Asatryan attempted with a knife to tear up the posters in front of the building in order to draw public attention to the demolition of the building. As a result, she was apprehended to the central department of the Police, and confiscated the knife.<sup>266</sup>

*Follow-up:* The activist was released and no prosecution was applied against her.

*Related rights:* Right to liberty and security

#### **Case 35. "Out of our pocket" initiative protest action II**

*Date:* June 19, 2014

*Description:* "Out of our pocket" initiative staged the subsequent motorcade starting from Arshakunyats Avenue towards the Center, but the Police clogged their route explaining it with traffic

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<sup>264</sup> CHAIRMAN OF THE RA CHAMBER OF ADVOCATES APPLIED TO THE RA POLICE CHIEF, <http://www.advocates.am/news/view/785.html>

<sup>265</sup> Police revealed that policemen never obstructed implementation of the advocate's professional duties, <http://www.panorama.am/am/news/2014/07/02/mejlumyan-petrosyan/251772>

<sup>266</sup> The activist fighting for Afrikyans' Clubhouse was released, <http://www.aravot.am/2014/06/17/471711/>

congestion in the Kentron district. By the order of Yerevan Deputy Police Chief Artur Osipyan 7 activists were apprehended and 6 cars were removed to the penalty area.<sup>267</sup> One of the protesters Hayk Avetisyan reported that “Police officials approached and attempted to use force, but when the activists demanded them to stay off, the latter apprehended them”.<sup>268</sup>

*Follow-up:* No details are available regarding the case

*Related rights:* Freedom of Assembly and Association, Right to freedom of movement, Right to liberty and security

### **Case 36. Activist Astghik Aghekyan**

*Date:* June 19, 2014

*Description:* On June 19 at around 14:00 pm activist Astghik Aghekyan was coercively apprehended from Afrikyans' Clubhouse building. The latter had attempted to tear off the poster with “Beautifying Yerevan” note, thereby expressing her protest against the demolition of the cultural heritage.<sup>269</sup>

*Follow-up:* A protocol on administrative offense was drawn up against activist Astghik Aghekyan and she was released. There is no further information available.

*Related rights:* Right to liberty and security

### **Case 37. “I am against” civic initiative action III**

*Date:* June 21, 2014

*Description:* On June 21 the members of “I am against” civic initiative struggling against mandatory funded pension system staged the subsequent protest action in front of the National Assembly building, during which RPA MP Ashot Aghababyan insulted the activists by stating, “Hey, you are faggots”, to which the citizens threw coins at him.<sup>270</sup>

<sup>267</sup> 7 citizens were apprehended during the motorcade of “Out of our pocket” initiative, <http://www.azatutyun.am/content/article/25428339.html>

<sup>268</sup> 3 activists of “Out of our pocket” protest were apprehended from Arshakunyats avenue, <http://www.panorama.am/am/society/2014/06/19/hayk-avetisyan/>

<sup>269</sup> Citizen apprehended from Afrikyans' club will be released, <http://civilnet.am/2014/06/19/աֆրիկյաններից-բերման-ենթարկված-քաղա/#.VryaDxiLRMx>

<sup>270</sup> RPA deputy Ashot Aghababyan was profanities in the address of the activists, : “I am against” demands, <http://news.am/arm/news/215692.html>

*Follow-up:* “I am against” civic initiative turned to Ethics Commission of High-Ranking Officials over the case claiming to file proceedings and examine the fact of breaching rules of ethics by Ashot Aghababyan. Deputy Chair of Ethics Commission of High-Ranking Officials Areg Shushanyan notified no proceedings could be filed, because it was the National Assembly Ethics Commission and not the Ethics Commission that dealt with cases of MPs. The initiative members did not apply to the National Assembly Ethics Commission.<sup>271</sup>

*Related rights:* Right to be free from torture and inhuman or degrading treatment and punishment

### **Case 38. “Ararum.am” informational website co-founder Hovhannes Yesayan**

*Date:* June 21, 2014

*Description:* On his way back home at around 3 am co-founder Hovhannes Yesayan “Ararum.am” informational website was assaulted by two unknown men dressed in sports clothing, and bodily injuries were inflicted.<sup>272</sup>

*Follow-up:* Two days prior to the incident an article titled “Informational oligarchy, from offshore to Vova, “condom” of authorities” was published in the “Ararum.am” informational website, which was followed by threats against Hovhannes Yesayan. The latter qualified them as made by fake users of slaq.am. The reporter filed a crime report in the police department, but later informed he had no claims against the individuals, who had exerted violence against him, and therefore did not institute a criminal case.<sup>273</sup>

*Related rights:* Right to freedom and expression, Right to be free from torture and inhuman or degrading treatment and punishment, Right to life

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<sup>271</sup> It is yet unknown which Ethics Commission will examine the conduct of Ashot Aghababyan, who swore at members of “I am against”, <http://www.resource.am/arm/153214.html>

<sup>272</sup> “Ararum.am” initiative member Hovhannes Yesayan was subjected to beatings, <http://hzh.am/arm/8688-ku-kuwawhku-wawawaw-ku-kuwawaw>

<sup>273</sup> The police don't tend to reveal the cases of violence against the journalists: corpus delicti almost always lacks, <http://hetq.am/arm/news/56431/ostikanutyuny-hakvats-che-bacahaytel-lragroxnneri-nkatmamb-rnutyunneri-depqery-hancakazmy-grete-misht-bacakayum-e.html>

### **Case 39. "Against hike in electricity rates" protest action I**

*Date:* June 23, 2014

*Description:* On June 23 near the building of Public Service Regulatory Commission the police blocked the citizens' way, who were going to stage a protest action against hike in electricity rates. Clashes began between the protesters and the police, when the activists urged to unblock the road, and some of them attempted to break through the police wall.<sup>274</sup>

As a result an elderly woman and young man Ara Karagyozyan were taken to hospital. The latter was diagnosed with chest contusion.<sup>275</sup> 27 of the protesters were forcefully apprehended, among them Arman Avetisyan, Hayk Avetisyan, Narek Harutyunyan, Armen Abroyan, Arsen Manukyan, Arsen Adamyan, Harutyun Aghlamazyan, Sergey Gharhamanyan, Vardan Zeynalyan, David Mirzoyan, Hayk Gharhamanyan, Sargis Gevorgyan, Areg Gevorgyan, Hayk Aslanyan, Levon Zakaryan.<sup>276</sup>

According to the journalists, during the protest action the residents of nearby buildings poured buckets of water in the direction of the police officials.<sup>277</sup>

*Follow-up:* The apprehended activists were kept in the police department longer than 3 hours as prescribed by law, and a protocol under Article 182 of the RA Code on Administrative Offenses was drawn up against 26 of them. Pursuant to the claims of attorneys of the apprehended activists, the law-enforcers prevented them from providing legal assistance to the activists. They were able to get into the police department only after a 40-minute negotiation.

Months later the activists began receiving notification letters, pursuant to which, claims against them had been submitted to the RA

<sup>274</sup> Clashes in Yerevan, footage <http://www.lragir.am/index/arm/0/right/view/100903>

<sup>275</sup> "Policeman hit me on the head and heart" Footage, <http://www.lragir.am/index/arm/0/right/view/100917>

<sup>276</sup> Apprehended protesters will be fined, <http://www.lragir.am/index/arm/0/country/view/100913>

Names of some of the apprehended are known, there are victims, <http://168.am/2014/06/23/380039.html>  
Police exerted violence against people, 27 are currently in the police department, <http://www.epress.am/2014/06/23/255175.html>

<sup>277</sup> "Against electricity hike" protesters were apprehended and taken to hospital, <http://www.epress.am/2014/06/23/255144.html>

Administrative Court by the police.<sup>278</sup> The RA Administrative Court rejected the police claims against Sargis Gevorgyan, Levon Zakaryan, and Vardan Zeynalyan, by satisfying their counterclaims.<sup>279</sup> The Court satisfied the claims of the police against Harutyun Aghlamazyan, Areg Gevorgyan, Arman Avetisyan by inflicting a fine of 50.000 AMD on them.

The Court of Appeals declined Areg Gevorgyan's appeal, while the Court of Cassation returned it.<sup>280</sup> No ruling has been issued so far over the claim of the police against Arsen Manukyan, however, the Court refused to admit his counterclaim, which was appealed in higher instances, but was again turned down.<sup>281</sup> Over the case of Armen Abroyan the Court decreed to reject both the Police claim and the activist's counterclaim. Moreover, the Court issued a ruling to exact 40.000 AMD from the police in his favor.<sup>282</sup> No information is available regarding the other activists.

In conformity with the report released by "Protection of Rights without Borders" NGO, as a result of coercive actions of the Police, bodily injuries of various severity were inflicted to as many as 30 citizens during the protest. Pursuant to the report, apprehended Sargis Gevorgyan made a phone call from the police department informing he had been hit and dragged to the ground. Reporter of "Chorrord Ishxanutyun" newspaper Ani Gevorgyan also claimed she had been hit by a police official.<sup>283</sup> According to the statement of the Human Rights Defender, the Police had applied excessive force against the protesters.<sup>284</sup> An internal investigation began over the case, but later it was closed. Based on the reports from the citizens and materials prepared at the RA Special Investigation Service a criminal case was

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<sup>278</sup> Summons to dozens of protesters, <http://www.azatutyan.am/content/article/26620737.html>

<sup>279</sup> [www.datalex.am](http://www.datalex.am), Court case N: AC/4487/05/14, Court case N: AC/4400/05/14, Court case N: AC/4486/05/14

<sup>280</sup> [www.datalex.am](http://www.datalex.am), Court case N: AC/4402/05/14, Court case N: AC/4374/05/14

<sup>281</sup> [www.datalex.am](http://www.datalex.am), Court case N: AC/4489/05/14, Court case N: AC/4484/05/14

<sup>282</sup> [www.datalex.am](http://www.datalex.am), Court case N: AC/4485/05/14

<sup>283</sup> 30 citizens got bodily injuries near the PSRC building, <http://www.lragir.am/index/arm/0/right/view/100988#sthash.W98YbjDg.dpuf>

<sup>284</sup> Police to apply excessive force against protesters, HRD, <http://www.azatutyan.am/content/article/25433784.html>

instituted under Article 309.2 of the RA Criminal Code (Exceeding official powers committed by violence and use of weapons).<sup>285</sup> Based on the reports from cameraman Sargis Gevorgyan and reporter Ani Gevorgyan a criminal case was filed under features of Article 164.3.<sup>286</sup> 2 of the filed criminal cases were combined under 1 trial, which was dismissed on December 27, 2014 due to lack of corpus delicti.<sup>287</sup>

Charges under 316.1 of the RA Criminal Code (Violence or threat of violence, not dangerous for life or health, against a representative of authorities or close relatives) were brought against one of the apprehended activists Narek Hakobyan. A police official Karen Saghatelyan is enrolled in the criminal case as a victim, but the latter is no longer in power. Several police officials and activist Harutyun Aghlamazyan were recognized as witnesses over the case. The court had taken a ruling to apprehend the latter without sending a relevant summon about the court hearings.<sup>288</sup> On August 6, 2015 the Court of General Jurisdiction of Kentron and Nork-Marash Administrative Districts found the activists guilty by sentencing them to a 6-month imprisonment. On April 19, 2016 the RA Court of Appeals abrogated the accusatory ruling reached by the Court of General Jurisdiction.<sup>289</sup>

*Related rights:* Right to be free from torture and inhuman or degrading treatment and punishment, Right to life, Freedom of assembly and association, Freedom of speech and expression, Right to liberty and security

## **Case 40. Against dismantling of Afrikyans' Clubhouse Building II**

*Date:* June 24, 2014

*Description:* On June 24 the activists struggling against dismantling of Afrikyans' Clubhouse attempted to enter a piano into the

<sup>285</sup> Preliminary investigation over the incident in Saryan street is still underway, <http://www.panorama.am/am/law/2014/10/10/hakobyan-danielyan/>

<sup>286</sup> Criminal case filed over the cases of obstructing the implementation of journalist's lawful professional duties, <http://www.aravot.am/2014/07/01/476259/>

<sup>287</sup> SIS- agency closing criminal cases, [http://www.chi.am/index.cfm?objectid=64C98400-9B4E-11E4-99CE0EB7C0D21663](http://www.chi.am/index.cfm?objectid=64C98400-9B4E-11E4-99CE0EB7C0D21663http://www.chi.am/index.cfm?objectid=64C98400-9B4E-11E4-99CE0EB7C0D21663)

<sup>288</sup> Activist on defendant's seat, while "victim" policeman left his post, <http://galatv.am/hy/news/104399/>

<sup>289</sup> [www.datalex.am](http://www.datalex.am), Court case N: YKC/0210/01/14

building to have prominent piano player Tigran Hamasyan play there, but the police prevented it, and the mini concert was held in the vicinity of the Afrikyans' Clubhouse building.<sup>290</sup> After the concert clashes took place between the citizens and the protesters. As a sign of protest, the citizens began hitting the metal bars surrounding the building and making noise, while the Police demanded to stop their actions and leave the construction site.<sup>291</sup> Some of the citizens attempted to post a poster on the metal bars, but the police prevented it without any legal grounds and tore off the poster.<sup>292</sup>

*Follow-up:* No other information is available regarding the incident.

*Related rights:* Freedom of assembly and association, Freedom of speech and expression

#### **Case 41. Manure near Vardges Gaspari's house**

*Date:* June 24, 2014

*Description:* Civic activist Vardges Gaspari reported about finding manure in front of his house after staging a protest action with “More abominable and undignified than the most immoral procurers” poster in front of Serzh Sargsyan’s house. The goal of the action was to express his protest over the brutal actions of the police against the participants of the protest against electricity price hike, held on June 23.<sup>293</sup>

*Follow-up:* The activist did not remove the manure from his doorstep, instead, he called Serzh Sargsyan’s Chief of staff Vigen Sargsyan to have it removed, but it was inefficient.

*Related rights:* Freedom of assembly and association, Freedom of speech and expression, Right to be free from discrimination

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<sup>290</sup> Hamasyan for the Afrikyans, <http://civilnet.am/2014/06/24/afrikyanner-building-tigran-hamasyan-piano/#.VVd8LY7tleY>

<sup>291</sup> Supporters of Afrikyans' Clubhouse building are waiting for Court's decree (photos), <http://nyut.am/archives/205384>

<sup>292</sup> The only argument of the Police is “You are not allowed”, footage, <http://www.lragir.am/index/arm/0/videos/view/100989#sthash.8LuOWLkF.dpuf>

<sup>293</sup> Manure in front of Gaspari's house, <http://www.a1plus.am/1326529.html>

## Case 42. "Hraparak" Daily and "ilur.am" website

*Date:* June 26, 2014

*Description:* On June 26, 2014 the Court of General Jurisdiction of Kentron and Nork-Marash Administrative Districts issued an unprecedented ruling by demanding that "Hraparak" Daily and "ilur.am" website should disclose the information source. The ruling was decreed over the incident that occurred between Shirak marz Police Chief Vardan Nadaryan and famous wrestler Artur Aleksanyan.<sup>294</sup>

On May 9, 2014 an article by Syuzan Simaonyan titled "Smoke without fire, or clouds are gathering over the head of the Police Chief" was published in "Hraparak" Daily, whereas, on May 12, another article titled "Shirak Police Chief to attack famous wrestler. The sportsman considers not competing under Armenian flag" was posted on ilur.am.<sup>295</sup> The aforementioned articles contained data, according to which, an incident occurred between Shirak marz Police Chief Vardan Nadaryan and famous wrestler Artur Aleksanyan during which the Police chief exerted violence against the wrestler and his brother.

On May 30 a criminal case over the incident was instituted at the SIS, within the scopes of which, the investigator first referred to the above-mentioned mass media outlets to reveal information sources and later applied to the Court after being refused.

*Follow-up:* "Hraparak" Daily and "ilur.am" website appealed the ruling of the Court of General Jurisdiction in higher instances, but the RA Court of Appeals rejected the claim, while the Court of Cassation did not admit it for trial. The mass media outlets have applied to the European Court of Human Rights.<sup>296</sup>

A criminal case under 353.2 of the RA Criminal Code (Willful failure by officials of organizations to carry out an effective court act in a 1-month term) was instituted at the RA Investigation Committee,

<sup>294</sup> Revelation of information source will be a dangerous precedent for the press, <http://hetq.am/arm/news/55606/texekatvutyany-axbyuri-bacahaytumy-vtangavor-nakhadep-klini-mamulihar.html>

<sup>295</sup> Shirak Police Chief to attack famous wrestler. The sportsman is considering not to compete under Armenian flag, <http://www.ilur.am/news/view/29178.html#sthash.jlywaQyL.dpuf>

<sup>296</sup> "We'll continue fighting": Charges brought against editor of "ilur.am", <http://galatv.am/hy/news/ilur-am/>

where head of “Start Media” LLC (iLur.am) Kristine Khanumyan was enrolled as defendant.<sup>297</sup>

OSCE Representative on Freedom of the Media Dunya Miyatovich expressed concerns regarding the filed criminal case.<sup>298</sup> On July 24, 2015 the RA General Prosecutor’s office disseminated a press release notifying that the instituted criminal case was dismissed.<sup>299</sup>

The media outlets have also turned to the Constitutional Court to dispute the constitutionality of the norms, based on which they demanded disclosure of the information sources.

On October 20, 2015 the Constitutional Court took a ruling in favor of the mass media representatives, by stipulating that “other communications” wording, defined in Article 279 of the RA Criminal Procedure Code, could not serve as a ground to disclose the information source.<sup>300</sup>

*Related rights:* Freedom of speech and expression, freedom of information, Right to fair trial

### **Case 43. “Against hike in electricity rate” protest action II**

*Date:* July 1, 2014

*Description:* On July 1, on the day of issuing the decision on hike of the electricity price “Against hike in electricity rate” initiative staged a protest action near the building of Public Service Regulatory Commission with a demand not to increase the electricity price.<sup>301</sup> The activists wanted to partake in the Commission’s session, but the Police prevented it. Yerevan Police Chief Valeri Osipyan stated that the seats inside were limited, and everyone could not get in. He promised to negotiate for 5 activists to get in.<sup>302</sup> Later V. Osipyan notified that 2 citizens could participate in the session on shift. Although the majority

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<sup>297</sup> “ We’ll continue fighting”: Charges brought against editor of “iLur.am”, <http://galatv.am/hy/news/ilur-am/>

<sup>298</sup> OSCE Representative is concerned over the criminal case filed against editor of “iLur.am”, <http://www.azatutyun.am/archive/news/20150716/2031/2031.html?id=27132044>

<sup>299</sup> The criminal case instituted against editor of “iLur.am” Kristine Khanumyan was closed, <http://www.aravot.am/2015/07/24/595908/>

<sup>300</sup> Constitutional Court decreed in favor of journalists: the cases of “Hraparak” Daily and “iLur.am” website are subject to revision, <http://www.aravot.am/2015/10/20/620489/>

<sup>301</sup> Protest launched at Saryan 22: people demand unblocking the road, <http://www.a1plus.am/1326842.html>

<sup>302</sup> Cancellation demanded, they threaten to get all in, <http://www.aravot.am/2014/07/01/475951/>

of the citizens did not consent, 2 citizens got in.<sup>303</sup> Vaghinak Shushanyan stated during the session, “I, being a student and supporter of my disabled mother and sister, refuse to pay that money, I’d go for a terroristic act if needed”.

The protesters outside demanded that commission’s session stop in 5 minutes, or let them get in. As a sign of protest the activists sat on the ground blocking Saryan Street, as a response, the police began forcefully removing them from the street.<sup>304</sup> No one on that day was apprehended by the order of V. Osipyanyan.<sup>305</sup>

*Follow-up:* On July 7, 2014 Vaghinak Shushanyan was summoned to the SIS through a phone call. The latter refused to appear without a notification letter, to which the lieutenant colonel, who was speaking to him, answered, “If you want a notification letter, you’ll then have it”. After receiving a notification letter, he appeared before the SIS in the company of his mother and HRD representative, where they advised him to think ahead before making such statements next time.<sup>306</sup>

*Related rights:* Freedom of assembly and association, Freedom of speech and expression, Right to participate in decision making

#### **Case 44. Activist Vilen Gabrielyan II**

*Date:* July 18, 2014

*Description:* During the speech of Artur Baghdasaryan at the rally against the electricity price hike convened by RLP, civil rights activist Vilen Gabrielyan pasted a “AkhK” poster on the rostrum, which was immediately torn off by RLP Deputy Chair Heghine Bisharyan. The police forced the activist into their car and took him away.<sup>307</sup>

*Follow-up:* Later the activist told that he had not been apprehended, the police officials consulted in the car, and released him.

<sup>303</sup> 5 minutes given to Robert Nazaryan: threats before the commission’s building, <http://www.aravot.am/2014/07/01/475988/>

<sup>304</sup> Red-berets forcefully remove people from streets, <http://www.a1plus.am/1326888.html>  
Police officials “help” to cross the street, <http://www.a1plus.am/1326900.html>

<sup>305</sup> “Public Service Regulatory Commission was ordered to act a button role”, <http://www.aravot.am/2014/07/01/476163/>

<sup>306</sup> “I am against” member Vaghinak Shushanyan appeared before the SIS, he was warned to think before speaking, <http://168.am/2014/07/25/391204.html>

<sup>307</sup> “...Because that man is AKhK”: Boat shaker about pasting the poster, <http://galatv.am/hy/news/rovhetew-ayd-mardy-e-avak-otwoghy-pastary-pakcnelu-masin/>

*Related rights:* Freedom of speech and expression

### **Case 45. Journalist Gevorg Khachatryan**

*Date:* August 15, 2014

*Description:* According to the report by hrparak.am, journalist of “Kentron” TV agency was brutally beaten by the relatives of businessman, MP Gagik Tsarukyan.

*Follow-up:* The journalist was dismissed from his job and chose not to speak of the incident. According to his friends, the cause of the beating was “speaking in the address of Tsarukyan”. Later Gevorg Khachatryan called the editorial office of hrparak.am and attempted to deny the occurrence.<sup>308</sup> Hraparak.am received a notification letter from the RA Yerevan Police Department demanding submission of all their materials regarding the report on crime.<sup>309</sup>

*Related rights:* Right to be free from torture and inhuman or degrading treatment and punishment, Right to life, Freedom of speech and expression, Freedom of information

### **Case 46. Human rights activist Zhanna Aleksanyan**

*Date:* August 22, 2014

*Description:* On July 21, 2014 human rights activist and journalist Zhanna Aleksanyan published an article in “For rights” online periodical, where she cited the words of Ruben Baloyan, attorney of aggrieved party over the case of actor Vardan Petrosyan, addressed to Vardan Petrosyan’s attorney Nikolay Baghdasaryan in the court yard, “Hey, I am talking to you as a man and not an attorney.” Later, upon Ruben Baloyan’s request Zhanna Aleksanyan published another article titled “Ruben Baloyan demands a denial” in the same periodical. On August 22 Ruben Baloyan instituted a claim to the Court of General Jurisdiction of Kentron and Nork-Marash Administrative Districts with

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<sup>308</sup> Journalist was brutally beaten by Tsarukyan’s punitive brigade, <http://hrparak.am/?p=60735&l=am/lragroxy+dagan+ceci+e+entarkvel+carukyanakan+patgich+brigadi+koxmic>

<sup>309</sup> Police to demand submission of materials confirming the news of beating “Kentron” journalist: “Hraparak”, <http://www.aravot.am/2014/08/29/492378/>

a demand to oblige Zhanna Aleksanyan to publicly deny the information contained in the aforementioned article.<sup>310</sup>

*Follow-up:* In September 2015 the Court rejected Ruben Baloyan's claim. The appeal against the ruling was declined.<sup>311</sup>

*Related rights:* Freedom of speech and expression, Freedom of information

### **Case 47. Journalist Marine Khachatryan**

*Date:* September 9, 2014

*Description:* "Counterblow" art group posted a "Hello Rob!" poster on the fence of the National Assembly to remind that 13 years ago, at "Aragast" café, citizen of Georgia Poghos Poghosyan was beaten to death by the security of then president Robert Kocharyan for saying, "Hello Rob!". Although the poster remained on the fence only 5 minutes, since Head of the National Assembly Security Service Karen Hayrapetyan tore it off. The latter also spoke disrespectfully with the journalists elucidating the action and threw down the recording device of "A1+" journalist Marine Khachatryan by obstructing her work.<sup>312</sup>

*Follow-up:* A number of journalism organizations came up with a statement condemning the actions of Head of the National Assembly Security Service Karen Hayrapetyan's demanding his punishment.<sup>313</sup> Pursuant to the statement of the RA General Prosecutor's Office issued on September 12, the press releases regarding the incident were sent to the SIS by the order of the RA Prosecutor General Gevorg Kostanyan to have it filed in the order prescribed by the RA Criminal Procedure Code.<sup>314</sup> Eventually, the SIS took a decision to reject filing of the criminal case due to "lack of corpus delicti".<sup>315</sup> On August 31, 2015 the RA Court of General Jurisdiction of Arabkir and

<sup>310</sup> Advocate versus human rights activist, <http://www.azatutyun.am/content/article/26594932.html>

<sup>311</sup> [www.datalex.am](http://www.datalex.am), Court case N: YKC/3536/02/14

<sup>312</sup> "Hello Rob!": Violence against "A1+" journalist (video), <http://www.a1plus.am/1336551.html>

<sup>313</sup> Statement of journalism organizations regarding the fact of physical violence exerted against "A1+" journalist, <http://www.aravot.am/2014/09/11/496280/>

<sup>314</sup> SIS will consider the incident between the NA Security Head and journalist, <http://www.aravot.am/2014/09/12/496640/>

<sup>315</sup> No criminal case filed against SIS lieutenant colonel, who exerted violence against the journalist, <http://hetq.am/arm/news/56609/ragroxi-nkatmamb-brnutyun-gortsadrats-aats-pokhgndapeti-dem-gorts-chharucvec.html/>

Qanaqer-Zeytun Administrative Districts declined Marine Khachatryan's appeal against the ruling taken by the SIS.<sup>316</sup> The decree was appealed. The RA Court of Appeals refused the appeal, while the RA Court of Cassation did not take it into trial.<sup>317</sup>

*Related rights:* Freedom of information, Right to speech and expression, Right to property, Right to fair trial

### **Case 48. Journalist Taguhi Hovhannisyan**

*Date:* September 19, 2014

*Description:* On September 19, 2014 during the elucidation of "Armenia-Diaspora" Conference activities held in the building of Yerevan National Academic Theatre of Opera and Ballet named after Alexander Spendiaryan, Chairman of "Nairi" Association in the Armenian Community in Kazakhstan Artyusha Karapetyan impeded the implementation of journalist Taguhi Hovhannisyan's work from "Haykakan Zhamanak" daily by snatching her recorder and deleting the video recording on his action from her phone after being asked a question.<sup>318</sup>

*Follow-up:* Regarding the incident a criminal case was instituted in Kentron Investigation Division of the RA Investigation Committee Yerevan City Investigation Department under Article 164.1 of the RA Criminal Code (Hindrance to the professional activities of a journalist). On March 13, 2015, within the framework of Minsk Convention on Mutual Legal Assistance the RA Investigation Committee submitted an investigation demand to the General Prosecutor's Office of Kazakhstan over the case. However, the preliminary investigation of the criminal case was suspended until a reply on the aforementioned demand was received from the Prosecutor's Office of Kazakhstan.<sup>319</sup>

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<sup>316</sup> "A1+" journalist will submit an appeal, <http://www.a1plus.am/1402790.html>

<sup>317</sup> Discriminative attitude towards journalists exists, the appeal of "A1+" journalist was declined, <http://www.a1plus.am/1420086.html>

Court of Cassation rejected, <http://www.a1plus.am/1446289.html>

<sup>318</sup> Criminal case filed over the fact of hindering the professional duties of "Haykakan Zhamanak" daily journalist, <http://www.aravot.am/2014/10/08/504432/>

<sup>319</sup> Cases of violence against journalists have grown more rigorous, systematic and targeted, <http://hetq.am/arm/news/62672/ragroxneri-nkatmamb-brnutyan-depqery-dardzel-en-aravel-kosht-hamakargvats-ev-npatakauxxvats.html>

*Related rights:* Freedom of information, Right to speech and expression, Right to property, Right to fair trial

### **Case 49. Activist Vardan Harutyunyan**

*Date:* September 25, 2014

*Description:* After the protest action against the bill on turnover tax staged by the entrepreneurs in front of the Government building, protest participant Vardan Harutyunyan, who was also among the organizers of “mousetrap placing” action near the Government building, was apprehended by individuals dressed in civilian clothing.<sup>320</sup>

*Follow-up:* In the police department Vardan Harutyunyan was accused of hooliganism during the protest action held on September 23 near the Government building, namely of kicking the police official on buttocks and whispering a swear word of sexual nature, but the activist denied it claiming he had not even participated in it. He was asked in the police department if placing a mousetrap was somehow linked to Hovik Abrahamyan, to which the activist replied, “Well, if Hovik Abrahamyan is a mouse, then it is so. A mousetrap is meant for mice.”<sup>321</sup>

*Related rights:* Right to liberty and security, Freedom of assembly and association

### **Case 50. “Out of our pocket” initiative protest action III**

*Date:* October 2, 2014

*Description:* “Out of our pocket” initiative struggling against red lines was prevented from staging a disobedience motorcade towards the National Assembly building by the Police, headed by Yerevan Police Department Chief Karen Movsisyan.<sup>322</sup> The citizens held a march after which some of the protesters drove to Radio House, but the Police clogged their way near the Municipality by allowing to continue their

<sup>320</sup> Congress activist Vardan Harutyunyan was apprehended by people in civilian clothing,

<http://www.ilur.am/news/view/35372.html#sthash.0czDz1ng.dpuf>

<sup>321</sup> Officials from the police department inquired whether placing a mousetrap was connected with Hovik Abrahamyan, “Hraparak”, <http://www.aravot.am/2014/09/26/500517/>

<sup>322</sup> The Police blocked the motorcade road of “Out of our pocket” in Proshyan street, <http://news.am/arm/news/231958.html>

way one by one, but when march participant Zaven Hovhannisyan also attempted to pass, his car was taken to the penalty area.<sup>323</sup>

*Follow-up:* After being kept in the penalty area for some time, Zaven Hovhannisyan was allowed to take his car back.

*Related rights:* Freedom of assembly and association, Right to freedom of movement

### **Case 51. Activist Artak Gevorgyan**

*Date:* October 12, 2014

*Description:* On October 12, two police officials approached “Counterblow” group activist Artak Gevorgyan while the latter was watching the street exhibition of photojournalist Narek Aleksanyan (photos with images of police violence against the protesters were among the exhibited photos), and demanded the documents of his motorcycle. Later 3 patrol service cars approached and several red berets, who asked him a few exhibition related questions to which the activist did not reply, forced him into the car by twisting his hands and carted to the police department, where he was not allowed to call the HRD office.<sup>324</sup>

*Follow-up:* The activist was released in 3 hours.

*Related rights:* Right to be free from torture and inhuman or degrading treatment and punishment, Right to liberty and security, Right to fair trial

### **Case 52. Parents of deceased soldiers I**

*Date:* October 23, 2014

*Description:* Parents of 5 soldiers, who died in the army during non war conditions, held a march from the RA Government building towards the RA Presidential Palace, thereby attempting to draw the attention of officials to the murders of their sons. The police officials blocked their way near the Presidential Palace and ordered not to walk on the sidewalk of Baghramyan 26 Street. After it the protesters

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<sup>323</sup> Police prevented the action of “Out of our pocket” initiative, <http://www.lragir.am/index/arm/0/country/view/104825#sthash.NrEYt3N.dpuf>

<sup>324</sup> The activist lay down as a sign of protest in the police department, <http://www.aravot.am/2014/10/13/505934/>

attempted to bypass the police officials through the carriageway, but the latter brought the demonstrators back to the sidewalk by hauling and pushing. Near the entrance to the Presidential Palace one of the parents tried approaching to the gates, but the police officials pushed and dragged her away.<sup>325</sup>

*Follow-up:* No other information regarding the incident is available

*Related rights:* Right to be free from torture and inhuman or degrading treatment and punishment, Freedom of assembly and association, Right to freedom of movement

### **Case 53. Protest on "Anonymous' Annual March" day**

*Date:* November 5, 2014

*Description:* A group of citizens staged a protest action on "Anonymous' Annual March" day in Liberty square demanding the release of Shant Harutyunyan and friends who were detained on the same day the previous year. With Guy Fawkes masks on and a poster with political prisoner Shant Harutyunyan's image, the demonstrators stood in the pedestrian section of the road, when the police officials approached and asked them to push off from the road without presenting any explanation.<sup>326</sup> Sometime later 8 citizens, among them Suren Sahakyan, Vahagn Minasyan, Max Sargsyan, Tigran Parsilyan, Artak Gevorgyan, Ara Petrosyan, Herbert Gevorgyan, and Dvin Isanyans, were apprehended from Baghramyán 1 through hauling, pushing and hand twisting.<sup>327</sup>

*Follow-up:* After drawing up protocols the apprehended activists were released.

*Related rights:* Right to liberty and security, Right to be free from torture and inhuman or degrading treatment and punishment, Freedom of assembly and association, Right to freedom of movement

<sup>325</sup> Police thrust the parents of deceased soldiers in front of the Presidential Residence, [http://www.epress.am/2014/10/23/258948.html?utm\\_source=feedburner&utm\\_medium=feed&utm\\_campaign=Feed%3A+EpressNewsAM+%28Epress.am+Lnnpnlpjnlúhp%29](http://www.epress.am/2014/10/23/258948.html?utm_source=feedburner&utm_medium=feed&utm_campaign=Feed%3A+EpressNewsAM+%28Epress.am+Lnnpnlpjnlúhp%29)

<sup>326</sup> The apprehended reveals about the "a set of violence", <http://www.aravot.am/2014/11/05/513136/>

<sup>327</sup> 8 citizens were apprehended from Liberty Square (updated), <http://civilnet.am/2014/11/05/eight-protesters-detained-anonymous/#.VeNUYSXtmko>

**Case 54. "I am against" initiative action IV**

*Date:* November 12, 2014

*Description:* On November 12, the members of "I am against" initiative staged an action in the park opposite the Ministry of Finance demanding following Hovik Abrahamyan's recommendation and dismiss the system of mandatory funded pension for lecturers combining work in higher educational institutions.<sup>328</sup> The initiative members wanted to hand in a letter to the Minister, but the police officials, who had formed a wall, prevented them from getting to the Ministry side of the street. However, the activists, who managed to bypass the police wall and approach the ministry building, were removed by force and hurling.<sup>329</sup>

*Follow-up:* Based on the alerts by the activists, representatives from Human Rights Defender's Office visited the protest site, who claimed that the obstruction of the police to approach the Ministry building was not a legal claim.<sup>330</sup>

*Related rights:* Freedom of assembly and association, Right to freedom of movement, Right to be free from torture and inhuman or degrading treatment and punishment

**Case 55. Parents of deceased soldiers II**

*Date:* November 12, 2014

*Description:* The parents of soldiers, who died in the army during non war conditions, staged an action in front of the RA Presidential Palace. The parents went out to the carriageway of Baghramyan Avenue clogging the road, since no one from the Presidential residence approached them in spite of promises. The Police hauled them back to the pavement during which the health condition of Gohar Sargsyan and Heriqnaz Muradyan aggravated, and Ambulance was called for.

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<sup>328</sup> "I am against" attempts to silence the Police, action, <http://www.a1plus.am/1348982.html>

<sup>329</sup> Police to surround the area, citizens are prevented from drinking water (photos), <http://www.aravot.am/2014/11/12/515051/>

<sup>330</sup> Activists claim, obstruction to approach the Ministry building is illegal, <http://www.aravot.am/2014/11/12/515055/>

The parents of deceased servicemen again attempted to block the road, but the police returned them to the pavement.<sup>331</sup>

*Follow-up:* No other data regarding the incident are available

*Related rights:* Right to be free from torture and inhuman or degrading treatment and punishment, Right to life, Freedom of assembly and association, Right to freedom of movement

### **Case 56. Action in front of the Constitutional Court**

*Date:* November 14, 2014

*Description:* While the RA Constitutional Court was examining the compliance of commitments stipulated in the contract on accession of the Republic of Armenia into the Eurasian Economic Union treaty of May 29, 2014, concluded in Minsk on October 10, 2014, with the RA Constitution, a group of citizens were staging a protest action in front of the Court demanding recognition of the treaty as unconstitutional. The police officials prevented the action participants from standing in front of the Constitutional Court. They pushed the demonstrators and forcefully hauled them to the opposite side of Baghramyan Avenue.<sup>332</sup> As a result of Police actions, a girl fainted and medical aid was provided. The Police officials also pushed one of the parents of deceased serviceman Hovsep Muradyan to the ground, who was meantime holding another protest.<sup>333</sup>

*Follow-up:* According to the statement disseminated by the Police, an internal investigation was appointed by Yerevan Police Department Chief Ashot Karapetyan in order to clarify the incident circumstances. As a result, a reprimand was announced to Lieutenant-Colonel Ara Sargsyan, deputy head of public order security of the Yerevan department of the RA Police.<sup>334</sup>

<sup>331</sup> Scuffles and Ambulance in Front of Presidential Palace; Parents of Dead Soldiers Protest, [http://www.epress.am/2014/11/12/քաղաքային-ընդհարման-ուխարժուհի.html?utm\\_source=feedburner&utm\\_medium=feed&utm\\_campaign=Feed%3A+EpressNewsA+M+%28Epress.am+Երևանի+քաղաքային+պարզամտներ%29](http://www.epress.am/2014/11/12/քաղաքային-ընդհարման-ուխարժուհի.html?utm_source=feedburner&utm_medium=feed&utm_campaign=Feed%3A+EpressNewsA+M+%28Epress.am+Երևանի+քաղաքային+պարզամտներ%29)

<sup>332</sup> Protest action accompanied with scuffles, CC's expected ruling, and ... struggle will continue, <http://armtimes.com/hy/read/56296>

<sup>333</sup> Situation near the Constitutional Court is tense: the activist fainted, <http://news.am/arm/news/239196.html>

<sup>334</sup> The statement of the RA Police: Internal investigation appointed, <http://www.lragir.am/index/arm/0/country/view/106653#sthash.jQTCFC6E.dpuf>

*Related rights:* Right to be free from torture and inhuman or degrading treatment and punishment, Right to life, Freedom of assembly and association, Right to freedom of movement

### **Case 57. Journalist Gagik Shamshyan**

*Date:* November 25, 2014

*Description:* Before the funeral of deceased pilots of Armenian MI-24 helicopter in Yerablur pantheon, the journalists began video recording the photos of the deceased soldiers, but some lieutenant colonel told them harshly not to shoot, and began a dispute with Gagik Shamshyan and other journalists by shouting, “You, go away, don’t you have anything sacred? Leave or else I’ll clout you, I tell you not to shoot. Kyrgyz, you are a Kyrgyz.”<sup>335</sup>

*Follow-up:* Gagik Shamshyan told Ararvot.am that the lieutenant colonel had apologized to him.

*Related rights:* Freedom of information, Right to be free from torture and inhuman or degrading treatment and punishment, Right to be free from discrimination

### **Case 58. “Zhoghovurd” daily and “armlur.am” website**

*Date:* November 25, 2014

*Description:* On November 25 the Court of General Jurisdiction of Kentron and Nork-Marash Administrative Districts decreed that the article titled “Business elite bacilli” published in “Zhoghovurd” daily and “armlur.am” website by journalist Sona Grigoryan in December, 2012 contained data defaming businessman Khachik Khachatryan’s honor, dignity as well as business reputation, and obliged to publish a denial and pay over 2 million AMD as compensation.<sup>336</sup> The article contained information, pursuant to which, “Yerevan poultry farm” owned by Khachik Khachatryan sold expired eggs.<sup>337</sup>

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Reprimand to a police official after the scuffles and dragging of activists near the Constitutional Court, <http://armtimes.com/hy/read/56508>

<sup>335</sup> The lieutenant colonel to the journalist, “You’ll get clouted, hey you Kyrgyz” (Video), <http://www.aravot.am/2014/11/25/519056/>

<sup>336</sup> [www.datalex.am](http://www.datalex.am), Court case N: YKC /0062/02/13

<sup>337</sup> Bank accounts of “Zhoghovurd” Daily are under arrestment because of businessman Khachik Khachatryan, <http://168.am/2015/06/26/507832.html>

*Follow-up:* “Zhoghovurd” Daily’s editorial house considered the ruling of the Court of First Instance as illegal and ungrounded aiming to obstruct the stable functioning of the mass media, while the amount of compensation as disproportionate with the newspaper’s revenues.

The mass media submitted an appeal against the aforementioned ruling, which was twice declined, and only the third time it was taken into trial in September 2015. In March 2016 the RA Court of Appeals rescinded the ruling of the Court of First Instance and sent the case to the same court for new trial. Khachik Khachatryan appealed the decree of the RA Court of Appeals, but the RA Court of Cassation did not admit the appeal for examination. The first decree of the Court of Appeals on returning the claim was also appealed to the Court of Cassation, but the claim was left without trial.

By the way, on June 24, 2015 the bank accounts of “Zhoghovurd” Daily were under arrestment. This fact and imposing a disproportionately great sum of fine on the newspaper was condemned by a number of mass media outlets.<sup>338</sup>

*Related rights:* Freedom of information, Freedom of speech and expression, Right to fair trial

### **Case 59. Gayane Arustamyan and Armen Hovhannisyan**

*Date:* December 1, 2014

*Description:* On December 1 during a meeting with a number of NGOs, political party representatives and independent citizens in the ACNIS office an incident occurred between journalist, activist Gayane Arustamyan and Armen Hovhannisyan, member of Hayazn Nationalist political party administration.

*Follow-up:* Pursuant to the statement disseminated by a group of activists and organizations, Armen Hovhannisyan posed a threat of sexual abuse, whispered swear words in the address of Gayane Arustamyan and then assaulted her after she had suggested participating in the action with EU flag.

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<sup>338</sup> Statement by the heads of Armenian printed press, <http://www.lragir.am/index/arm/0/right/view/117578>

Gayane Arustamyan took up self-defense, while Armen Hovhannisyanyan and his partisans were forced out of the area.<sup>339</sup>

The administration of Hayazn party disseminated a response statement, which had it that, “After the comprehensive study of the incident, the administration of Hayazn party declares that the statement about the incident with the participation of the party member Armen Hovhannisyanyan does not comply with reality. Namely, the dispute was initiated not due to the EU but the LGBT flag, which was followed by insults from Arustamyan. Later Gayane Arustamyan herself subjected Armen Hovhannisyanyan to physical abuse.”<sup>340</sup> Coordinator of “Civil National Initiative” NGO Hrayr Manukyan and Chairman of “Civil Consciousness” NGO Narek Samsonyan, who were the organizers of the aforementioned meeting, also issued a statement, where they mentioned that the dispute was related to appearing in the upcoming protest against the accession into the Eurasian Economic Union with LGBT flag, mutual swear words were said, and it was not Armen Hovhannisyanyan who attacked Gayane Arustamyan, but it was the latter, who hit him several times. They also highlighted that none of the persons, who undersigned the statement over the attack against Gayane Arustamyan, were present at December 1 incident, except for Gayane Arustamyan herself.<sup>341</sup> The latter qualified the statement above as “blurred and a total demagoguery” informing that she had initially stated she wanted to attend the rally with the EU flag, but after the aggressive response from Armen Hovhannisyanyan she added she could take not only the EU or any other flag, including also the LGBT flag, with her as a sign of diversity. She also told about slapping Armen Hovhannisyanyan after the street profanities used in her address.<sup>342</sup> In a talk with Aravot.am Armen Hovhannisyanyan did not mention what actually caused the dispute, but he denied attacking the journalist and said he did not intend to exert violence against her. Whereas, he qualified the persons,

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<sup>339</sup> Statement regarding the assault against Gayane Arustamyan ,

<http://www.lragir.am/index/arm/0/country/view/107653#sthash.fe2xPjTt.dpuf>

<sup>340</sup> Activist wanted to raise the flag of the minorities, Hayazn, <http://www.a1plus.am/1354860.html>

<sup>341</sup> Statement regarding the “assault” against Gayane Arustamyan, <http://www.aravot.am/2014/12/09/523131/>

<sup>342</sup> “I slapped Armen Hovhannisyanyan for street profanities”, Gayane Arustamyan, <http://www.aravot.am/2014/12/09/523447/>

who undersigned the statement, as a “bandit group that defends its member irrespective of the latter’s guilt.”<sup>343</sup> Hayazn party issued a statement informing they were preparing a slander claim against Gayane Arustamyan and those, who undersigned the statement.<sup>344</sup>

*Related rights:* Right to be free from discrimination, Right to be free from torture and inhuman or degrading treatment and punishment

### **Case 60. Action near the National Assembly Entrance**

*Date:* December 2, 2014

*Description:* Opposite the National Assembly entrance the citizens holding posters with “No to enforced USSR Customs Union” note urged NA entering deputies to vote against the treaty on accession into the RA Eurasian Economic Union. When one of the activists told RPA deputy Vazgen Karakhanyan, “If you vote for, it will mean you are a traitor”, the deputy replied, “I would slap you so badly. Do you know how I struggled during Soviet years?”<sup>345</sup>

*Follow-up:* No additional information is available regarding the incident

*Related rights:* Freedom of speech and expression, Right to be free from torture and inhuman or degrading treatment and punishment

### **Case 61. Journalist, activist Gayane Arustamyan**

*Date:* December 4, 2014

*Description:* On December 4 near the NA entrance from Demirchyan street a protest action was held against accession into the EEC. Protest participant Gayane Arustamyan told Samvel Aleksanyan, who was entering the NA building, “Lfik, shame on you” to which the deputy replied, “Hey you stupid. I’ll get to you and have your head off, you sheep.”<sup>346</sup>

<sup>343</sup> “Gang discipline matter more for the journalist, we deal with a bandit group,” Armen Hovhannisyanyan, <http://www.aravot.am/2014/12/09/523451/>

<sup>344</sup> Lawyers of Hayazn are preparing a slander claim against Gayane Arustamyan and other undersigned, <http://www.aravot.am/2014/12/09/523295/>

<sup>345</sup> RPA deputy to the activist, “I would slap you so” (video), <http://www.aravot.am/2014/12/02/520993/>

<sup>346</sup> Samvel Aleksanyan to the protester, “Hey you stupid. I’ll get to you and have your head off, you sheep” (video), <http://www.aravot.am/2014/12/04/521830/>

*Follow-up:* No additional information is available regarding the incident

*Related rights:* Freedom of speech and expression, Right to be free from torture and inhuman or degrading treatment and punishment

### **Case 62. "Against state terrorism" rally**

*Date:* December 15, 2014

*Description:* 70 citizens staged a rally initiated by artist Ara Petrosyan which aimed to condemn the attacks on HAK faction deputy Aram Manukyan and 3 veterans back in the beginning of December. According to rally's scheduled route, protesters were supposed to hold a protest in front of the Police building first, and then walk toward the Presidential Palace. However, around 50 police officers stood on the sidewalk of Nalbandyan Street near the police building keeping protesters away from for around 2 hours without any explanation.<sup>347</sup> In response to the journalist's phonecall, public relations department staffer Armen Malkhasyan asked to "call back in 15 minutes", but later did not answer the calls.

*Follow-up:* One of the police officials explained to the representative from the Human Rights Defender's office that they were not letting the protesters close up to the police building because they felt an "aggressive attitude."

*Related rights:* Freedom of assembly and association, Freedom of speech and expression, Right to freedom of movement

### **Case 63. Activist Vaghinak Shushanyan**

*Date:* December 20, 2014

*Description:* Two young men subjected Vaghinak Shushanyan to drubbing during a protest action held opposite the Government building on December 19, where while addressing the cases of beating HAK faction deputy Aram Manukyan and the veterans as well as the scandalous statements by Levon Yerosyan, the he stated, "I also fuck

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<sup>347</sup> Protest Against State Terrorism Interrupted: Police Noticed "Aggression", <http://www.epress.am/2014/12/15/261017.html>

his president, mother, father and even more.” As a result of beating, the activist’s lips were ripped, while his head was swollen.<sup>348</sup>

*Follow-up:* Over the incident Vaghinak Shushanyan applied to the Central department of the police and an investigation was launched. The medical forensic examination detected traces of hematoma in the upper section of the skull.<sup>349</sup> A criminal case was instituted over the case, but it was dismissed due to failure to find the perpetrators. “Parking City” company that had cameras placed on site did not provide the recordings of the incident linking it (at around 19:30) with a power cut and failure of cameras to fix the occurrence. “Electric Networks of Armenia” company confirmed the fact, while Vaghinak Shushanyan declared there was normal power functioning, and therefore no problems with electricity could be recorded.<sup>350</sup>

*Related rights:* Right to be free from torture and inhuman or degrading treatment and punishment, Right to fair trial

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<sup>348</sup> Was beaten and told, “Was it you, who swore at the president, you cub, get it now”, <http://www.aravot.am/2014/12/22/527387/>

<sup>349</sup> I will claim that a criminal case be filed, Vaghinak Shushanyan, <http://armtimes.com/hy/read/57783>

<sup>350</sup> Suing the police is under discussion , <http://www.aravot.am/2015/03/24/554140/>

## Cases in 2015

### Case 1. Journalist Ani Gevorgyan

*Date:* January 1, 2015

*Description:* On the night of New Year 2 Canon cameras belonging to journalist Ani Gevorgyan and “Chorrord Ishkhanutyun” editorial office, and a computer containing archives and working materials, electronic storage devices and a netbook belonging to newline.am cameraman Ani Gevorgyan’s brother Sargis Gevorgyan were stolen from her apartment. Ani Gevorgyan reports that the burglars also opened other drawers, but they only took data containing devices, which, according to the journalist, was a targeted burglary.<sup>351</sup>

*Follow-up:* They applied to the police regarding the case, and a criminal case was instituted.<sup>352</sup> The proceedings of the criminal case were closed on March 31, 2015, but in April of the same year it was resumed.<sup>353</sup>

*Related rights:* Right to property

### Case 2. Protest action near the RF Embassy

*Date:* January 15, 2015

*Description:* A protest action was staged near the RF Embassy in Gyumri with a demand to hand over Valery Permyakov to the Armenian side, who was accused in the murder of the Avetisyan family on January 12, 2015 in Gyumri. When one of the protesters attempted to burn the Russian Federation flag, the police officials circled them all by preventing from approaching the embassy building. The policemen were shoving the demonstrators. Moreover, Tigran Khzmalyan and

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<sup>351</sup> Theft from the journalist’s apartment, <http://hetq.am/arm/news/57999/lragroxi-bnakaranic-goxutyun-en-katarel.html>

<sup>352</sup> Criminal case filed over the fact of theft from the journalist’s apartment , <https://hetq.am/arm/news/58003/lragroxi-bnakaranic-katarvats-goxutyun-pastov-harucvel-e-qreakan-gorts.html>

<sup>353</sup> The case trial was resumed, <http://www.chi.am/index.cfm?objectid=0FE5BA90-E45E-11E4-83280EB7C0D21663>

Artsrun Nshanyan were apprehended after they had attempted to break through the police wall.<sup>354</sup>

*Follow-up:* A protocol was drawn up against the apprehended activists under Article 182 of the RA Code on Administrative Offenses. The police filed claims against them to the RA Administrative Court. On March 10, 2016 the RA Administrative Court imposed a fine of 50.000 AMD on Artsrun Nshanyan, the ruling was appealed. On May 12, 2016 the RA Administrative Court rejected the claim against Tigran Khzmalyan.<sup>355</sup>

*Related rights:* Freedom of assembly and association, Right to freedom and security, Right to freedom of movement

### **Case 3. Protest action near the RA General Prosecutor's Office**

*Date:* January 15, 2015

*Description:* The activists, who were staging a protest action near the RF Embassy with a demand to hand over Valery Permyakov, perpetrator of the slaughter of the Avetisyan family on January 12, in Gyumri, to the Armenian side, continued their demonstration near the RA General Prosecutor's Office, where the police officials formed a circle preventing protesters from getting to the Prosecutor's Office sidewalk. Argishti Kiviryan and another activist were apprehended after trying to break through the police wall.<sup>356</sup>

*Follow-up:* The police filed a claim against Argishti Kiviryan at the RA Administrative Court to subject him to liability under Article 182 of the RA Code on Administrative Offenses. The activist submitted a counterclaim with a demand to recognize the actions of the police unlawful. Through the April 14, 2016 ruling the RA Administrative Court suspended the trial of the case until the RA Constitutional Court decreed over the case of determining the compliance of Article 182 of the RA Code on Administrative Offenses with the RA Constitution

<sup>354</sup> 3 participants of the protest action near the RF Embassy were apprehended , <http://www.azatutyun.am/content/article/26795699.html>

<sup>355</sup> [www.datalex.am](http://www.datalex.am) ,Court case N: AC/0770/05/15, Court case N: AC/0769/05/15

<sup>356</sup> Argishti Kiviryan was apprehended from the RA General Prosecutor's Office, <http://news.am/arm/news/247925.html>

based on the application of Kim Minasyan, Lusine Harutyunyan and Vardges Gaspari.<sup>357</sup>

*Related rights:* Freedom of assembly and association, Right to freedom and security, Right to freedom of movement

#### **Case 4. Protest action in Gyumri**

Date: January 15, 2015

Description: The citizens were gathered near the Prosecutor's office in Shirak Marz with a demand to hand over Valery Permyakov to the Armenian side, who was accused in the gruesome murder of the Avetisyan family on January 12 in Gyumri. The protest participants marched from the Prosecutor's office towards the RF Embassy, but the police formed a circle at a distance of 200 meters from the embassy and prevented them from approaching the embassy building. Clashes broke out between the police and protesters during which some of the citizens began throwing stones at the police officials, while the latter applied stun grenades and batons against them.<sup>358</sup> As a result of clashes 33 individuals turned to medical establishments, 23 of which were police officials.<sup>359</sup> 21 citizens (including journalist Tehmine Yenokyan) were apprehended, a protocol on administrative offenses was drawn up against 19 of them.<sup>360</sup> According to Deputy Chief of the RA Police Samvel Hovhannisyan, the apprehended protesters were released in a defined term, but Tehmine Yenokyan informed that the citizens apprehended with her were kept more than three hours. She also notified that the police official breached her right to carry out professional and legal obligations by urging to turn the camera off.<sup>361</sup>

Follow-up: A criminal case was instituted over the incident under the features of articles on hooliganism and exerting violence

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<sup>357</sup> [www.datalex.am](http://www.datalex.am), Criminal Case N: AC/0768/05/15

<sup>358</sup> The Police did their best to get police officials injured, <http://www.aravot.am/2015/01/16/532784/>  
In Gyumri and around Gyumri: updated news, <http://civilnet.am/2015/01/15/gyumri-murder/#.Vs1ZC32LRMw>

<sup>359</sup> 33 individuals turned to Gyumri hospital, 10 of them citizens and 23 police officials, <http://analitik.am/news/view/30757#sthash.e2SVXSV4.dpuf>

<sup>360</sup> Deputy Chief of the RA Police about apprehended and injured individuals, and entering of additional forces into Gyumri, <http://www.aravot.am/2015/01/16/532994/>  
Police's unpunished violence in Gyumri, the victims reveal, <http://168.am/2015/01/24/448427.html>

<sup>361</sup> "Are you coming or do you want to be taken?", <http://www.lragir.am/index/arm/0/right/view/109128>

against the representative of the authority.<sup>362</sup> On February 4, Mnatsakan Aleksanyan, 22-year-old resident from Sarnaghbyur village of Shirak Marz, who had partaken in the January 15 events, was apprehended to Maralik Department of Shirak Police and was arrested.<sup>363</sup> On February 5 M. Aleksanyan's advocate Hayk Harutyunyan informed that he had not been provided with the results of the investigative proceedings conducted in relation to Mnatsakan Aleksanyan.<sup>364</sup> On February 6 Mnatsakan was released<sup>365</sup>, and on February 12 charges were brought up against him under the features of Article 258.4 of the RA Criminal Code (Hooliganism) and "Own Recognizance" Release was chosen as a measure of restraint.<sup>366</sup>

Within the framework of the criminal case 25-year-old Anushavan Harutyunyan was summoned for interrogation on February 26, and he was charged under Part 1, Part 2 of Article 258 of the RA Criminal Code (hooliganism and grave breach of public order).

"Own Recognizance" Release was also chosen as a measure of restraint against Anushavan Harutyunyan.<sup>367</sup>

According to Hayk Harutyunyan, advocate of Mnatsakan Aleksanyan, the number of the defendants was 19 as of May, 2015. The names of only Mnatsakan, Anushavan and underage Samvel Sargsyan are known, and "Own Recognizance" Release was chosen as a measure of restraint against them all.<sup>368</sup> Hayk Harutyunyan notified that the stones thrown during the clashes were sent for examination after 6 months. The advocate subsequently submitted a motion to dismiss the criminal case stating that the sensible deadlines for the trial of the

<sup>362</sup> Criminal case over the actions that occurred during the unprovoked protest action, <http://www.azatutyun.am/content/news/26799091.html>

<sup>363</sup> According to the father of the arrested young man in Gyumri, his son repelled three sabotage attempts, <http://hetq.am/arm/news/58404/gyumrium-dzrbakalvatsi-hor-khosqerov-ordin-ereq-diversia-e-het-mxel.html>

<sup>364</sup> The protocols were not provided to the young man arrested in Gyumri, advocate, <http://www.epress.am/2015/02/05/262211.html>

<sup>365</sup> The young man arrested over the Gyumri events was released, <http://www.azatutyun.am/content/article/26834187.html>

<sup>366</sup> Charges were brought up against Mnatsakan Aleksanyan from Sarnaghbyur, <http://arntimes.com/hy/read/59582>

<sup>367</sup> Charges were brought up 25-year-old young man over the clashes in Gyumri, <http://news.am/arm/news/254529.html>

<sup>368</sup> Case over the clashes in Gyumri, the number of defendants is 19, <http://news.am/arm/news/259273.html>

criminal case had expired, however they were rejected. In his opinion, the preliminary examination is being delayed without grounds, as a result of which the defendants are still denied their right to freedom of movement.<sup>369</sup> As of June 2, 2016 the preliminary investigation continues.<sup>370</sup>

Related rights: Freedom of assembly and association, Right to freedom and security, Freedom of information, Right to freedom of movement , Right to be free from torture and inhuman or degrading treatment and punishment, Right to life, Right to fair trial

### **Case 5. Rally in the Liberty Square**

Date: January 15, 2015

Description: Police Lieutenant colonel Karen Movsisyan approached a group of citizens, who were watching live and supporting the protest action held in Gyumri on January 15, 2015 from Yerevan Liberty Square with a demand to hand over Valery Permyakov to the Armenian side, accused in the murder of the Avetisyan family. The latter declared that pursuant to their operative data, the rally participants owned arms and were going to hold mass unrests. The police officials, both in police uniforms and civilian clothing, forcefully apprehended 38 participants, including cameraman Armen Adamyan, “Armenia Today” media agency coordinator Argishti Kiviryan, activists Maria Hovsepyan, Karen Harutyunyan, Areg Kyureghyan, human right activist Avetik Ishkhanyan, advocate Lusine Sahakyan, Vardan Balyan, Eduard Gyozyan, Narek Varazdatyan, Alek Yenigomshyan, Gevorg Safaryan and other from Founding Parliament.<sup>371</sup> Armen Adamyan among the apprehended activists was subjected to beatings by the Police, and he got a black eye.

*Follow-up:* Regarding the actions of the Police, human rights activist Avetik Ishkhanyan stated, “Hunting of people, I can give no

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<sup>369</sup> Criminal prosecution is not stopped against war veterans, <http://www.aravot.am/2016/06/02/699884/>

<sup>370</sup> Examination on “checking the stones” is appointed over the clashes in Gyumri, <http://armtimes.com/hy/read/72833>

<sup>371</sup> Dozens of people are apprehended from the Liberty Square, <http://news.am/arm/news/247994.html>  
38 people were apprehend in Yerevan in the evening, 2 of them had guns, <http://news.am/arm/news/248017.html>

other name to it, people are standing peacefully: they come, kidnap people and take them away.”

All of the apprehended activists were released. A protocol on administrative offenses was drawn up against one of them. Gas pistols were detected in two of the activists Karo Yeghnukyan and Gagik Sarukhanyan. Prior to their apprehension, the police officials knew that they possessed gas guns, but they confiscated them only in the police department. This provides grounds to infer that the police used the presence of gas pistols as a pretext to disperse the rally.<sup>372</sup>

*Related rights:* Freedom of assembly and association, Right to freedom and security, Freedom of information

### **Case 6. Activist Vilen Gabrielyan**

*Date:* January 17, 2015

*Description:* In the evening of January 17 4 masked people assaulted and beat civic activist Vilen Gabrielyan (also known under the nickname “boat shaker”) and his friend Narek Martirosyan with batons and feet at Koghbatsi 29 of Yerevan city. Vilen Gabrielyan was taken to hospital in Ambulance. Closed-head injury, scratches, hemorrhages and contusion were inflicted to him.<sup>373</sup>

*Follow-up:* On January 30, 2015 a criminal case under the features of Article 117 and Article 118 of the RA Criminal Code was filed over the incident. According to “Chorrord Ishkhanutyun” newspaper,

ARF Bureau member Hrant Margaryan stands responsible for the beating, the reason was that after the death of ARF member Vahan Hovhannisyan, Vilen Gabrielyan posted a harsh Facebook comment about him.<sup>374</sup> The activist, who had declared that the beating was

<sup>372</sup> Police: 2 of the activists apprehended yesterday were armed, <http://www.azatutyun.am/content/article/26797631.html>

Karo Yeghnukyan and Gagik Sarukhanyan possessed gas pistols by the Police’s permission, <http://www.aravot.am/2015/01/16/533009/>

<sup>373</sup> Activist Vilen Gabrielyan was subjected to beating , <http://www.azatutyun.am/content/article/26799493.html>

A criminal case was filed over the violence act against Vilen Gabrielyan and Narek Martirosyan , <http://www.lragir.am/index/arm/0/right/view/109825#sthash.nH30u3XF.dpuf>

<sup>374</sup> “Chorrord Ishkhanutyun”: Was “boat shaker” beaten by the order of Hrant Margaryan?, <http://news.am/arm/news/249281.html>

ordered by Police Chief Vladimir Gasparyan, notified that such a version aimed to divert the attention from the main responsible.<sup>375</sup>

The proceedings of the criminal case were closed, the perpetrators were not found.<sup>376</sup>

*Related rights:* Right to be free from torture and inhuman or degrading treatment and punishment, Right to life, Right to fair trial

### **Case 7. Photojournalist Anushavan Shahnazaryan**

*Date:* January 31, 2015

*Description:* Near Berdzor on Armenia and Nagorno-Karabakh border the police officials subjected the participants of the “The Centennial without this regime” movement automobile rally organized by “Founding Parliament” to severe beatings. Photojournalist of “Noyan Tapan” agency Anushavan Shahnazaryan, who was covering the automobile rally, was also among those subjected to violence. He informed that he was a journalist, but he got a “We do not care” reply. A number of bodily injuries were inflicted to him, and he was carted to hospital. They also grabbed his camera. During the incident cameramen of Founding Parliament Arsen Khechoyan and Armen Adamyan were also subjected to violence.<sup>377</sup>

*Follow-up:* Pursuant to 2015 annual report of CPFE on the Situation with Freedom of Expression and Violations of Rights of Journalists and Media in Armenia, “Noyan Tapan” agency turned to the Police of Armenia and Artsakh over the case. A reply from the Armenian Police was received, whereby they informed they were not authorized to admit a crime report, because the case took place outside the territory of the Republic of Armenia, while the Police of Artsakh stated it was necessary for the journalist to appear in person. Anushavan

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<sup>375</sup> Vilen Gabrielyan: “ I mark an intention to divert the accusation from the actual perpetrator”, <http://www.aravot.am/2015/01/27/536022/>

<sup>376</sup> Civic activist voices about being beaten, <http://www.azatutyun.am/content/article/27496975.html>

<sup>377</sup> The journalist beaten in Berdzor has head injuries, he does not remember how many people attacked him, <http://www.aravot.am/2015/02/01/537843/>  
NK police officials were beating me well knowing I was only a journalist, Anushavan Shahnazaryan, <http://www.nt.am/am/news/201892/#sthash.StFXkK7D.dpuf>

Shahnazaryan notified he was not going to apply to court, and only demanded returning of his camera, but it was not returned.<sup>378</sup>

*Related rights:* Right to be free from torture and inhuman or degrading treatment and punishment, Freedom of information, Freedom of speech and expression, Right to freedom of movement, Freedom of assembly and association

### **Case 8. Activist Artak Khachatryan**

*Date:* February 7, 2015

*Description:* 3 masked and armed men kidnapped PAP member Artak Khachatryan from “Tashir” mall in Yerevan in a car and brutally beat him up. The latter was actively participating in protest actions against the law on turnover tax. He attempted to make a phone call in the car, but his cell phone was taken away and thrown from the window. After beating him up, Artak was left in an accidental location, from where he reached home with great difficulty in a semiconscious state and was immediately transferred to hospital. The activist linked the beating with his recent scope of activities.<sup>379</sup>

*Follow-up:* A criminal case was instituted over the incident under Paragraph 1 of Article 131.2 of the RA Criminal Code (Kidnapping a person committed by a group of people).<sup>380</sup>

On February 9 hundreds of citizens staged a protest action in front of the Government building demanding conduction of fair trial over the criminal case.<sup>381</sup>

The activist provided a video material to the preliminary investigation conducting agency, where the state plate number of the car in which he was kidnapped was seen, but the law-enforcers informed that the aforementioned license plate numbers were not

<sup>378</sup> 2015 annual report of CPFE on the Situation with Freedom of Expression and Violations of Rights of Journalists and Media in Armenia, <http://khosq.am/reports/huyjuunuuinid-junuph-uqwuunupjwun-ujhduwujh-5/>

<sup>379</sup> Artak Khachatryan revealed about his abduction and brutal beating, <http://www.azatutyun.am/content/article/26838524.html>

<sup>380</sup> A criminal case was filed over the abduction of PAP member Artak Khachatryan, <http://armtimes.com/hy/read/59362>

<sup>381</sup> Protest action in defense of Artak Khachatryan , <http://civilnet.am/2015/02/09/artak-khachatryan-protest-government/#.Vs2myn2LRMw>

registered.<sup>382</sup> Pursuant to rumors, the beating could be backed by Minister of Finance Gagik Khachatryan and Police Chief Vladimir Gasparyan.<sup>383</sup>

The filed criminal case was dismissed, no perpetrators were identified. Artak Khachatryan has left Armenia.<sup>384</sup>

*Related rights:* Right to be free from torture and inhuman or degrading treatment and punishment, Right to life , Right to fair trial

### **Case 9. Parents of soldiers who died during peace I**

*Date:* February 11, 2015

*Description:* On February 11 4-5 parents of soldiers, who died in the army during non war conditions, attempted to stage a protest action in front of the RA Presidential Palace willing to clarify why their letter addressed to the President in November, 2014 remained unanswered. The police officials prohibited them to stage an action on the sidewalk of the Presidential Palace, moreover, demanded getting on the opposite side. The parents of deceased soldiers refused, and the police officials forcefully carted them to the opposite side. As a result of violence exerted by the police officials, the health state of one of the parents Gohar Sargsyan drastically aggravated, and Ambulance was called for.<sup>385</sup>

*Follow-up:* In response to the question of the HRD Rapid Response Group members that arrived at the crime scene, Arabkir department Deputy Police Chief Gagik Hakobyan replied that the Presidential Palace was an object of special regime, therefore it was disallowed to stage a protest action in front of it, whereas, the parents declared about staging unimpeded protest actions there before.

After studying the incident, HRD office made a decision, whereby assessing the actions of the police as unlawful and highlighting

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<sup>382</sup> Video recording shows the state plate number of the car in which Artak Khachatryan was kidnapped, "Haykakan Zhamanak ", <http://www.aravot.am/2015/04/23/563968/>

<sup>383</sup> Artak Khachatryan's abduction could be backed by those representing the circle of Gagik Khachatryan and Police Chief, "Haykakan Zhamanak ", <http://www.aravot.am/2015/02/10/540554/>

<sup>384</sup> Beaten PAP activist had migrated, <http://armtimes.com/hy/read/69894>

<sup>385</sup> The police exerted violence against the parents of deceased soldiers (video material), <http://www.epress.am/2015/02/11/262449.html>

that the police officials had not prevented similar rallies staged on that site previously.<sup>386</sup>

The human rights activists condemned the actions of the police.<sup>387</sup> An internal investigation was appointed, and a reprimand was announced to 2 police officials on the grounds of violating the code of ethics.<sup>388</sup>

Related rights: Freedom of assembly and association, Right to freedom of movement , Right to be free from torture and inhuman or degrading treatment and punishment, Right to life

### **Case 10. Journalist Alice Khechoyan**

*Date:* February 20, 2015

*Description:* After journalist of “Haykakan Zhamanak” website Alice Khechoyan published an article under the headline of “Shadow fight of Manvel’s home”, Arpenik Grigoryan, the 15-year-old daughter of MP General Manvel Grigoyan, insulted and threatened the journalist via her Facebook post. Alice Khechoyan published a response article titled “Threat from “Jacuzzi” workshop” revealing the contents of Arpenik Grigoryan’s letter addressed to her.<sup>389</sup> On February 20 the editorial board of “Haykakan Zhamanak” disseminated a statement informing that pursuant to the alert from the citizens living in the neighborhood of the editorial house, the relatives of Manvel Grigoryan and his wife Nazik Amiryan sought for the editor of “Haykakan Zhamanak” and Alice Kechoyan for revenge. Via the article the authors turned to the law-enforcers highlighting it was a report on crime.<sup>390</sup>

*Follow-up:* Alice Kechoyan sent a letter to the editorial office of “Haykakan Zhamanak”, where she informed that after reading the threats from Manvel Grigoryan’s family addressed to her the health condition of her sick parent aggravated, and she was forced to

<sup>386</sup> All the complaints of parents of deceased soldiers are triggered by unresolved doubts, HRD, <http://www.pastinfo.am/hy/node/72018>

<sup>387</sup> “The police serves the whole bandit state”, <http://www.a1plus.am/1366093.html>

<sup>388</sup> Police wall in front of the Presidential Palace solely for the mothers of the deceased, [http://www.epress.am/2015/03/05/263142.html?utm\\_source=feedburner&utm\\_medium=feed&utm\\_campaign=Feed%3A+EpressNewsAM+%28Epress.am+Նորոգումնևնր%29](http://www.epress.am/2015/03/05/263142.html?utm_source=feedburner&utm_medium=feed&utm_campaign=Feed%3A+EpressNewsAM+%28Epress.am+Նորոգումնևնր%29)

<sup>389</sup> Threat from “Jacuzzi” workshop, <http://hzhm.am/սպարնալիք-սարնոց-ափետաանոցի/>

<sup>390</sup> URGENT: statement on crime , <http://hzhm.am/hրատույ-հայտարարություն-հանցագործու/>

temporarily terminate the cooperation with the website for a while.<sup>391</sup> According to the publication by Facebook user Gezeni Arakel, the journalist left Armenia.<sup>392</sup> After sometime Alice Khechoyan published an article titled ““Hammer” I am back”, informing it was her duty to return to journalism.

*Related rights:* Freedom of speech and expression

### **Case 11. Journalists Hripsime Jebejyan and Ani Arami**

*Date:* March 1, 2015

*Description:* The citizens impeded the work of journalists from “Aravot.am” and “Newsbook.am” and exerted violence against them after the latter had attempted to elucidate how they had gathered near the warehouses owned by Samvel Aleksanyan to get 10.000 AMD each on the occasion of First Day of Spring from the deputy. One of them threatened to break the journalist’s camera. A group of women verbally abused the journalists demanding deletion of the photos.<sup>393</sup>

*Follow-up:* In response to the Committee to Protect Freedom of Expression, the General Prosecutor’s Office informed they opened a case based on the materials provided by mass media, but before long the case was dismissed.<sup>394</sup>

*Related rights:* Freedom of information, Right to be free from torture and inhuman or degrading treatment and punishment

### **Case 12. Journalist Mher Arshakyan**

*Date:* March 3, 2015

*Description:* Correspondent of “A1+” Mher Arshakyan posed a question in the National Assembly to deputy Karo Karapetyan, who had left PAP in an attempt to clarify if the latter met with Gagik Tsarukyan after quitting PAP faction. As a response to the question, “Hey you lad, listen, I tell you cannot, are you still asking questions, you? Hey, are you

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<sup>391</sup> The flow of my articles is suspended indefinitely, <http://hzh.am/սխմիր-ժամանակով-կասեցնում-էմ-հոդված/>

<sup>392</sup> Counterattack, <https://surhandak.wordpress.com/2015/02/26/հակահարված/>

<sup>393</sup> The journalist of “Aravot” was being beaten for Samvel Aleksanyan’s 10.000 AMD (audio and video recording), <http://www.aravot.am/2015/03/01/546951/>

<sup>394</sup> 2015 annual report of CPFE on the Situation with Freedom of Expression and Violations of Rights of Journalists and Media in Armenia, <http://khosq.am/reports/հայաստանում-խոսքի-ազատության-վիճակի-5/>

self-willed?” And to the journalist's question if he could hit him, Karo Karapetyan answered, “If you go on like this, I might”.<sup>395</sup>

*Follow-up:* No additional information is available regarding the case.

*Related rights:* Freedom of information, Right to be free from torture and inhuman or degrading treatment and punishment

### **Case 13. Parents of soldiers who died during peace II**

*Date:* March 5, 2015

*Description:* The parents of soldiers, who died on March 5, wanted to visit the correspondence department of the Presidential Palace to receive a response to their letter sent in November of the previous year, but the police officials formed a circle on the pavement of the Presidential Palace preventing their procession. The police explained their actions by the intention of the parents to stage an action, which was denied by the latter.<sup>396</sup>

*Follow-up:* The representative from the HRD office arrived on the case scene, but failed to persuade the police officials to unclog the road.

*Related rights:* Freedom of information, Right to freedom of movement

### **Case 14. Journalists**

*Date:* March 7, 2015

*Description:* About 40-50 individuals attacked the journalists waiting for the automobile rally of “The Centennial without this regime” movement organized by “Founding Parliament” near the entrance to the city of Gyumri. Pointing to the journalist, one of them told the other, “Grab the camera from that whore.”

<sup>395</sup> “Are you self-willed?” former PAP member threatened to beat correspondent of “A1+”, <http://www.a1plus.am/1369122.html>

<sup>396</sup> Police wall in front of the Presidential Palace solely for the mothers of deceased soldiers, [http://www.epress.am/2015/03/05/263142.html?utm\\_source=feedburner&utm\\_medium=feed&utm\\_campaign=Feed%3A+EpressNewsAM+%28Epress.am+Հոքոմիթոյնիւնիւթ%29](http://www.epress.am/2015/03/05/263142.html?utm_source=feedburner&utm_medium=feed&utm_campaign=Feed%3A+EpressNewsAM+%28Epress.am+Հոքոմիթոյնիւնիւթ%29)

According to the reports from the journalists, the aforementioned individuals regularly appeared during the day and obstructed their work.<sup>397</sup>

*Follow-up:* No additional information is available regarding the case

*Related rights:* Freedom of information, Right to property, Right to be free from torture and inhuman or degrading treatment and punishment

### **Case 15. "Europe in Law Association" NGO I**

*Date:* March 13, 2015

*Description:* In the evening of March 13 unknown men stole 2 laptops from the office of "Europe in Law Association" NGO.<sup>398</sup>

*Follow-up:* On March 14, upon noticing the burglary, the staff of the organization turned to the police. Pursuant to the statement disseminated by the organization, the police officials failed to carry out efficient actions for the revelation of the crime.

Fingerprints were taken only after the organization members had demanded it, while, the video recordings of cameras placed in the vicinity of the office were not obtained by the police as of the 10<sup>th</sup> day after the incident.

*Related rights:* Right to property, Right to fair trial

### **Case 16. Journalist Ani Gevorgyan**

*Date:* March 24, 2015

*Description:* During the interview with "1in.am" journalist Ani Gevorgyan Talin city Mayor Sargis Adamyan got indignant when the journalist asked if he had threatened the head of Talin Branch office of Founding Parliament. The Mayor quickly ended the interview explaining he needed to attend a conference, and ordered a municipality staff member to see the journalist off stating, "You have

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<sup>397</sup> Journalists were called out "whore" near the entrance to Gyumri while waiting for the members of "Founding Parliament", <http://www.aravot.am/2015/03/07/549173/>

<sup>398</sup> Europe in Law Association condemns the inaction of the RA Police, <http://www.aravot.am/2015/03/23/553598/>



On the previous day the head of Media Department Samvel Khlgatyan informed the journalist that the regional administration's meetings were open to public, and that the journalists could partake in it.

*Follow-up:* No additional information is available regarding the case

*Related rights:* Freedom of information

### **Case 19. "Europe in Law Association" NGO II**

*Date:* April 7, 2015

*Description:* "Europe in Law Association" NGO disseminated a statement, pursuant to which, the Organization's website was subjected to denial-of-service attack on April 7.

*Follow-up:* According to the Organization, the reason behind the website attack could be the report on the contest for ECHR judges posted on the website several days before. The statement also highlighted the fact that the Organization's advocates defended the members of "Founding Parliament", who were arrested in the morning of April 7.

*Related rights:* Freedom of information , Freedom of speech and expression

### **Case 20. Advocate Tigran Yegoryan**

*Date:* April 7, 2015

*Description:* Tigran Yegoryan, advocate of Head of the "Founding Parliament" Gyumri Office Aram Hakobyan was over 2.5 hours denied the chance to undertake Aram Hakobyan's defense in the RA Investigation Committee, meanwhile investigative proceedings were coercively being conducted against the latter.<sup>403</sup>

*Follow-up:* After the intervention of the Human Rights Defender's Office Tigran Yegoryan ended up enrolling as an advocate, but the protocols on investigative proceedings were not provided to him immediately, urging him to appear to get them the following morning.

*Related rights:* Right to fair trial

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<sup>403</sup> Aram Hakobyan will be allowed to have an advocate after taking testimonies and blood sample from him, <http://www.aravot.am/2015/04/07/558815/>

### **Case 21. Advocate Lusine Hakobyan**

*Date:* April 7, 2015

*Description:* A dispute emerged after advocate Lusine Hakobyan wanted to record Toros Sefilyan's interrogation, who was apprehended on April 7. Her possessions were taken out of the interrogation room, and when the advocate left after her possessions, she was no more allowed back to the room and to partake in the interrogation.<sup>404</sup>

*Follow-up:* No additional information is available regarding the case

*Related rights:* Right to fair trial

### **Case 22. "Armenian Women's Front" Initiative action I**

*Date:* April 15, 2015

*Description:* The members of the "Armenian Women's Front" initiative staged a protest action near the RA Presidential Palace with a demand to release the members of the Founding Parliament detained on April 7. The police officials first shoved the action participants, and attempted to push them off the pavement of the Presidential Palace, but the women continued their action. The police officers often urged them to continue the action on the opposite pavement.<sup>405</sup>

*Follow-up:* No additional information is available regarding the case.

*Related rights:* Freedom of assembly and association, Right to freedom of movement, Right to be free from torture and inhuman or degrading treatment and punishment

### **Case 23. "SOS" online program announcer Vilen Gafeschyan**

*Date:* April 20-21, 2015

*Description:* On April 20 2 unknown men visited two work places of "SOS" online program announcer Vilen Gafeschyan, showed his photo and asked around about the young man. On April 21 a police

<sup>404</sup> The advocate was disallowed to partake in Toros Sevilyan's interrogation, <http://www.ilur.am/news/view/43413.html#sthash.6wHsBPgd.dpuf>

<sup>405</sup> Women demanded releasing of political prisoners in front of the Presidential Palace, <http://www.epress.am/2015/04/16/տախտազանակալի-դիմաց-կանայք-պահանջեցին.html>

official, accompanied by a man in civilian clothing, visited Gafeschyan's apartment, located on Baghramyan avenue, Yerevan, and verified if the apartment was secure. They explained their visit by stating that they might ask him to host a foreign guest at his place within the framework of the Armenian Genocide Centennial events.<sup>406</sup>

*Follow-up:* The authors of the statement think that the aforementioned visits were linked with the program's subsequent episode of "Anmoruk" (Forget-me-not) released on April 19, which contained criticism in the address of the Police and the authorities. The police replied that such visits were routine, and were made in the framework of the Armenian Genocide Centennial events.

*Related rights:* Freedom of speech and expression, Right to freedom and security

#### **Case 24. Journalists Sisak Gabrielyan and Robert Ananyan**

*Date:* April 22, 2015

*Description:* When journalist of "Azatutyun" radio station Sisak Gabrielyan and correspondent of "A1+" Robert Ananyan attempted to shoot NA MP Samvel Aleksanyan, Russian resident, businessman Samvel Karapetyan, RA Minister of Transport and Communications Gagik Beglaryan, and former mayor of Yerevan city Karen Karapetyan in the café belonging to "the Armenia Marriott Hotel", the hotel security staff approached them and demanded stopping the video recording bringing excuses that it was a private area. One of the security officers hit and swore at Sisak Gabrielyan, while the other hit Robert Ananyan on the hand and the camera after the latter began recording the security officer's actions that attacked Sisak Gabrielyan.<sup>407</sup>

*Follow-up:* The Police began compiling materials regarding the case. Pursuant to the CPFE's information, Robert Ananyan refused to provide testimonies, since he did not trust the Police, while the administration of the Armenia Marriott Hotel sent an apology letter to

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<sup>406</sup> The Police visited show announcer after the footage on "anmoruk",  
<http://www.epress.am/2015/04/22/անմորուկ-մասին-տեսանյութից-հետո-չոն.html>

<sup>407</sup> The security officers hit the journalists that were shooting the officials,  
<http://www.a1plus.am/1379188.html>



administration, we have a youth wing. If such events happen, the youth wing should be informed”. Later one of the YSU Student Council members approached them, demanded from the journalist not to record him and began verifying their personal data.<sup>410</sup>

Out of the protesters Ani Navasardyan was apprehended, who refused to hand in the drum to the police officer after she was forbidden to hit it on the grounds that it hindered the teaching process.

*Follow-up:* A protocol under the features of Article 172.3 of the RA Code on Administrative Offenses (insulting a police official) was drawn up against Ani Navasardyan. Whereas, the activist stated that the police officers insulted her during apprehension.<sup>411</sup>

On November 26, 2015 the RA Administrative Court satisfied that claim of the Police by imposing a fine of 50.000 AMD on Ani Navasardyan. The ruling was not appealed.<sup>412</sup>

*Related rights:* Freedom of assembly and association, Freedom of information, Right to freedom and security, Right to respect for private life

### **Case 27. “Counterstrike” art group**

*Date:* April 30, 2015

*Description:* The members of “Counterstrike” art group posted the photos of political prisoners Jirayr Sefilyan, Pavlik Manukyan, an Shant Harutyunyan in different parts of Yerevan, which were torn off shortly.<sup>413</sup>

*Follow-up:* Group member Artak Gevorgyan was certain that the police officials tore them off, since they were present in the sites the photos were being posted, and told them, “It is all the same to us, it is a beautiful piece of work, we are told and we do so.”

*Related rights:* Freedom of speech and expression

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<sup>410</sup> YSU Student Council’s member and the security officer impeded the students’ protest action, “Get out of our territory”, <http://www.aravot.am/2015/04/22/563658/>

<sup>411</sup> The police officials insulted the girl during apprehension, <http://hraparak.am/?p=77740&l=am/bagin+tanelu+yntacqum+aktivist+axjkanvostikanery+viravorakan+barer+en+asel>

<sup>412</sup> Court case N: AC/2703/05/15

<sup>413</sup> The photos of Shant Harutyunyan, and Jirayr Sefilyan were torn off the walls of buildings, <http://www.azatutyun.am/content/article/26986991.html>

## Case 28. Journalist, activist Gayane Arustamyan

*Date:* May 7, 2015

*Description:* As journalist, activist Gayane Arustamyan crossed the street when the pedestrian signal was green, the police officer standing short way from her whistled unduly loudly, and out of indignation the activist turned to the police officer this way, “Why are you whistling, donkey?” At this the police officer began shouting at her, shoved her and threatened, afterwards 3-4 policemen apprehended the latter to the Central Department of the Police by physical force and insults.<sup>414</sup>

*Follow-up:* Gayane Arustamyan stayed handcuffed for three hours in the police department, since the keys were broken, and employees of the Ministry of Emergency Situations arrived and unchained the handcuffs. During the whole stay in the police department the members of the Rapid Response Group from the Ombudsman’s Staff were with the activist.<sup>415</sup>

A protocol under the features of Article 172.3 of the RA Code on Administrative Offenses (insulting a police official) was drawn up against Gayane Arustamyan.

As a result of medical examination the activist was diagnosed with acute stress reaction, and contusion, bruises and traces of physical force were identified.

Based on the report of Gayane Arustamyan submitted regarding the violence exerted against her by the police, a criminal case under the features of Article 309.2 of the RA Criminal Code was instituted,<sup>416</sup> which was closed on August 8, 2015. The decree to close the criminal case was appealed in the order of superiority and later in judicial procedure and is currently being tried at the RA Court of Cassation.<sup>417</sup>

<sup>414</sup> I have been sworn at, threatened and beaten, <http://armtimes.com/hy/read/63792>  
Gayane Arustamyan. “I was fisted and kept in handcuffs for 3 hours”,  
<http://www.azatutyun.am/media/video/27001062.html>

<sup>415</sup> Journalist Gayane Arustamyan was apprehended to the police department,  
<http://news.am/arm/news/265801.html>

<sup>416</sup> A criminal case was filed over the incident with Gayane Arustamyan, “Armenian Times”,  
<http://www.aravot.am/2015/05/14/571459/>

<sup>417</sup> Court of Appeals decreed that the actions of the police officers against Gayane Arustamyan were allegedly lawful, <http://hcv.am/events/16-05-2016-04/>

In its turn, the Police filed a claim to the Administrative Court with a demand to subject Gayane Arustamyan to liability under Article 172.3 of the RA Code on Administrative Offenses. Gayane Arustamyan's representative submitted a motion for several times suggesting suspension of the case proceedings and applied to the RA Constitutional Court in order to determine the constitutionality of Article 172.3 of the RA Code on Administrative Offenses, Part 1 of Article 214.1 of the RA Administrative Procedure Code, and Article 223.1 of the RA Code on Administrative Offenses. The Court rejected the motions.<sup>418</sup> The responding party also instituted a counterclaim with a demand to recognize the actions of the police unlawful. The trial of the case continues.<sup>419</sup>

*Related rights:* Right to be free from torture and inhuman or degrading treatment and punishment, Right to freedom and security, Right to fair trial

### **Case 29. Parents of soldiers who died during peace III**

*Date:* May 13, 2015

*Description:* On May 13 a group of police officials prevented the parents of soldiers, deceased in the army during peace time, who demanded a meeting with the President, from staging a protest in front of the Presidential Palace, and forcefully removed them to the opposite pavement. Near the Marshal Baghramyan metro station, the policemen talked to one of the parents this way, "Calm down, you woman, well, come down". Turning to the parents, one of the police officials stated, "You have come here to blabber, to demonstrate a show to us, OK?"<sup>420</sup>

*Follow-up:* A number of non-governmental organizations disseminated a statement by condemning the violations by the police and demanding subjecting them to liability.<sup>421</sup> On May 20 representatives of a number of NGOs staged a protest action in defense

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<sup>418</sup> A counterclaim will be submitted over Gayane Arustamyan's case, <http://hcav.am/events/20-10-2015-02/>  
Another motion was filed over Gayane Arustamyan's case, <http://hcav.am/events/06-05-2016-02/>

<sup>419</sup> Court Case N: AC/3031/05/15

<sup>420</sup> "As a result of clashes with the police officials, numerous bruises were caused to the rally participants".  
Armenian Helsinki Committee, <http://www.aravot.am/2015/05/13/571369/>

<sup>421</sup> Subsequent display of violence against the mothers of deceased soldiers is being condemned,  
<http://www.aravot.am/2015/05/14/571739/>

of the parents subjected to violence.<sup>422</sup> NA MP Aram Manukyan voiced about the incident in the National Assembly stating that similar actions pose a disgrace to the Police honor.<sup>423</sup>

The parents underwent a medical- forensic examination, which revealed that Irina Ghazaryan had bruises and hemorrhages on her left arm, it was also recorded that the woman developed a hand tremor, whereas, Nana Muradyan complained of pains on the chest.<sup>424</sup>

As a result of the internal investigation appointed over the case<sup>425</sup> a criminal case was instituted under the features of Article 309.2 of the RA Criminal Code (exceeding official powers, conducted with use of violence).<sup>426</sup>

In an interview with the journalists Irina Ghazaryan informed that the investigator over the case attempted to talk them out of giving testimonies against the police officials, stating, “You are one victim, and the police officer is the other, what do you have to share between each other”.<sup>427</sup> During the interrogation the parents were also told, “What do you have against the police officials? Are you filled with hatred against them?”<sup>428</sup>

The criminal case filed against the police officers was closed on August 8, 2015. The parents appealed the decision to dismiss the case at the Court of General Jurisdiction of Kentron and Nork-Marash Administrative Districts.<sup>429</sup> The case was transferred to the RA Court of General Jurisdiction of Arabkir and Qanaqer-Zeytun Administrative

<sup>422</sup> Protest action in defense of mothers of soldiers that died in the army,

<http://news.am/arm/news/267613.html>

<sup>423</sup> SIS instituted a criminal case over the violence exerted against the parents of deceased soldiers,

<http://www.epress.am/2015/05/27/hp8-ն-զնհվածներին-ծնողներին-նկատմամբ-կհ.html>

<sup>424</sup> The examination results of mothers in black, who were subjected to violence, were sent to the Investigation Committee, <http://www.epress.am/2015/05/14/բռնություն-ենթարկված-սևազգեստ-մայրեր.html> Information department of the Police

<sup>425</sup> The police again shoved the mothers in black, an internal investigation was launched again,

<http://armtimes.com/hy/read/63980>

<sup>426</sup> A criminal case was filed in the SIS over the case of violence against the mothers who lost their sons,

<http://www.aravot.am/2015/05/27/576042/>

<sup>427</sup> The case of mothers in black subjected to violence, takes a unique course in the SIS,

<http://www.aravot.am/2015/06/20/583531/>

<sup>428</sup> The preliminary investigation over the case of violence against the mothers who lost their sons is undergoing, <http://www.azatutyun.am/content/article/27089348.html>

<sup>429</sup> Mother of deceased soldier, “They think I am one of those parents to accept that piece of iron, and say yes... give my good son back, <http://www.aravot.am/2015/10/20/620571/>

Districts, which rejected the claim of the mothers on February 16, 2016.<sup>430</sup> The appeal was also turned down. The mothers applied to the RA Court of Cassation.<sup>431</sup>

*Related rights:* Freedom of assembly and association, Right to freedom of movement, Right to be free from torture and inhuman or degrading treatment and punishment, Right to life, Right to fair trial

### **Case 30. Abovyan TV journalist and cameraman**

*Date:* May 18, 2015

*Description:* Pursuant to the information disseminated by lin.am, violence was exerted against Abovyan TV agency staff by the order of Gagik Tsarukyan's Chief security officer Eduard Babyan during the protest action initiated by market merchants of Abovyan city against the building of "Arinj Mall" by businessman Gagik Tsarukyan, and their work was impeded.<sup>432</sup> Violence was applied against the protesters, through shoving and pushing, they were forced into cars and taken to Arinj village for a meeting with Gagik Tsarukyan.

*Follow-up:* In a talk with Gala TV Gagik Tsarukyan's spokesperson Iveta Tonoyan denied the information on violence, and declared that according to her data, the merchants did not even see journalists shooting in the area. Officer of the Public Relations and Information department of the RA Police Armen Malkhasyan stated that the director of Abovyan TV submitted a report on crime to Kotayk Police Department, but the report did not specify who impeded the work of the media representatives, and in which circumstances it was done.<sup>433</sup>

On May 19 director of Abovyan TV Azniv Chizmechyan informed that when the cameraman prepared the camera for shooting on the protest action site, two skinheads approached, pushed him and told, "Don't shoot, have we allowed you to shoot that you are doing it?"

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<sup>430</sup> "As long as I live, I will revenge for my Artur's one drop of blood", the claim of mothers in black was rejected, <http://www.aravot.am/2016/02/16/657833/>

<sup>431</sup> The mothers in black applied to the Cassation Court, they continue their protest against the police officers,

<sup>432</sup> Violence in Abovyan: Tsarukyan's bodyguards exerted violence against the protesters and the local journalists, <http://www.lin.am/1624142.html>

<sup>433</sup> The incident in Abovyan and various explanations, <http://galatv.am/hy/news/109580/>

You know what will happen if you do shoot, I will break your camera.”<sup>434</sup>

In a talk with journalists on May 20, Eduard Babayan also denied the rumors on shoving the protest participants and impeding the work of the journalists.<sup>435</sup>

*Related rights:* Freedom of information, Right to be free from torture and inhuman or degrading treatment and punishment

### **Case 31. Activist Vardges Gaspari**

*Date:* May 20, 2015

*Description:* After his participation in the protest action condemning the violence exerted against the parents of soldiers deceased during peace (See Case 29), Vardges Gaspari walked on the sidewalk opposite the Presidential Palace to the Nation Assembly, where a protest action was being staged by “Nairit” Plant workers with a demand to pay the salary debt. Gaspari attempted to approach the gates of the National Assembly with the photos of RA Police Chief Vladimir Gasparyan, Yerevan Police Chief Ashot Karapetyan, and Yerevan Deputy Police Chief Valeri Osipyan and each of them had a poster titled “no dignity”, but the police officials impeded and Gaspari called them hooligan and scoundrel.<sup>436</sup>

*Follow-up:* According to the justification brought up by the police, on the day of the incident no administrative apprehension was carried out against V. Gaspari not to create “additional tension, and avoid instigating commitment of new breaches of law by the other protest participants”. The next day a protocol under the article on insulting a police official was drawn up against the activist in the police department. The police instituted a claim to the court which satisfied it on June 2, 2016 by imposing a fine of 50.000 AMD on the activist.<sup>437</sup>

<sup>434</sup> Tsarukyan's security threatened, “Have I approved of your shooting, you know what will happen if you shoot”, <http://www.aravot.am/2015/05/19/573203/>

<sup>435</sup> Chief of Gagik Tsarukyan's security regarding the shoving of journalists”, “Zhoghovurd”, <http://www.aravot.am/2015/05/20/573372/>

<sup>436</sup> New administrative proceedings were filed against Vardges Gaspari after participation in the actions, <http://www.epress.am/2015/05/29/սկզբնականին-մասնակցելուց-հետո-վարդգե.html>

<sup>437</sup> Court case N: AC/2979/05/15

*Related rights:* Freedom of assembly and association, Freedom of speech and expression, Right to be free from discrimination

### **Case 32. "SOS" online program**

*Date:* May 25, 2015

*Description:* On May 24 G/7 edition of the "SOS" online program was released on YouTube, which addressed the violence exerted by the police against the parents of deceased soldiers on May 13, and episodes from the Police "02" program were used. After the airing of the program the RA Police submitted a complaint to YouTube on the grounds of copyright violating after which the program was blocked.<sup>438</sup>

*Follow-up:* On June 1 representatives of the RA Police Hovhannes Kocharyan, Artur Madatyan, and Sergey Zakaryan filed a claim to the RA Court of General Jurisdiction of Arabkir and Qanaqer-Zeytun Administrative Districts against the program announcer Vilen Gafeschyan demanding to make a public apology to the RA Police and police officers Artur Madatyan and Sergey Zakaryan, as well as pay each of them a compensation of 1 million AMD.<sup>439</sup> The following expressions contained in the program were insulting for the Police, "We the F and just aggots, are the defenders, servants, and relatives of the RA citizen", "Sons of bitches", "An alert has been lately received in our fence-licking department".<sup>440</sup>

Due to the smallness of the hall, most of those willing to attend the first court hearing over the case could not get in, and the court did not allow shooting. The Court eliminated human rights activist, representative of Vilen Gafeschyan Artak Zeynalyan and applicant's representative Hovhannes Kocharyan from the case proceedings, since the latter were not advocates.<sup>441</sup>

Vilen Gafeschyan and Artak Zeynalyan applied to the RA Constitutional Court to dispute the provisions of the law on advocates

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<sup>438</sup> Airing of the Armenian internet show in YouTube was blocked after the complaints by the Police, <http://www.epress.am/2015/05/26/հայաստանյան-ինտերնետշոուի-հաղորդու.html>

<sup>439</sup> The Police are suing Vilen Gafeschyan, <http://www.aravot.am/2015/06/05/579048/>  
Court case N: YAKC/2551/02/15

<sup>440</sup> The RA Police and "SOS" will meet in the court, <http://www.media.am/Police-vs-SOS-lawsuit>

<sup>441</sup> Announcer of "SOS" won't apologize to the Police and won't pay a compensation, <http://armtimes.com/hy/read/67818>

and the RA Civic Code, which require that only advocates must represent the interests over civil cases. On October 7 and November 27 Vilen Gafeschyan's representative Haykuhi Harutyunyan submitted a motion to the court with a request to suspend the case until the Constitutional Court issued its decree, but they were declined.<sup>442</sup> Through its ruling issued on December 4, 2015 the CC refused the admission of the aforementioned application for examination.<sup>443</sup> The court trial over the case is undergoing.

*Related rights:* Freedom of speech and expression, Right to fair trial

### Case 33. Hraparak Daily

*Date:* May 25, 2015

*Description:* On May 21 an article under the headline of “Public wants to know” was published in Hraparak Daily and the newspaper's website, which addressed the rumors circulated about Ruzanna Khachatryan, the wife of RA Minister of Defense Seyran Ohanyan, namely, a car crash related to her which had a death outcome.<sup>444</sup> On May 23 through her representative Karen Melzhumyan, Ruzanna Khachatryan sent a letter to the newspaper's editorial office and author of the article Syuzan Simonyan demanding publication of her reply and a denial. On the same day “Public wants to know 2” article was published in the website of Hraparak Daily, where the link to hzham.am was made as a source of information.<sup>445</sup> Without waiting for the completion of the 1-week term defined by the law on Freedom of Information, Ruzanna Khachatryan applied to the Court demanding obligating Hraparak to publish a denial in the newspaper and the

<sup>442</sup> Is “Armenian policeman” an insult? New details: the RA Police versus SOS case,

<http://www.aravot.am/2015/10/07/616390/>

“Vilen Gafeschyan is until present denied the chance to carry out his defense through a person of his choice”, <http://www.aravot.am/2015/11/27/633417/>

<sup>443</sup> PROCEDURAL DECISION OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF ARMENIA REGARDING THE ADMISSION OF #6-436 INDIVIDUAL APPLICATION ACCESSED TO THE CONSTITUTIONAL COURT ON 05.11.2015 BY VILEN GAFESCHYAN AND ARTAK ZEYNALYAN, <http://concourt.am/armenian/decisions/working/2015/pdf/sdav-77.pdf>

<sup>444</sup> “Public wants to know ”, <http://hraparak.am/?p=79894&l=am/hanrutyunvo>

<sup>445</sup> “Public wants to know 2”,

<http://hraparak.am/?p=80063&l=am/ւլոյնի%20ւոյնը%20http://hraparak.am/?p=79894&l=am/>

website, delete “Public wants to know” article, as well as publish Ruzanna Khachatryan’s reply in the newspaper and the website.<sup>446</sup>

*Follow-up:* On December 7, 2015 the Court of General Jurisdiction of Kentron and Nork-Marash Administrative Districts partially satisfied Ruzanna Khachatryan’s claim, not satisfying only her demand to publish a reply. “Hraparak” has appealed the verdict in higher instances. On March 29, 2016 the RA Court of Appeals refused the claim, while the RA Court of Cassation has not issued a decree yet.

*Related rights:* Freedom of speech and expression, Right to fair trial

### **Case 34. “Haykakan Zham”, (hzhham.am) website**

*Date:* May 27, 2015

*Description:* With regard to the publication of articles about Minister of Defense Seyran Ohanyan’s family in Hzhham.am website, the Minister applied to the RA General Prosecutor’s Office to verify the authenticity of information contained in those articles, and to launch relevant legal proceedings. The articles addressed the relation of Seyran Ohanyan’s wife Ruzanna Khachatryan to the car crash leading to the death of businessman Hovhannes Hayrapetyan in 2002.<sup>447</sup>

*Follow-up:* Pursuant to the release disseminated by the Prosecutor’s Office, it was clarified that due to the aforementioned car crash, another person named Anna Khachatryan was sentenced to a 4-year imprisonment in 2003, therefore, the Prosecutor’s office inferred that the website published false information, and filed a criminal case under the features of Article 333.1 of the RA Criminal Code (false crime reporting) on November 6, 2015.<sup>448</sup> No information is available regarding the progress of the case.

On June 23 Ruzanna Khachatryan applied to the court with a demand to deny the slanderous information contained in articles published on hzhham.am, which were headlined, “Circumstances in which the businessman died”, “I am taking off the mask, this is Seyran

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<sup>446</sup> Court case N: YCC/2380/02/15, <http://www.datalex.am/?app=AppCaseSearch&page=default&tab=civil>

<sup>447</sup> The RA General Prosecutor’s Office informs, <http://prosecutor.am/am/news/6286/>

<sup>448</sup> A criminal case on false crime reporting was filed regarding a publication about Seyran Ohanyan’s wife, <http://www.aravot.am/2015/11/06/626431/>



informed that they were asked about the organizers and goals of the protest action in the police department.

*Related rights:* Freedom of assembly and association, Right to freedom and security

### **Case 36. Protest action against hike in electricity rates in Yerevan**

*Date:* May 27, 2015

*Description:* On May 27 hundreds of citizens, protesting against the hike in electricity rates, held a demonstration in the central streets of Yerevan. In Republic Square clashes took place between the demonstrators and the police, since the latter formed a wall and prevented the citizens from approaching the central section of the square, but they break through the police wall and staged a sit-in strike in the center of the square.<sup>453</sup>

*Follow-up:* No additional information is available regarding the case

*Related rights:* Freedom of assembly and association, Right to freedom of movement

### **Case 37. Advocate Tigran Hayrapetyan**

*Date:* May 27, 2015

*Description:* A criminal case was filed against advocate Tigran Hayrapetyan under the features of Article 332.2 of the RA Criminal Code, (Any intervention into the activities of the prosecutor, investigator or the person in charge of inquiry, with the purpose of hindrance to the comprehensive, complete and objective investigation of the case) when upon arriving 15 minutes late for the examination appointed against his defendant Zhuleta Amariyan he found out that questions were posed to his defendant in his absence, and doubt was cast on the partiality of the Committee. Besides, the advocates learned about the instituted criminal case at the end of July, two months after the case was filed.<sup>454</sup>

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<sup>453</sup> During protest action against hike in electricity rates the situation got out of control, <http://www.aravot.am/2015/05/27/576138/>

<sup>454</sup> The proceedings of the criminal case filed over impeding the trial and implementation of justice by the advocate was closed, <http://investigative.am/news/view/pastaban-karjum.html>

*Follow-up:* 26 non-governmental organizations came up with a statement by qualifying the launching of criminal prosecution against the advocate as a state encroachment against the activities of human rights protection and advocacy and demanding to immediately stop the criminal prosecution and subject the investigator, who filed a criminal case against the advocate, to liability.<sup>455</sup> While, President of the Chamber of Advocates Ara Zohrabyan applied to Chairman of the RA Investigative Committee Aghvan Hovsepyan presenting the legal justifications of dismissing the criminal case filed against Tigran Hayrapetyan and requesting his intervention into it.<sup>456</sup>

On August 25, 2015 the RA Investigative Committee closed the case due to lack of corpus delicti.

*Related rights:* Right to fair trial

### **Case 38. "Hraparak" Daily**

*Date:* May 31, 2015

*Description:* In relation to an article published in "Hraparak" Daily regarding Ruzanna Khachatryan, the wife of Minister of Defense Seyran Ohnayan, NA RPA faction member Arakel Movsisyan voice threats of violence in the address of the "backbiters" of the minister's family, namely stating, "Those scoundrels are not to blame as much as their fathers, their fathers should be definitely identified and beheaded. God willing, once I seize them, I will decapitate them myself". The deputy also added, "I urge them to sit still in their places, Heaven forbid if we catch them, they are sure to be raped."<sup>457</sup>

*Follow-up:* President of the National Assembly Galust Sahakyan did not find the deputy's expressions condemnable justifying it as a display of right to freedom of speech.

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A criminal case was filed against advocate Tigran Hayrapetyan,

<http://www.azatutyun.am/content/article/27183503.html>

<sup>455</sup> They demand to immediately terminate the criminal prosecution against Tigran Hayrapetyan ,

<http://www.aravot.am/2015/08/18/600864/>

<sup>456</sup> The letter of the President of the Chamber of Advocates to the Chairman of the RA Investigative

Committee, <http://www.aravot.am/2015/08/21/601738/>

<sup>457</sup> Freedom of speech? NA President does not tend to condemn the deputy's threats,

<http://www.armenianow.com/node/63983>

Regarding the public threats of Arakel Movsisyan head of Helsinki Citizens' Assembly Vanadzor Artur Sakunts submitted a report to the RA General Prosecutor's Office demanding to file a criminal case. To the question of yerkir.am about the report above, the deputy replied, "Let the investigative bodies and the Prosecutor's office decide it. I am fed up, I don't address either that topic, or those lice any more. Good bye."<sup>458</sup> On June 23, 2015 the SIS refused filing of the criminal case. The decision was appealed at the RA Court of General Jurisdiction of Arabkir and Qanaqer-Zeytun Administrative Districts, which rejected the appeal on October 2. On November 25, 2015 he appeal was also turned down.<sup>459</sup> A cassation appeal was instituted, which was not taken into trial.

HCA Vanadzor also applied to the NA Committee on Ethics, which took a decision on December 1, 2015 that Arakel Movsisyan breached the regulation-law displaying a conduct improper for a deputy.<sup>460</sup>

*Related rights:* Freedom of speech and expression, Right to be free from torture and inhuman or degrading treatment and punishment, Right to fair trial

### **Case 39. Advocate Yervand Varosyan**

*Date:* June 2, 2015

*Description:* On May 27, 2015 an incident occurred during the hearing of the Board of the Chamber of Advocates, during which, according to available data, Tigran Khurshudyan threw a plastic bottle in the direction of Lusine Sahakyan, while Yervand Varosyan attempted to protect her, which turned into a scuffle.<sup>461</sup> On June 2 President of the Chamber of Advocates Ara Zohrabyan filed disciplinary proceedings, as a result of which, through October 9, 2015 decision of the Board of the Chamber of Advocates, advocates Tigran Khurshudyan and Yervand

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<sup>458</sup> I don't even address those lice: Arakel Movsisyan , <http://www.yerkir.am/news/view/87083.html>

<sup>459</sup> Shmays won't bear responsibility for his calls to rape and behead, the court again refused, <http://www.aravot.am/2015/11/25/632552/>

<sup>460</sup> A. Movsisyan has violated the code of ethics. NA Committee on Ethics has published a decision, <http://galatv.am/hy/news/131956/>

<sup>461</sup> I don't understand what caused such a chaos, advocate Tigran Khurshudyan about this scandalous case, <http://www.panorama.am/am/news/2015/10/12/balasanian-khurshudyan-alumyan/1461429>

Varosyan received a stern reprimand, and taking training courses on professional ethics at their expense was defined as a disciplinary penalty.<sup>462</sup> Considering that the Board's decision was ungrounded, unjustified and was issued through violation of legal norms, Yervand Varosyan submitted a claim against the decision to the Court. The examination of the claim is undergoing.<sup>463</sup>

*Follow-up.* Learning about the stern reprimand issued to Yervand Varosyan, journalist Paylak Fahradyan made a Facebook post, where he considered filing of the disciplinary proceedings against the advocate as an order, and confessed his guilt in the filing of disciplinary proceedings against Yervand Varosyan over another case. Namely, he wrote that 2 articles casting shadow over the activities of advocates Yervand Varosyan and Lusine Sahakyan published by him had been sent to him by the Chamber of Advocates' spokesperson Hayk Hakobyan, which had been agreed with the Chamber's President Ara Zohrabyan, and he was asked to publish them. According to the journalist, Hayk Hakobyan and Ara Zohrabyan used him to conspire against the advocates.<sup>464</sup> Articles headlined "Are advocates stealing "victories" from each other?"<sup>465</sup> and "Which is the motive forcing a former client to punish his public defender?"<sup>466</sup> are meant, which were published in xnews.am website on July 6 and July 30, 2015, respectively. The first article had it that Yervand Varosyan and Lusine Sahakyan won the case of one of their clients in the Court of Appeals based on the complaint written by public defender Liana Grigoryan, but as a result they appropriated the victory, besides, they also back the application on filing disciplinary proceedings against Liana Grigoryan by their client. After the

<sup>462</sup> I have not ordered an article about Yervand Varosyan and Lusine Sahakyan, Ara Zohrabyan, <http://armtimes.com/hy/read/72062>

A stern reprimand was issued to two advocates, <http://www.pastinfo.am/hy/node/80301>

<sup>463</sup> Second civic claim against the Chamber of Advocates, <http://www.lragir.am/index/arm/1/right/view/124349>  
Court case N: YCC/5318/02/15

<sup>464</sup> Journalist confesses to writing an article against the advocates, the Chamber say they are connected, but it is not an order, <http://iravaban.net/103173.html>

<sup>465</sup> Are advocates stealing "victories" from each other?, <http://xnews.am/?view=news&id=7650>

<sup>466</sup> Which is the motive forcing a former client to punish his public defender", <http://xnews.am/?view=news&id=8262>

publication and dissemination of that article, Yervand Varosyan made a Facebook post with these contents, “One can only be proud that some quadrupeds order petty articles against you (quadrupeds with especially small brain). It means that you are on the right track...”, then he gave the following explanation, “It also such a pleasure that those pregnant from you gather together and Like under the posted article))”. After such comments Liana Grigoryan applied to the Chamber of Advocates’ President Ara Zohrabyan demanding filing of disciplinary proceedings against Yervand Varosyan. On August 12, 2015 disciplinary proceedings were brought up against Varosyan.

After the Facebook post by Paylak Fahradyan advocates Yervand Varosyan and Lusine Sahakyan came up with a statement which read that a number of issues existed in the Chamber of Advocates regarding the unhealthy atmosphere prevailing in the Chamber, the inflated staff list, inefficient functioning of the Chamber’s Board triggered by inadmissible combining of positions. And because of having criticizing disposition regarding those issues, the Chamber’s president took hostility and initiated actions against us.<sup>467</sup> The Chamber of Advocates answered by a response statement by denying their accusations, while Chamber’s president Ara Zohrabyan called on for solidarity.<sup>468</sup> By statements, a number of famous advocates demanded clarifications from the president regarding the Chamber’s staff list, obligations of the workers, and articles related to Yervand Varosyan published in the press.<sup>469</sup>

On October 19, 2015 disciplinary proceedings were filed against the Chamber’s spokesperson Hayk Hakobyan with an aim to identify his involvement with the aforementioned articles.<sup>470</sup> While on October 21, the Chamber’s president issued “an order regarding the restrictions of

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<sup>467</sup> Yervand Varosyan and Lusine Sahakyan’s statement, <http://www.aravot.am/2015/10/14/618829/>

<sup>468</sup> The Chamber of Advocates’ response to Yervand Varosyan and Lusine Sahakyan’s statement, <http://www.aravot.am/2015/10/15/619100/>

I call on everyone for solidarity, the statement of the Chamber of Advocates’ president Ara Zohrabyan, <http://www.lin.am/1744705.html>

<sup>469</sup> The Chamber of Advocates is not an arena to express one’s narrow personal interests: Statement, <http://armtimes.com/hy/read/72199>

<sup>470</sup> Disciplinary proceedings were filed against the Chamber of Advocates’ spokesperson Hayk Hakobyan, <http://www.aravot.am/2015/10/19/620249/>

participation in discussions in social networks by the RA Chamber of Advocates' staff", which attempted to regulate the activities of the Chamber's staff and spokesperson in social networks, as well as "the procedure of supporting the publication of the advocates' activities by the RA Chamber of Advocates".<sup>471</sup> A discussion was held on October 26 to discuss the issues in the Chamber, which was not attended by Lusine Sahakyan, Yervand Varosyan and a number of other advocates. Lusine Sahakyan explained her absence that no actual discussion was held. Pursuant to some opinions, targeting of advocates by the Chamber's president was linked with their critical disposition regarding the process and the draft of constitutional amendments. During the discussion the Chamber's president denied it.<sup>472</sup> On October 29 the Chamber's spokesperson Hayk Hakobyan received a reprimand as a disciplinary fine, after which he apologized on his Facebook page.<sup>473</sup>

On December 17, 2015 Yervand Varosyan received a stern reprimand for his Facebook post. He again considered this second decision to subject him to disciplinary fine illegal, and appealed it in the Court, which has not issued a ruling yet.<sup>474</sup>

*Related rights:* Freedom of speech and expression, Right to be free from torture and inhuman or degrading treatment and punishment, Right to fair trial

#### **Case 40. Parents of soldiers who died during peace IV**

*Date:* June 4, 2015

*Description:* During the subsequent demonstration, the police officials did not allow the parents of deceased soldiers to reach the gates of the Presidential Palace by blocking their way and urging them to get

<sup>471</sup> Ara Zohrabyan restricts his staff's communication in social networks, <http://www.aravot.am/2015/10/21/620967/>

<sup>472</sup> Meeting-discussion of professional community members in the Chamber of Advocates, <http://www.aravot.am/2015/10/27/622980/>

"We are ready to sit in a discussion with Ara Zohrabyan, if he still has any questions to pose", <http://www.lin.am/1754584.html>

<sup>473</sup> The Chamber of Advocates' spokesperson apologizes to the advocates' community, <http://www.aravot.am/2015/10/30/624010/>

<sup>474</sup> The advocate received a stern reprimand for his Facebook post, <http://www.aravot.am/2015/12/18/640983/>

on the opposite side.<sup>475</sup> Moreover, the police officers forced Vardges Gaspari and Arayik Petrosyan, who were in the protest venue supporting the parents, into a police car. According to Vardges Gaspari, he was thrown from the car on the way, while Arayik Petrosyan was apprehended.<sup>476</sup>

*Follow-up:* 30 minutes after receiving an alert 3 representatives from the HRD office arrived at the scene, however, according to the parents, the police officials lied to the HRD representatives by stating they had allowed the protesters to walk down the sidewalk of the Presidential Palace.

On June 12 Ombudsman Karen Andreasyan met with the parents of deceased soldiers. During the meeting issues of their concern regarding also the actions were discussed.<sup>477</sup>

*Related rights:* Freedom of assembly and association, Right to freedom of movement, Right to be free from discrimination, Right to freedom and security

### **Case 41. Shahen Harutyunyan's action during the football game**

*Date:* June 3, 2015

*Description:* During Armenia-Portugal game of Euro-2016 qualifying group Shahen Harutyunyan, the son of political prisoner Shant Harutyunyan, ran into the stadium holding "Freedom to Shant Harutynyan and all the political prisoners of Armenia" poster in English willing to draw the attention on the political prisoners of Armenia through that action. The Police immediately grabbed the poster and apprehended him to the Central Department of the Police.<sup>478</sup>

On June 14 Ruzanna Badalyan, the mother of Shahen Harutyunyan, made a Facebook post regarding the case, particularly stating, "Yesterday I learnt it very late (at first Shahen was keeping

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<sup>475</sup> Clashes and apprehension in front of the Presidential Palace, <http://www.aravot.am/2015/06/04/578518/>

<sup>476</sup> Activist Arayik Petrosyan was apprehended, <http://www.azatutyun.am/archive/news/20150604/2031/2031.html?id=27053204>

<sup>477</sup> Today Karen Andreasyan received the parents of deceased soldiers, <http://galatv.am/hy/news/112481/>

<sup>478</sup> Shahen Harutyunyan was apprehended to the Police, <http://168.am/2015/06/13/502602.html#.VXxxtOMswio.facebook>

silent) that on the way to the police department he was subjected to inhuman torture trying not to leave obvious traces of violence. The only trace was scratches of handcuffs reminding barb wires.” Shahren refused to answer the question of the journalist regarding the conduct of the police officials in the police car during the apprehension, but he informed he was treated well in the police department.<sup>479</sup>

*Follow-up:* No additional information is available regarding the case

*Related rights:* Right to freedom and security, Freedom of speech and expression, Right to be free from torture and inhuman or degrading treatment and punishment

#### **Case 42. Protest action against hike in electricity rates near the PSRC**

*Date:* June 17, 2015

*Description:* During the hearing of the RA Public Services Regulatory Commission on raising the electricity bill held on June 17, a group of young activists staged a protest action in front of the Commission’s building demanding termination of the hearing, conduction of an international audit, and identification of the case of abuse by the ENA. Through shoving the police officials removed the action participants from the Commission’s building preventing their entry.<sup>480</sup> As a result of clashes with the police officers 6 protesters were apprehended, among them Narek Galajyan, Hovhannes Chamichyan, Gor Sargsyan, Ruslan Barseghyan, Hayk Petrosyan, and Huri Baghdasaryan.<sup>481</sup>

During the incident the health condition of News.am journalist worsened, and she was hospitalized in an Ambulance.<sup>482</sup>

*Follow-up:* The apprehended activists were released. A protocol was drawn up against them under Article 182 of the RA Code on Administrative Offenses.<sup>483</sup>

<sup>479</sup> Shahren Harutyunyan: “The Portugese attacked, and I also attacked”,

<http://www.aravot.am/2015/06/15/581976/>

<sup>480</sup> Incident between the police and the protesters, <http://www.aravot.am/2015/06/17/582640/>

<sup>481</sup> 5 apprehended activists were released, <http://www.aravot.am/2015/06/17/582850/>

<sup>482</sup> The journalist’s health condition aggravated during the action, she was hospitalized, <http://co.am/2015/06/17/503745.html>

*Related rights:* Freedom of assembly and association, Right to participate in decision making, Right to be free from torture and inhuman or degrading treatment and punishment, Right to life, Right to freedom and security

### **Case 43. Parents of soldiers who died during peace V**

*Date:* June 18, 2015

*Description:* The parents of soldiers who died during peace staged an action in front of the Presidential Palace, but the police officers did not allow them to approach its gates. The mothers provided the policemen with a note by the Human Rights Defender stating they could freely stage an action without impeding the natural course of activities of the Presidential Palace, but the police officers disregarded the note stating they were to decide.<sup>484</sup>

*Follow-up:* No additional information is available regarding the case

*Related rights:* Freedom of assembly and association, Right to freedom of movement

### **Case 44. Activist Daniel Ioanissyan**

*Date:* June 19, 2015

*Description:* Participant of protest action against the hike in electricity rate, “Union of Informed Citizens” NGO Program coordinator Daniel Ioanissyan, in the company of his wife, approached their car parked in Sayat-Nova avenue around 21:30 pm, when a group of authorized operations officers came up to them and demanded driving to the Police Central Department explaining that the car was being wanted. According to D. Ioanissyan, he had taken the photos of those men during the protest against the hike in electricity rate.

After receiving a call by D. Ioanissyan human rights activist Artur Sakunts went to the case scene, which was followed by the statement of the police about confusing the car state plate number.<sup>485</sup>

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<sup>483</sup> 6 citizens were apprehended from PSRC, <http://168.am/2015/06/17/503965.html>

<sup>484</sup> The police again impeded the mother in black, the MoD official did not even get out of the car, <http://www.aravot.am/2015/06/18/583066/>

<sup>485</sup> The activists apprehended from the Liberty Square were released, <http://www.epress.am/2015/06/20/քաղաքացիական-անվտանգ-բռնուժտախուժում.html>

*Follow-up:* D. Ioanissyan applied to the Police with a note requesting the names of the police officers summoning him to the police department, as well as to explain which wanted car his car was confused with.<sup>486</sup> The police replied to the inquiry after the defined deadline providing information about only the wanted car. It is noteworthy that only one number coincided with the state plate number of D. Ioanissyan's car.

*Related rights:* Freedom of assembly and association, Right to property

### **Case 45. Activists Anton Ivchenko, Hayk Sargsyan**

*Date:* June 19, 2015

*Description:* Around 22:00 pm some men in civilian clothing forcefully apprehended participants of the protest action against the hike in electricity rate Anton Ivchenko, Hayk Sargsyan from the park named after M. Saryan. The men in civilian clothing did not introduce themselves and present the grounds for apprehension. One of them showed a certificate of a Police colonel after the activists' friends had demanded presenting themselves.<sup>487</sup>

*Follow-up:* In the central department of the Police it was stated the protest participants had been apprehended under Article 185 of the RA Criminal Code (Willful destruction or spoilage of property). They were asked questions regarding the tires, which had been taken to the Liberty Square stating that the Police received a complaint that property had been spoiled due to burning of the tires. Prior to that, the police officers had snatched the tires from the activists in the Liberty Square.<sup>488</sup>

The apprehended activists were released in 2 hours. During that they were visited by the HRD Rapid Response Group. In the Police department 4 anarchist flags were taken away from the activists, which

<sup>486</sup> The Police did not explain to the activist apprehended after the protest which property was meant, <http://www.epress.am/2015/07/29/նստիկանությունը-էկեղեցիայի-թանկագույն.html>  
Court case N: AC/3264/05/15, [http://www.datalex.am/?app=AppCaseSearch&case\\_id=38562071809883786](http://www.datalex.am/?app=AppCaseSearch&case_id=38562071809883786)

<sup>487</sup> The activists apprehended from the Liberty Square were released, <http://www.epress.am/2015/06/20/բաղաբացիականով-անձիք-բռնուվտանում.html>

<sup>488</sup> Clashes in the Liberty Square, Footage, <http://www.lragir.am/index/arm/0/country/view/116282>

were not returned later. Anton Ivchenko submitted a written request to present the grounds for his apprehension. The Police replied in a written note that he had been apprehended within the framework of the criminal case on inflicting willful damage to another person's property without specifying which property is meant.<sup>489</sup>

On June 20 Murad Vardzelyan, who participated in the protest action held on June 19, was also apprehended as a suspect for inflicting willful damage to another person's property.<sup>490</sup>

*Related rights:* Freedom of assembly and association, Right to property, Right to freedom and security

### **Case 46. March against the hike in electricity rate in Gyumri**

*Date:* June 20, 2015

*Description:* Police Deputy Chief of Shirak marz Vahram Engoyan obstructed the demonstration undergoing in Gyumri against the hike in electricity rate by commanding the police officials to remove the citizens from the streets, and take the cars to the penalty area. By the way the Police Deputy Chief was dressed in civilian clothing.<sup>491</sup> He also shoved demonstration participant, instructor at the University of Economics, Gyumri branch Karen Petrosyan and called him a “riffraff”, then ordered one of the police officers to draw up protocol against Karen Petrosyan and take his car to the penalty area, but the policeman refused to carry out the coercive order.<sup>492</sup>

*Follow-up:* No additional information is available regarding the case

*Related rights:* Freedom of assembly and association, Right to freedom of movement , Right to be free from torture and inhuman or degrading treatment and punishment

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<sup>489</sup> The Police did not explain to the activist apprehended after the protest what property was meant, <http://www.epress.am/2015/07/29/նստիկախնդրումն-էլէկտրոգիայի-թանկացմի.html>

<sup>490</sup> The Police did not allow to build a roofing: the sit-in strike continues in the Square, <http://www.epress.am/2015/06/20/նստիկաները-թույլ-չեն-տվել-ծածկ-կառու.html>

<sup>491</sup> Protest action launched, “Gyumri is not going to pay the defined electricity rate”, <http://galatv.am/hy/news/113453/>

<sup>492</sup> The brusque behavior and abusive vocabulary of Vladimir Gaspayan, “amended” Police Chief, <http://www.aravot.am/2015/06/20/584074/>

### **Case 47. Sit-in strike against the hike in electricity rate in the Liberty Square**

*Date:* June 22, 2015<sup>93</sup>.

*Description:* On June 19, the fourth day of the sit-in strike launched in the Liberty Square, men in civilian clothing approached the sit-in strikers, and threatened to break the loudspeakers placed in the Liberty Square, as well as beat the activists.<sup>493</sup>

During the incident the police officials carrying out their professional duty in the Liberty Square displayed inactivity.

*Follow-up:* No additional information is available regarding the case

*Related rights:* Freedom of assembly and association, Right to be free from torture and inhuman or degrading treatment and punishment

### **Case 48. Sit-in strike against the hike in electricity rate on Baghramyan Avenue**

*Date:* June 23, 2015

*Description:* On June 19 “No to Robbery” civic initiative launched a sit-in strike in the Liberty Square demanding the cancellation of the decision of raising the electricity rate in a 3-day term. The demand of the sit-inners was not met, and on June 22, after the deadline set by them, the protesters marched to the Presidential Palace. Being met with police wall at the forepart of Baghramyan Avenue, not far away from the Presidential Palace, the protesters decided to start a sit-in strike on Baghramyan Avenue. The Police announced regularly that the actions of the protesters were illegal although the demonstration was peaceful and went in line with the principle on freedom of assembly.<sup>494</sup> At 5:20 am on June 23, Yerevan Deputy Police Chief Valeri Osipyan once again announced that the actions of the protesters were illegal and gave then 10 minutes to empty Baghramyan Avenue. The citizens continued their peaceful sit-in strike, and after the declared deadline was over, the police dispersed the

<sup>493</sup> Unknown men threatened to beat the sit-inners, <http://www.azatutyun.am/content/article/27085503.html>

<sup>494</sup> June 23 developments, <http://civilnet.am/2015/06/23/june-23-developments/#.Vt61kn2LRMw>

demonstration through water cannons.<sup>495</sup> Police officials both in uniforms and civilian clothing apprehended 237 individuals from Baghramyan Avenue, the Liberty Square and its adjacent places.

Over 2 dozens of mass media representatives became victims of the police actions. The memory cards and recording devices of the mass media were seized and smashed by the order of Commander of the Police Troops, Deputy Chief of Police Levon Yerasosyan. By the his command cameramen of [www.lin.am](http://www.lin.am) Karen Chilingaryan, Hovsep Hovsepyan, and Gor Hovhannisyman were brutally beaten, while the latter's camera and Live webcam were smashed. Journalist from "Gala" TV Paylak Fahradyan, correspondent of Panarmenian.net Nikolay Torosyan, photo journalist Karapet Sahakyan, and editor-in-chief of Asparez.am Levon Barseghyan were subjected to violence. Violence was exerted against Tigran Hakobyan, cameraman of Epress.am, while they swore at Tigran Khachatryan and snatched his camera. The 3 recording devices owned by Epress.am were smashed. The camera of NEWS.am correspondent Aida Hovhannisyman and the memory card of ilur.am correspondent Hakob Karapetyan's camera were seized by the order of Hunan Poghosyan. Journalists of "Azatutyun" radio station Sisak Gabrielyan, Artur Papyan, and cameraman Garik Azibekyan were subjected to beating, one of the cameras of "Azatutyun" and the journalist's cell-phone, by which the latter attempted to video the undergoing events, were broken.

The camera of journalist Mkrtych Karapetyan from "Haykakan Zhamanak" Daily and the image capture device of ACTV's cameraman Ashot Boyajyan were damaged. The work of journalist Tehmine Yenokyan from Iragir.am was regularly impeded on Baghramyan Avenue, while a policeman in civilian clothing whispered a sexually abusing word in her address.

In the Nor Nork Department of the Police Tehmine Yenokyan and the shooting crew of azatutyun.am were not allowed to carry out recording and were shoved out.

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<sup>495</sup> The police dispersed the protesters from Baghramyan Avenue by force and water cannons, <http://www.aravot.am/2015/06/23/584756/>

“Gala” TV journalist Paylak Fahradyan, cameraman of Epress.am Tigran Hakobyan, ilur.am correspondent Hakob Karapetyan, news.am photo reporter Arsen Sargsyan, journalists of “Hetq” Ani Hovhannisyan and Hrant Galstyan, journalist Mkrtych Karapetyan from “Haykakan Zhamanak” Daily, photo reporter of Panarmenian.net Samvel Karapetyan, employee of lin.am Arsen Mkrtychyan, editor-in-chief of Asparez.am and “Asparez” newspaper Levon Barseghyan, correspondent of “Zham” news program of “Armenia” TV Davit Davtyan and cameraman Khachatur Yesayan, “Azatutyun” Radio station operator Garik Harutyunyan and correspondent of “Fotolur” agency Hayk Badalyan were apprehended to the police department.<sup>496</sup>

25 citizens who suffered as a result of the Police actions called for Ambulance, 17 of which were hospitalized at various medical establishments.<sup>497</sup>

*Follow-up:* 106 of the apprehended activists were taken to Yerevan Narcological Center to undergo an examination for drug and alcohol abuse detection. 44 demonstrators underwent both alcohol and narcotic detection examination, 48 underwent only a drug examination, while 14 of them underwent an alcohol examination.<sup>498</sup> None of the

<sup>496</sup> The Police removed the protesters from Baghramyan Avenue by force and water cannons, <http://www.aravot.am/2015/06/23/584756/>

7 organizations disseminated a statement regarding the violence against the journalists,

<http://armtimes.com/hy/read/65889>

#Electric Yerevan: The stories of journalists subjected to violence, <http://www.media.am/Attacks-against-journalists-during-Electric-Yerevan>

Police “hunting” against the journalists, <http://civilnet.am/2015/06/23/police-energy-protest-beaten-journalists->

[arrest/#.VaKbKF\\_tmkphttp://www.epress.am/2015/06/23/%D5%B8%D5%BD%D5%BF%D5%AB%D5%AF%D5%A1%D5%B6%D5%B6%D5%A5%D6%80%D5%A8-%D5%A4%D5%A1%D5%AA%D5%A1%D5%B6%D5%B8%D6%80%D5%A5%D5%B6-%D6%81%D6%80%D5%A5%D6%81%D5%AB%D5%B6-%D5%A2%D5%A1%D5%B2%D6%80%D5%A1%D5%B4.html](http://arrest/#.VaKbKF_tmkphttp://www.epress.am/2015/06/23/%D5%B8%D5%BD%D5%BF%D5%AB%D5%AF%D5%A1%D5%B6%D5%B6%D5%A5%D6%80%D5%A8-%D5%A4%D5%A1%D5%AA%D5%A1%D5%B6%D5%B8%D6%80%D5%A5%D5%B6-%D6%81%D6%80%D5%A5%D6%81%D5%AB%D5%B6-%D5%A2%D5%A1%D5%B2%D6%80%D5%A1%D5%B4.html)

Swearing in the address of a journalist, <https://www.youtube.com/watch?v=70BucLxImfQ>

The journalist will sue the policeman swearing at her, <http://www.aravot.am/2015/07/13/592630/>

The shooting crew of “Azatutyun” were shoved out of the police department,

<http://www.azatutyun.am/archive/news/20150623/2031/2031.html?id=27087643>

What was going on in the Nor Nork police department,

<http://www.lragir.am/index/arm/0/videos/view/116548>

<sup>497</sup> 25 activists sought medical assistance. RA Ministry of Health, <http://iravaban.net/90855.html>

<sup>498</sup> No ethanol was detected in the blood of the activists that underwent a medical examination, <http://www.azatutyun.am/archive/news/20150624/2031/2031.html?id=27090602>

protesters proved to have ethanol in their blood, while 5 people showed traces of narcotic alkaloids. The apprehended activists were kept in the police departments longer than defined by law, over 8-10 hours, and were interrogated as witnesses.<sup>499</sup> It turned out that back on June 22 a criminal case was instituted by the Prosecutor's Office of Arabkir and Qanaqer-Zeytun Administrative Districts under the features of Article 258.1 of the RA Criminal Code on hooliganism.<sup>500</sup> On October 26 the criminal case was dismissed due to lack of corpus delicti.<sup>501</sup>

In the Nor Nork Department of the Police the advocates and representatives from HRD office, as well as MPs Lyudmila Sargsyan, Stepan Demirchyan, and Aram Manukyan were not let in for a long time.<sup>502</sup> In the Shengavit department Robert Revazyan, advocate of Helsinki Committee of Armenia was not allowed to meet with his client Hovhannes Ishkhanyan and was forcefully carted from the police station.<sup>503</sup> Advocates of HCA Vanadzor Anahit Chilingaryan and Artur Harutyunyan, who visited the police departments of Malatia and Nor Nork, also encountered obstacles in providing legal support to the apprehended activists. The reports of HCAV's advocates regarding their visits to the police departments, as well as the legal justifications of human rights violations by the police that were recorded during the abovementioned events, and other details over the cases are compiled in the report of HCA Vanadzor.<sup>504</sup>

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<sup>499</sup> 237 people were apprehended, <http://armtimes.com/hy/read/65909>

The proceedings of the criminal case on hooliganism on Baghramyan Avenue was closed due to lack of corpus delicti, <http://www.aravot.am/2015/10/30/624056/>

<sup>500</sup> The prosecutor's office: A number of publications were attached from the websites of mass media outlets to the criminal case materials,

<http://www.azatutyun.am/archive/news/20150624/2031/2031.html?id=27090419>

<sup>501</sup> The proceedings of the criminal case on hooliganism on Baghramyan Avenue was closed due to lack of corpus delicti, <http://www.aravot.am/2015/10/30/624056/>

<sup>502</sup> The MPs were not allowed into the police department for a long time,

<http://www.aravot.am/2015/06/23/585054/>

<sup>503</sup> Human rights defenders are forced out in the police departments,

<http://www.aravot.am/2015/06/23/584983/>

<sup>504</sup> The report of HCA Vanadzor on the "Violations of the human rights of the peaceful electricity price hike protesters", <http://hcav.am/publications/25-06-2015/>

A number of international agencies (including EU Delegation to Armenia<sup>505</sup>, UN High Commissioner for Human Rights<sup>506</sup>, Human Rights Watch<sup>507</sup>, PACE Monitoring Committee co-rapporteurs for Armenia<sup>508</sup>) disseminated a statements expressing concerns regarding the violence exerted against the protesters and journalists in the morning of June 23 by urging to carry out impartial examination of the cases and ensuring the exercise of the demonstrators' right to hold peaceful assemblies. On June 23 7 media organizations issued a statement regarding the violence against journalists demanding punishment of the transgressors. In his final assessment on the violence on June 23 Ombudsman Karen Andreasyan considered the actions of the Police overall unlawful, pointing out a number of issues, including undertaking of actions by persons in civilian clothing, breaching the code of ethics by the police officers, impediment of the work of mass media representatives, and exerting violence against them, application of water cannons as a special means to disperse demonstrations. He highlighted that it was not contingent upon absolute necessity to breach the principle of depoliticized police activities by some high rank officers.<sup>509</sup>

On June 2 a criminal case was instituted under the features of Article 309, Article 164.2 and Article 185.1 of the Criminal Code at the SIS. Within the scopes of the criminal case the preliminary investigation was conducted by 1 investigator in the beginning and only months later an investigative group comprised of 4 people was created, whereas, the preliminary investigation conducting group of the criminal case filed against the protesters has extended its staff from 20 members

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<sup>505</sup> EU Delegation, News on cases of violence are concerning, <http://www.lragir.am/index/arm/0/country/view/116526>

<sup>506</sup> The report of the UN High Commissioner for Human Rights regarding the protest actions staged in Armenia, <http://www.aravot.am/2015/06/25/586277/>

<sup>507</sup> Human Right Watch Foundation calls on the RA authorities to conduct an investigation, <http://www.aravot.am/2015/06/25/586362/>

<sup>508</sup> PACE co-rapporteurs called for restraint to all the sides of Yerevan protest actions, <http://www.aravot.am/2015/06/25/586320/>

<sup>509</sup> The final assessment of the Ombudsman regarding the police actions on June 23, <http://www.aravot.am/2015/07/06/590420/>



As a result of appointed internal investigation the position of 1 police officer was lowered by 1 rank, 1 policeman received a “reprimand” and yet another 10 received “a stern reprimand”.<sup>514</sup>

On June 28 a group of citizens filed an urgent complaint to the European Court of Human Rights on the grounds of violence cases on June 23 and danger of ongoing threats by the Police, which was taken into trial, but the examination was stopped after a criminal case was filed in the Republic of Armenia.<sup>515</sup> HCA Vanadzor also applied to the European Court of Human Rights on the grounds of violating prohibition of torture, right to freedom and security, freedom of assembly and association, and other provisions prescribed by the European Convention on Human Rights over the case of victim Davit Selimlyan.<sup>516</sup>

On July 14 “No to robbery” civic initiative held a march to the RA General Prosecutor’s Office with a demand to subject the police officials that committed arbitraries on June 23 to criminal liability.<sup>517</sup> On December 23 the initiative disseminated a statement by once again urging the law-enforcers to properly punish the lawbreaking police officials and highlighting they would not allow covering up of the case.<sup>518</sup>

*Related rights:* Freedom of assembly and association, Right to be free from torture and inhuman or degrading treatment and punishment, Right to life, Freedom of information, Right to property, Right to freedom and security, Right to respect for private life, Right to fair trial

<sup>514</sup> Disciplinary fines were imposed by the order of the RA Police Chief Vladimir Gasparyan, <http://www.police.am/news/view/ty.html>, <http://www.police.am/news/view/կնքաւնկրկն-կն-լսարգաւնկրկն-ոնդժեքի230715.html>

<sup>515</sup> From Baghramyan Avenue to the European Court, <http://civilnet.am/2015/07/02/electric-yerevan-european-court-of-human-rights/#.VuK7vn2LRMw>

<sup>516</sup> A complaint was filed to the European Court of Human Rights over the case of “Electric Yerevan” participant David Selimyan, <http://hcav.am/events/15-03-2016-01/>

<sup>517</sup> The march of “No to robbery” civic initiative ended near the building of the Prosecutor’s Office, <http://armenpress.am/arm/news/812197/och-talanin-nakhadzernutyann-ertrn-avartvec-datakhazutyann.html>

<sup>518</sup> The statement of “No to Robbery” civic initiative regarding the events of June 23, <http://www.aravot.am/2015/12/23/642380/>

### **Case 49. Sit-in strike against hike in electricity rate in Gyumri: Karen Petrosyan**

*Date:* June 23, 2015

*Description:* After the police forcefully dispersed the sit-in strike against the hike in electricity rate on Baghramyan Avenue in the morning of June 23, the activists staging a sit-in strike in the Theater Square of Gyumri blocked Sayat-Nova street as a sign of protest. The police unblocked the street, and 13 sit-inners were apprehended to the Kumayri department of the police in an hour. A criminal case under the features of hooliganism was instituted. 12 of the protesters were enrolled as witnesses, while Karen Petrosyan was enrolled as a suspect.<sup>519</sup>

*Follow-up:* Bruises were detected on the apprehended activists, a medical forensic examination was appointed. The cars of the apprehended were taken to the penalty area without notification.<sup>520</sup>

On July 1 within the frames of the criminal case charges were brought up against Karen Petrosyan under the features of Article 258.2 of the RA Criminal Code (Brutal breach of public order combined with exceptional cynicism). According to the Investigative Committee, the activist was accused in hitting the police official's leg with his car's forepart, as a result of which the stillness of the Sayat Nova street residents and the natural course of traffic was disrupted for 15 minutes. Karen Petrosyan found the accusation against his as fictitious declaring that the police officials confessed to giving testimony forcefully.

On June 15 the sit-inners issued a statement demanding punishment of the police officials that committed arbitrariness in Gyumri in the morning of June 23, and dismissal of the criminal case against them. For the implementation of their demands the citizens gave the Police a deadline of 10 days.<sup>521</sup>

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<sup>519</sup> "Illegal charges were brought up, the struggle is moved to political arena", <http://galatv.am/hy/news/115005/>

<sup>520</sup> Bruises were detected on the bodies of the activists apprehended in Gyumri, advocate, <http://www.epress.am/2015/07/10/qjnuipjnuif-plpufuuu-tupawpqlqu8-uluqndqhu.html>

<sup>521</sup> In their statement the activists of Gyumri question the impartiality of the RA Police Chief, <http://www.aravot.am/2015/07/15/593149/>

On July 31 it became known that the criminal case filed against the activists had been closed.<sup>522</sup>

*Related rights:* Freedom of assembly and association, Right to freedom and security

### **Case 50. Sit-in strike against hike in electricity rate in Vanadzor**

*Date:* June 24, 2015

*Description:* An action against hike in electricity rate was also staged Hayk Square of Vanadzor, where the protesters wanted to put up a tent to get away from the rain, but the police officers prevented it.<sup>523</sup> The protesters spent the night under the fir tree to get protection from the rain.

*Follow-up:* No additional information is available regarding the case

*Related rights:* Freedom of assembly and association

### **Case 51. Activist Yelena Ovsyannikova**

*Date:* June 24-25, 2015

*Description:* After Yelena Ovsyannikova, RF citizen residing in the RA since 2015 and participant of the sit-in strike against the hike in electricity rate staged in Baghramyan Avenue, had approached the police officers standing with helmets and shields and urged to refrain from exerting violence against the citizens, Deputy Police Chief Hunan Poghosyan came up to her and demanded impolitely to leave the area between the Police wall and the barricades explaining that she provoked and disturbed the police. To the question how, the Deputy Police Chief replied, “I’ll have you know that our police officers are sexually obsessed, and you are walking before their eyes”, adding if Ovsyannikova did leave herself, the Police would undertake measures to remove her. MPs Tevan Petrosyan and Edmon Marukyan also approached her and asked her to leave accusing her in provocations.

<sup>522</sup> The criminal case filed based on the false testimony of Deputy Chief of Gyumri Police was dismissed, <http://www.aravot.am/2015/07/31/597778/>

<sup>523</sup> The Police in Vanadzor do not allow putting up tents, <http://www.a1plus.am/1392051.html>

Ovsyannikova continued wandering the area and set down on the asphalt, after which some men approached her and firmly gripped her and pulled. Eventually unable to resist the pressure, the protester left the area between the police wall and the barricades of garbage bins.

According to the description of the incident attached to the application submitted to HCA Vanadzor by Ovsyannikova and her husband Harutyun Muradyan, after the incident advisor to the Police Chief Narek Malyan posted a video on conversation between Yelena Ovsyannikova and Tevan Poghosyan on his Facebook page, in the comments of which the activist was called a Ukrainian provocateur. The comments to the footage shared by Narek Malyan also contained threats in Ovsyannikova's address, while Deputy Edmon Marukyan wrote in his comments that she was drunk. The next day Ovsyannikova met with Edmon Marukyan, but the latter refused to speak before cameras, but behind the cameras he said that she was not authorized to partake in demonstrations and speak to the police officers, but he did not specify any provision of the law.

On June 25 advisor to the Police Chief Narek Malyan posted another publication on his Facebook page, where he presented Yelena Ovsyannikova as an instigator, who took part in unrests in Syria, Ukraine, and Georgia, and was trained in Turkey. He also mentioned that Ovsyannikova had offered sex to the police officers on Baghramyan Avenue. Later Narek Malyan made another post that said it was not the official standpoint of the Police, but his own opinion.<sup>524</sup> It is noteworthy that the RA law on establishing the Disciplinary Code of the Police of the Republic of Armenia prescribes rules of police ethics which police officers have to follow both off and on duty. The rules of police ethics include obligation to know and respect human rights and freedoms, be reticent, polite, and respectful with citizens.<sup>525</sup>

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<sup>524</sup> "Suspicious" Slav on Baghramyan Avenue, <http://civilnet.am/2015/06/26/подозрительная-славянка-на-просп/#.VuZ2g32LTf>

Woman activist qualifies the statement of RA Police Chief's advisor as a "slender", [http://www.azatutyun.mobi/a/27108160.html?utm\\_source=dlvr.it&utm\\_medium=facebook](http://www.azatutyun.mobi/a/27108160.html?utm_source=dlvr.it&utm_medium=facebook)

The information was referred to the description of the incident attached to the application submitted to HCA Vanadzor by Ovsyannikova and her husband Harutyun Muradyan

<sup>525</sup> The RA law on establishing the disciplinary code of the RA Police, <http://www.irtek.am/views/act.aspx?aid=29617>

*Follow-up:* On July 6 Yelena Ovsyannikova and her husband Harutyun Muradyan applied to HCA Vanadzor based on which the organization submitted a report on crime to the SIS demanding to file a criminal case and subject the perpetrators to liability.<sup>526</sup> A criminal case was instituted within the framework of which Yelena Ovsyannikova was interrogated as a witness. The trial of the case is undergoing.

Yelena Ovsyannikova has filed a defamation lawsuit against the Armenian Police, Deputy Police Chief Hunan Poghosyan, lawmaker Edmon Marukyan, as well as RA Police Chief's advisor Narek Malyan, demanding a collective 7 million AMD compensation.<sup>527</sup> MP Edmon Marukyan did admit the accusation against him, stating he did not consider Yelena Ovsyannikova a provocateur, he only said that a provocation had been instigated on Baghramyan Avenue, the lawmaker also denied the allegations that Ovsyannikova was drunk. He claimed that it smelled of alcohol in the area where Yelena Ovsyannikova was standing.<sup>528</sup> The trial of the case continues.

*Related rights:* Freedom of assembly and association, Freedom of speech and expression, Right to be free from discrimination, Right to be free from torture and inhuman or degrading treatment and punishment, Right to respect for private life

## **Case 52. Protest action against hike in electricity rate in Ashtarak**

*Date:* June 25, 2015

*Description:* According to the publication released on ilur.am, on June 24, the next day after the march against hike in electricity rate staged in Ashtarak the police officers visited the apartment of the march participants in order to have a talk (as they term it), however they were

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<sup>526</sup> The right to freedom of assembly was restricted, human dignity was violated, <http://www.aravot.am/2015/07/10/591940/>

<sup>527</sup> Yelena Ovsyannikova, "I have faith in justice", <http://www.aravot.am/2015/10/16/619660/>

<sup>528</sup> Edmon Marukyan, "I never said Yelena Ovsyannikova was a provocateur", <http://www.aravot.am/2015/10/16/619702/>

later apprehended. Pursuant to Ilur.am data, 3 activists were apprehended.<sup>529</sup>

*Follow-up:* The Police denied the information that protesters had been apprehended to Ashtarak department of the Police.<sup>530</sup>

*Related rights:* Right to freedom and security, Right to respect for private life, Freedom of assembly and association

### **Case 53. Journalist Hripsime Jebejyan and protesters**

*Date:* June 26, 2015

*Description:* During the sit-in strike against hike in electricity rate held on Baghramyan Avenue a woman told the girls dancing in the street, “ Are you not ashamed? This is a disgrace, are you family girls or dancers in the street?” She also told the journalist of aravot.am, who was shooting, “Do not shoot, stupid, sheep.” The journalist urged the woman to display reticence, but the woman hit the camera and attempted to snatch it.<sup>531</sup>

*Follow-up:* The activists talked the woman into leaving Baghramyan Avenue.

*Related rights:* Freedom of information, Right to property, Right to be free from torture and inhuman or degrading treatment and punishment

### **Case 54. Journalist Vahe Makaryan**

*Date:* June 28, 2015

*Description:* To the question of journalist of Hraparak.am Vahe Makaryan what methods the Police were going to apply to cleanse Baghramyan Avenue from protesters, the RA Police Chief Vladimir Gasparyan replied that public order would be reinstated by Police methods. The journalist attempted to clarify questioning if his words meant the same as June 23 would occur, the Police Chief said this time it would be stricter. To Vahe Makaryan’s question if it was a threat, Vladimir Gasparyan put it this way, “Well you, hear me what I say, do

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<sup>529</sup> Activists are being apprehended by the Police in Ashtarak, <http://www.ilur.am/news/view/46473.html#sthash.KGUefVz8.dpuf>

<sup>530</sup> Clarification, <http://www.police.am/news/view/%D5%BA1%D6%80.html>

<sup>531</sup> The provoker attempted to snatch Aravot’s camera, “Sheep, stupid, don’t shoot”, <http://www.aravot.am/2015/06/26/586841/>

at least something for this country, your life is not all about letting your tongue loose, get out of my sight, what methods? The methods the law endowed me and very strictly. Get out, now... what methods, calf..."<sup>532</sup>

*Follow-up:* The journalist made the following post regarding the incident on his Facebook page, "Oooooo, GAREGIN NZHDEH ... I am Makaryan Vahe, and I have not done MANY and MANY things for this country, I have not stolen, robbed, ripped off, I have not prayed for the forgiveness of others' sins/ crimes, I have neither flatterer, nor wheedled for the sake of personal gain, I have not betrayed, not migrated or fled, I have not made a deal with the devil, I have not faked the elections, I have not pleased the authorities, I have not supported any of their malicious moves, I have not sold myself to anyone, I have not lied, I have not disavowed, I have not leaded a disreputable life, indecent and immoral for the RA's real citizen. In a nutshell, I have not harmed, neither am I going to do so!!! And now there is no point perhaps in enumerating what I have done...!!!"<sup>533</sup>

*Related rights:* Freedom of information, Right to be free from torture and inhuman or degrading treatment and punishment

### **Case 55. Protesters Vardan Matinyan and Davit Nikoghosyan**

*Date:* June 28, 2015

*Description:* At around 23:05pm on June 28 Charentsavan resident Vardan Matinyan, who had been partaking in the protest action against hike in electricity rate, was apprehended from the drinking fountain in Liberty Square without any grounds, and was released the following morning. According to his words, another 5 people were also taken to the police department. The citizen reported that his 18.000 AMD was taken from him and never returned.<sup>534</sup>

Around the same hour the police officials approached Davit Nikoghosyan, who was making his way to Liberty Square from

<sup>532</sup> The Police Chief was also nervous this night, <https://www.youtube.com/watch?v=sZFr-qQ7oQo>  
Get out of my sight. The Police Chief to the journalist,

<http://www.hrparak.am/?p=82536&l=am/chqvir+achqics%D5%9Dvostikanapety+Iragroxin+tesanyut>

<sup>533</sup> And I am Makaryan Vahe..., <http://asekose.am/news/11/193664-isk-es-makaryan-vahen-em.html>

<sup>534</sup> How the citizen was apprehended and his money taken from him,

<http://www.lragir.am/index/arm/0/right/view/116879#sthash.lSw2fUQl.dpuf>

Baghramyan Avenue, and apprehended him to the Central Police department for possession of a cutting tool. After 3 hours stay in the police department, the activist was released.<sup>535</sup>

*Follow-up:* Human rights activist Avetik Ishkhanyan stated in the “Media Center” that in response to his and HRD’s inquiries, the Police denied such an occurrence.<sup>536</sup> Davit Nikoghosyan’s brother called police departments, but they replied that Davit had never been there.

*Related rights:* Freedom of assembly and association, Right to freedom and security , Right to property

### **Case 56. Tension during the sit-in strike against hike in electricity rate in Baghramyan Avenue**

*Date:* June 28, 2015

*Description:* On June 27 President Serzh Sargsyan came up with a proposal to conduct an international audit to verify the justification of electricity rate hike, and the threats to the energy system in case the rates were unchanged, as well as declared that before the audit issued its conclusion, the Government would undertake the burden of electricity price hike at the expense of allocations for security reinforcement. On June 28, after the aforementioned statement the situation in Baghramyan Avenue escalated. Going beyond his powers, Yerevan Deputy Police Chief Valeri Ospipyanyan declared that the President’s statement was a victory and that the demonstrators must empty Baghramyan Avenue, suggesting that they process to Liberty Square or home.

The Police systematically announced that the sit-in strike on Baghramyan Avenue was illegal and subject to termination and threatened to apply physical force. At about 20:00 pm Police Chief Vladimir Gasparyan gave the protesters an hour to empty the avenue, and special squads were brought to the fore.<sup>537</sup> Valeri Ospipyanyan announced there were provokers among the protesters, as well as stated

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<sup>535</sup> The young man claims he was apprehended to the police department for his political views, <http://www.epress.am/2015/06/29/unluwluqlil-t-puquwpuqh-ulquwuwntuq-ntukel.html>

<sup>536</sup> “The police abducted 6 people from the Opera”, Avetik Ishkhanyan, <http://www.aravot.am/2015/06/30/588404/>

<sup>537</sup> June 28 developments, live: updated, <http://civilnet.am/2015/06/28/june-28-developments-in-baghramyan-avenue/#.VuHNrn2LTIX>

that “We are well aware who are making phone calls, who compile reports and disseminate them.”<sup>538</sup> The Police Chief Vladimir Gasparyan and Deputy Police Chief Hunan Poghosyan named Jirayr Sefilyan and Argishti Kiviryan as alleged provokers.<sup>539</sup>

A group of demonstrators marched to Liberty Square with “No to Robbery” slogan, however, the vast majority of the protesters remained on Baghramyan Avenue. The police did not undertake any measures that night.

*Follow-up:* In relation to Osipyan’s words “that they are well aware who are making phone calls, who compile reports and disseminate them”, HCA Vanadzor sent an inquiry the Police Chief to clarify which actions stated in the Yerevan Deputy Police Chief’s speech were deemed unlawful and based on which legal acts, which were the organizations that carried out such activities, how Valeri Osipyan came to know about the phone call mentioned in his statement and whether or not such phone calls had been made. With a reply note the Police informed that the expressions by Valeri Osipyan were made on personal judgments, and did not contain statements about illegal actions.

“Founding Parliament” issued a statement that the Police willfully attempted to defame Jirayr Sefilyan to have people accuse him for possible victims of police violence. The statement also had it that men in police uniforms and civilian clothing followed Jirayr Sefilyan and reported about his location on the phone.<sup>540</sup>

Considering the expressions made by Police Chief Vladimir Gasparyan and Deputy Police Chief Hunan Poghosyan in his address as slender and insult, Argishti Kiviryan applied to the Court demanding a public apology. No ruling has been yet issued over the case.<sup>541</sup>

<sup>538</sup> Sakunts about being considered a provoker, “We’ll send an inquiry to find out the source of Osipyan’s data”, <http://www.aravot.am/2015/06/30/588436/>

<sup>539</sup> “People are waiting for one sentence, the hike in electricity rate was annulled”, <http://www.epress.am/2015/06/28/վարդիկ-հավաքվում-են-քաղաքայինում-նստ-իմ>  
Jirayr Sefilyan and Argishti Kiviryan respond the Police Chief’s accusations, <http://www.azatutyun.am/content/article/27100714.html>

<sup>540</sup> Jirayr Sefilyan was persecuted and shifted in the vicinity of his apartment the whole night, <http://armtimes.com/hy/read/66162>

<sup>541</sup> Court case N: YCC /3682/02/15

*Related rights:* Freedom of assembly and association, Freedom of speech and expression, Right to be free from torture and inhuman or degrading treatment and punishment, Right to be free from discrimination

### **Case 57. Parents of soldiers who died during peace V**

*Date:* July 2, 2015

*Description:* Once again the police officers blocked the way of the parents of soldiers, who died in the army during peace on Baghramyan Avenue, disallowing them to go to the Presidential Palace and National Assembly after the replies to their application, providing that the pedestrians used the same street without obstacles.<sup>542</sup>

In a talk with the journalist the parents informed that for 2 weeks incessantly they were not allowed to march up to the Presidential Palace via Baghramyan Avenue. The police officials told the mothers, “Let this chaos pass, then” meaning the sit-in strike against hike in electricity rate undergoing on the avenue.<sup>543</sup>

*Follow-up:* Based on the alert of the parents of deceased soldiers, representatives of HRD’s office arrived at scene. After negotiations with the police officers they announced that only 2 people were allowed to get into the Presidential Palace, but the parents did not consent to the offer and left Baghramyan Avenue.

*Related rights:* Freedom of information , Right to freedom of movement , Right to be free from discrimination

### **Case 58. Dispersion of sit-in strike against the hike in electricity rate of Baghramyan**

*Date:* July 6, 2015

*Description:* On July 4 Davit Sanasaryan from the sit-in strike participants on Baghramyan Avenue announced that in case their demands remained unmet, he would launch “One step forward” protest action from July 6 by pushing forward the garbage bins of “Sanitek” company on Baghramyan avenue every day, which had served as

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<sup>542</sup> The parents of deceased soldiers did not accept the offer from the Presidential Palace, <http://www.aravot.am/2015/07/02/589405/>

<sup>543</sup> The women in black on Baghramyan, “We stand beside our youth”, <http://www.aravot.am/2015/07/02/589444/>

barricades from the beginning of the sit-in strike. At around 12:00 pm on July 6 the Police announced that they were going to restore traffic on Baghramyan Avenue, and gave the sit-inners a 30-minute deadline to voluntarily empty the carriageway of the avenue. After the expiration of the announced deadline, the Police first seized the garbage bins, then eliminated the sit-inners apprehending 46 of them to police departments, among them 6 underage.<sup>544</sup> Previously, a criminal case had been instituted under Part 1 of Article 185.3 of the RA Criminal Code (willful damage or destruction of property), within the framework of which On June 28 the investigator took a decision to confiscate the garbage bins owned by “Sanitek” company.<sup>545</sup>

In the Arabkir Police department the health condition of an elderly worsened,<sup>546</sup> while bruises and scratches were detected on the various parts of the bodies of 3 underage activists.<sup>547</sup> During apprehension to the Central police department the police officers hit Narek Ayvazyan on the head and chest.<sup>548</sup> Vaghinak Shushanyan notified that violence had been exerted against him prior to the apprehension and that one of the police officers scolded, “Sit still in your seats, you do not know who I am.”<sup>549</sup> Davit Sanasaryan informed that he had got a blow on the head in the police car.<sup>550</sup> He and another protester by name Garegin, whose hand was injured, were taken to Saint Grigor Lusavorich hospital, where the examination identified no serious injuries, and they were discharged.<sup>551</sup>

<sup>544</sup> Developments of July 6, Live, Updated, <http://civilnet.am/2015/07/06/july-6-developments-baghramyan-avenue/#.VuJ7eH2LRMw>

How the Police “liberated” Baghramyan, <http://www.1in.am/1665121.html>

<sup>545</sup> Law-enforcers have a warrant to confiscate the garbage bins of “Sanitek” company, a criminal case was filed, <http://www.azatutyun.am/content/article/27099580.html>

<sup>546</sup> A minor was beaten in the police car, <http://www.aravot.am/2015/07/06/590553/>

<sup>547</sup> There are underage protesters with various injuries in Arabkir Police Department, <http://www.aravot.am/2015/07/06/590581/>

<sup>548</sup> Narek Ayvazyan was hit in the police car, <http://www.aravot.am/2015/07/06/590604/>

<sup>549</sup> “The apprehended activists were being beaten in the police car just in front of my eyes, and not only mine”, Vaghinak Shushanyan, <http://armtimes.com/hy/read/66521>

<sup>550</sup> Davit Sanasaryan got a blow on the head in the police car, <http://www.aravot.am/2015/07/06/590759/>

<sup>551</sup> Davit Sanasaryan had pains in the head, contusion had been inflicted to another protester: Physician, <http://armtimes.com/hy/read/66527>

*Follow-up:* According to the Press service of the Police, only one alert on exerted violence had been received from the apprehended activists, who was underage.<sup>552</sup>

Over the separate cases of violence exerted against the protesters HCA Vanadzor submitted reports on crime to the RA Prosecutor General and the SIS with a demand to file a criminal case.<sup>553</sup> A criminal case was instituted under Article 309.2 of the RA Criminal Code. The preliminary investigation is being conducted by 1 investigator, which is still in progress.

A protocol on administrative offenses under Article 182 of the RA Code on Administrative Offenses (disobeying the legal order by a police official) was drawn up against only Argishti Kiviryan out of the apprehended activists. He informed that as a result of apprehension his hand was injured, but the officials in the police department refused to record it.<sup>554</sup>

*Related rights:* Freedom of assembly and association, Right to freedom of movement, Right to be free from torture and inhuman or degrading treatment and punishment, Right to freedom and security , Right to life , Right to fair trial

### **Case 59. March against hike in electricity rate. Vardges Gaspari**

*Date:* July 6, 2015

*Description:* In the evening of July 6 Andrias Ghukasyan, one of the demonstrators gathered in Liberty Square, declared he was going to march towards Baghramyan Avenue and urged those wishing to join him, but the police officers blocked the protesters' way preventing their procession. Vardges Gaspari was apprehended from Tumanyan street, who demanded that the police open the demonstrators' way by shouting, "Cub, rifferaff, unblock my way."<sup>555</sup>

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<sup>552</sup> The police received 1 alert, Ashot Aharonyan,

<http://www.lragir.am/index/arm/0/country/view/117243#sthash.flDBDrOP.dpuf>

<sup>553</sup> Reports on violence of June 6 were sent to the SIS, <http://hcav.am/events/09-07-2015-4/>

<sup>554</sup> Administrative proceedings were filed against Argishti Kiviryan,

<http://www.aravot.am/2015/07/06/590611/>

<sup>555</sup> The Police blocked the protesters' way, <http://www.aravot.am/2015/07/06/590804/>

The police prevented the protesters from staging a march from Liberty Square,

<http://www.lin.am/1665275.html>

Follow-up: After spending 3 hours in the police department lying, Vardges Gaspari was carted out of the police department and left at a garbage bin near the stadium, according to the activist.<sup>556</sup> The police informed that Vardges Gaspari had been apprehended under Article 172.3 (insulting a police officer) and Article 182 of the RA Code on Administrative Offenses (disobeying the legal order by a police official). He was kept in the police department for several hours; a protocol was compiled and then he was released. To the question of the journalist about leaving the activist near a garbage bin, Ashot Aharonyan, Head of the Information and Public Relations Department of the RA Police, replied, “I am not going to comment on that make-believe.”<sup>557</sup>

*Related rights:* Freedom of assembly and association, Right to freedom of movement, Right to freedom and security

### **Case 60. Pressures against the activists participating in the struggle on Baghramyan Avenue**

*Date:* July 8, 2015

*Description:* Mainly under the names of authorized operations officers or district authorized persons, the police officials visited the apartments of dozens of sit-inners of Baghramyan Avenue and verified information about them: how many are they in the family, where they work, what they do, and etc. They brought up different reasons for their visits, they namely stated, there was a street fight or burglary in the yard and they came to pose questions with that regard, they said they came to check the residents’ passports, demanded phone numbers or informed they visited the activists, because some of them stood a guarantee for someone. Such visits were made to the apartments of Anton Ivchenko, Grigor Gharhamanyan, Murad Vardzelyan, Mihran Avagyan, Robert Aleksanyan, Narine Poghosyan, Mane Khlghatyan, and other participants of Electric Yerevan movement.<sup>558</sup> The parent of

<sup>556</sup> “I was taken by the hands and legs and carted out of the police department, they took me and left me in the garbage bin”, Gaspari, <http://www.azatutyun.am/content/article/27114786.html?fromExternalWidget=true>

<sup>557</sup> Ashot Aharonyan denies leaving Gaspari near the trash bin, <http://www.aravot.am/2015/07/08/591210/>

<sup>558</sup> Special act of the Police, the citizens reveal, <http://www.lragir.am/index/arm/0/videos/view/117433#sthash.uKEFYNOu.dpuf>

one of the activists Nellie Minasyan received a call from the police threatening “to cage her”, if the girl continued participation in the protests, while the community administration attempted to verify her address in Yerevan.<sup>559</sup>

By the way, previously the police officials also regularly used visits as reprisals against the activists.<sup>560</sup>

Follow-up: On July 9 Davit Sanasaryan, who was staging a hunger strike in Liberty Square, announced that recently the police officials and district authorities had been attempting to prevent the citizens from struggling by means of reprisals. Yerevan Deputy Police Chief Ashot Karapetyan termed that statement as nonsense.<sup>561</sup>

Related rights: Freedom of assembly and association, Right to property, Right to respect for private life

### **Case 61. Manure in front of Vardges Gaspari's house**

*Date:* July 8-9, 2015

*Description:* Civic activist Vardges Gaspari informed that he had staged an action in front of President Serzh Sargsyan's house in the intersection of Proshyan and Demirchyan streets, after which in the morning of July 8 he found manure on his doorway. He considered it as an action against him initiated by the authorities. The activist took the manure portion by portion near the President's house. The second time he went there he was apprehended to the Central department of the Police, where the activist refused to sign any document, and he was

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The Police walks around the activists' apartments, <http://armtimes.com/hy/read/66772>  
“New authorized operations officers” visit Baghramyan sit-inners, <http://www.epress.am/2015/07/10/«ւնք-օւլերնեքն»-այցելուի-էն-բաղրամյան.html>

<sup>559</sup> A legal process or the subsequent game by the Police? Authorized operations officers visit activists' apartments, <http://galatv.am/hy/news/116348/>

<sup>560</sup> The activist reveals being persecuted by the police officials, <http://galatv.am/hy/news/114758/>  
Search in the apartment of activist Arsen Ohanyan, <http://zham.am/am/news/22723.html>

Reprisals against civic activists for supporting Maidan, <http://www.armtimes.com/hy/read/48740>

<sup>561</sup> We can admit reports by threats: Yerevan Police Chief's response to Davit Sanasaryan's alert, <http://www.lin.am/1667387.html>

released.<sup>562</sup> Manure also appeared in front of Vardges Gaspari's house the following day on July 9.<sup>563</sup>

*Follow-up:* In relation to the incident, on July 9 and July 10 Vardges Gaspari staged a hunger strike near the President's house with a poster containing the following notes, "protest against breach of the right to freedom of expression", "serzik: murderer", "serzik: criminal", "serzik: scoundrel".<sup>564</sup>

*Related rights:* Freedom of assembly and association, Right to be free from discrimination, Right to freedom and security, Right to respect for private life

### **Case 62. March towards the RA General Prosecutor's Office**

*Date:* July 14, 2015

*Description:* On June 23 the members of "No to Robbery" initiative staged a march to the RA General Prosecutor's office with a demand to subject the lawbreaking police officials to liability. Seeing the poster with "Punish Osipyan" note, Yerevan Deputy Police Chief Valeri Osipyan stated, "You have already got impudent, I will now summon additional forces".<sup>565</sup>

During the demonstration the protesters held a short sit-in strike first in Mashtots-Amiryan intersection, then in the Republican Square, during which Valeri Osipyan announced that their actions were unlawful and illegal, and accused the sit-inners in instigating provocations and demanded termination of the sit-in strike threatening to apprehend them otherwise.<sup>566</sup>

*Follow-up:* No other information is available regarding the case

*Related rights:* Freedom of assembly and association, Freedom of speech and expression

<sup>562</sup> Gaspari removed the manure dumped on his doorway to Serzh Sargsyan's house (updated),

<http://www.epress.am/2015/07/08/գաւսսպարիւն-կորել-է-իւր-դռան-ստօղի-ընթաց-գնմ.html>

<sup>563</sup> The activist launched a hunger strike near the presidential bungalows,

<http://armtimes.com/hy/read/66784>

<sup>564</sup> The activist launched a hunger strike near the presidential bungalows,

<http://armtimes.com/hy/read/66784>

<sup>565</sup> You have already got impudent: Valeri Osipyan to demonstrators, <http://www.1in.am/1671412.html>

<sup>566</sup> Sit-in strike was terminated after Osipyan's threats: activists are at the RA General Prosecutor's Office,

<http://armtimes.com/hy/read/67064>

### **Case 63. Photos of activists struggling against the hike in electricity rate I**

*Date:* July 18, 2015

*Description:* The photos of youth participating in the struggle against the hike in electricity rate appeared in various section of Yerevan with the following notes, “thick-necked bull”, “Yervand Zakharyan”, “slippery reptile” and etc. Namely, the photos of Narek Ayvazyan, Armen Mkrtchyan, Artush Aydinyan, Gevorg Safaryan, Arsen Ohanyan, Maksim Sargsyan were found.<sup>567</sup>

*Follow-up:* Armen Mkrtchyan expressed an opinion that its author is quite probably the authorities. He declared he would not apply to the Police, since he did not trust law-enforcers. Ayvazyan and Artush Aydinyan also informed they did not intend to turn to the police. The latter particularly said, “Do you think I will apply to the people, who tuned on water cannons at us on June 23, who beat and swore at us.”<sup>568</sup>

*Related rights:* Right to be free from torture and inhuman or degrading treatment and punishment, Right to respect for private life

### **Case 64. “Stand Up Armenia” Initiative I**

*Date:* July 27, 2015

*Description:* On July 27 “Stand Up Armenia” launched a sit-in strike demanding that the Public Services Regulatory Commission annul the decision on hike in electricity rate. The sit-in strike was initially scheduled to go with 3-hour shift in the center of Republic Square, but the police prevented it.<sup>569</sup> In the evening 3 of the sit-inners attempted to break through the police wall and sit in the center of the square, but the police officials carted them to the pavement opposite of the Governmental building<sup>570</sup>

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<sup>567</sup> The activists' photos are posted in the streets of Yerevan with offensive expressions, <http://armtimes.com/hy/read/67307>

<sup>568</sup> The activists do not exclude that the action was organized by police officials in civilian clothing, <http://galatv.am/hy/news/117075/>

“Slippery reptile”, “thick-necked bull”: Who went after such a cheap move? The activists won't turn to the Police, <http://www.lin.am/1674197.html>

<sup>569</sup> “Stand Up Armenia” gave the Police 30 minutes, <http://www.aravot.am/2015/07/27/596444/>

<sup>570</sup> The protesters broke through the police wall, <http://www.aravot.am/2015/07/27/596496/>

*Follow-up:* Yerevan Deputy Police Chief Valeri Osipyan justified the prevention of the sit-in strike in the square center with failure to present information regarding it, and that there were no pedestrian crossings leading to the square center, therefore the shift could obstruct the traffic. He also added that the Republic Square carpet was deemed a cultural heritage by the Government's order.<sup>571</sup> It is noteworthy that the number of protesters was under 100, therefore, in compliance with the RA law on "Freedom of assembly", they were not obligated to inform about it. Various events are always held in the Square center, which are not in anyway obstructed by the police, although the carpet remains the same cultural heritage. The sit-in strike lasted several weeks.

*Related rights:* Freedom of assembly and association, Right to freedom of movement

### **Case 65. "Stand Up Armenia" Initiative II**

*Date:* July 29, 2015

*Description:* At night an unknown man parked his luxury car near the members of "Stand Up Armenia" initiative, staging a sit-in strike in Republic Square, and shouted swear words at them.<sup>572</sup>

*Follow-up:* According to the initiative member Andrias Ghukasyan, the incident occurred in front of the eyes of the police officials, but they did not undertake any measures

*Related rights:* Freedom of assembly and association, Right to be free from torture and inhuman or degrading treatment and punishment

### **Case 66. "Stand Up Armenia" Initiative III**

*Date:* July 29, 2015

*Description:* The sit-inners of "Stand Up Armenia" initiative struggling against the hike in electricity rate attempted to sit in the

<sup>571</sup> Yerevan Deputy Police Chief explains why it is forbidden to stage a sit-in strike in Republic Square, [https://www.youtube.com/watch?v=E36jB1V0\\_nI](https://www.youtube.com/watch?v=E36jB1V0_nI)

<sup>572</sup> The police and the Armenian nation have been sworn at, Andrias Ghukasyan <http://www.aravot.am/2015/07/29/597109/>

center of the Republic Square by breaking through the police wall, but the police officials carted them away.<sup>573</sup>

The initiative members staged a disobedience action. They sat several times on the pedestrian crossing of Vazgen Sargsyan Street under the green light by blocking it. Each time the police officers shoved them out to the sidewalk. Whereas, Davit Sanasaryan, one of the initiative members rushed to Melik Adamyanyan street and sat on the stairs of the RPA central office building, but the police officers removed him through violence.<sup>574</sup> The police dragged him to the ground and hit him on the head.<sup>575</sup> Head of the Yerevan Police Service department Karen Movsisyan called the activists as blockheads, while their actions as foolish.

*Follow-up:* Davit Sanasaryan was transferred to hospital in Ambulance, received first aid and went home. No other information is available regarding the incident.

*Related rights:* Freedom of assembly and association, Right to be free from torture and inhuman or degrading treatment and punishment, Right to life

### **Case 67. "Stand Up Armenia" Initiative IV**

*Date:* July 30, 2015

*Description:* The police officials did not allow the members of "Stand Up Armenia" Initiative to sit on the stairs of the Governmental building explaining that it was illegal. Initiative member Davit Sanasaryan (Hello Yerevan faction of the Yerevan Council of Elders) attempted to sit in the center of Republic Square by breaking through the police wall, but the police officials removed him.<sup>576</sup>

*Follow-up:* No additional information is available regarding the incident.

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<sup>573</sup> Karen Movsisyan called the protesters blockheads, <http://www.aravot.am/2015/07/29/597250/>

<sup>574</sup> "Stand Up Armenia" blocks Vazgen Sargsyan street, they are waiting for tomorrow's session of the Government, <http://armtimes.com/hy/read/67886>

<sup>575</sup> Davit Sanasaryan was transferred to hospital, <http://www.a1plus.am/1399141.html>

<sup>576</sup> "When you make abrupt movements, doesn't you back hurt then?" Osipyanyan to Sanasaryan, <http://www.aravot.am/2015/07/30/597604/>

*Related rights:* Freedom of assembly and association, Right to freedom of movement

**Case 68. Photos of activists struggling against the hike in electricity rate II**

*Date:* July 30, 2015

*Description:* The photos of youth participating in the struggle against the hike in electricity rate appeared in various section of Yerevan with the following notes: “Free clown”(Vaghinak Shushanyan), “Parent-beating son” (Daniel Ionnisyan), “Scoundrel”(Arsen Ohanyan), “Myrmidon” (Artush Chibukhyan), “Prominent grant eaters, traitors of nation” (Andrias Ghukasyan, Davit Sanasaryan).<sup>577</sup>

*Follow-up:* In a talk with a1plus.am Vaghinak Shushanyan saw no point in turning to the police stating that “they can only beat a peaceful protester, and apply water cannons at sleeping people”.

*Related rights:* Right to be free from torture and inhuman or degrading treatment and punishment

**Case 69. “Zhoghovurd” daily**

*Date:* August 9, 2015

*Description:* With a note the RA Police demanded from “Zhoghovurd” daily to disclose the information source of “From fake Schengen to CRM receipts, what the Ministry of Finance is hiding” article.<sup>578</sup>

*Follow-up:* The Police made a reference to Article 25 of the RA law on Press and other Mass Media in case this law is no more effective. Instead the RA law on Mass Media, which is comprised of 14 articles, is currently effective. Pursuant to Article 5.2 of the law, the mass media can be obliged to disclose the source of information by the court decision, in the course of a criminal proceeding with the aim of revealing heavy or most heavy crimes, if societal interest in law

<sup>577</sup> Again the photos of the activists, again with offensive expressions, <http://www.a1plus.am/1399270.html>

<sup>578</sup> In Arabkir department of the Police a law that is no more effective is being referred, “Zhoghovurd”, <http://www.lin.am/1721468.html>

2015 annual report of CPFE on the Situation with Freedom of Expression and Violations of Rights of Journalists and Media in Armenia, <http://khosq.am/reports/hayjusunununuf-junuph-waqunnuqjulu-qlhawlqj-5/>

enforcement overweighs the societal interest in protecting the sources of information, and all other means to protect public interest are exhausted. Whereas, in compliance with the decree of the RA Constitutional Court issued on October 20, 2015, the information source may be disclosed only upon necessity to protect a persons' life, prevent a grave (significantly grave) crime, to ensure the court defense of a person accused in the commitment of a grave (significantly grave) crime.<sup>579</sup>

The daily did not disclose the source of information.

*Related rights:* Freedom of Information

### **Case 70. Lichk villagers**

*Date:* August 14, 2015

*Description:* During the public hearing regarding the initial assessment of the Lichk copper mine project submitted by "Tatstone" LLC, which was held in Lichk Rural Municipality of Syunik marz, pressures were exerted against the activists acting against the mine exploitation. Namely, Security Chief of "Tatstone" LLC, former Deputy Police Chief of Yerevan Robert Melkonyan approached those speaking against the project, and rebuked them. The discussion was also attended by Meghri Mayor, who told the villagers they had already used a number of services, and could no longer stand back.<sup>580</sup>

*Follow-up:* The draft for the initial assessment of the mine project was proposed to public discussion, which contradicts the law, since according to the effective environmental legislation, the draft on the initial decision issued by Expertise Center based on the primary assessment should be submitted to the second hearing.

*Related rights:* Freedom of speech and expression, Right to participate in decision-making

### **Case 71. Activist Gevorg Safaryan**

*Date:* August 20, 2015

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<sup>579</sup>October 20, 2015 decree of the RA CC,

<http://www.concourt.am/armenian/decisions/common/2015/pdf/sdv-1234.pdf>

<sup>580</sup> Coordinated pressures were exerted against the villagers acting against the exploitation of Lichk copper mine,

<http://www.hrparak.am/?p=85612&l=am/lichqum+pxndzi+hanqavayri+shaagorcmam+dem+handes+ekox+guyxacineri+vra+hamakargvac+chnshumner+en+banecvum>

*Description:* “We are the owners of our country” youth initiative held a demonstration to the Presidential Palace to protest the beating of Syuzy Gevorgyan, a student residing in Russia, for her political beliefs. Because of throwing eggs in the direction of the Presidential Palace during the demonstration Gevorg Safaryan was taken to Arabkir police station.<sup>581</sup>

He informed that during his stay in the police station Yerevan Police Department Chief Ashot Karapetyan whispered a swear word of sexual nature over the phone and threatened to kill. After the conversation with him, another man in civilian clothing, who had introduced himself as the Chief, also swore at him and threatened.<sup>582</sup>

*Follow-up:* The police informed that Gevorg Safaryan had been apprehended under Article 182 of the RA Code on Administrative Offenses.<sup>583</sup> Yerevan Police Chief considered Gevorg Safaryan’s statement as nonsense.<sup>584</sup>

*Related rights:* Freedom of assembly and association, Right to be free from torture and inhuman or degrading treatment and punishment, Right to liberty and security

## **Case 72. “Stand Up Armenia” Initiative V, Hakob Dekhnavi**

*Date:* August 21, 2015

*Description:* The members of “Stand Up Armenia” initiative transported tires to Republic Square to set up a platform for the rally. The police officials demanded removing them, but the initiative members did not comply with was followed by snatching of the tires and apprehension of 3 initiative members by the police, among them Andrias Ghukasyan, Sergey Kyureghyan, and Andranik Martirosyan.

After the seizure of the tires by the police the initiative members displayed civic disobedience by sitting on the pedestrian crossing at Amiryan- Sargsyan intersection. The Police attempted to

<sup>581</sup> For breaking an egg at Baghramyan 26 “Founding Parliament” member was apprehended by the police, <http://www.aravot.am/2015/08/20/601309/>

<sup>582</sup> “Yerevan Police Chief swore and threatened Gevorg Safaryan”. FP, <http://galatv.am/hy/news/120762/>

<sup>583</sup> Protest action in Liberty Square, there is 1 apprehended activist, <http://civilnet.am/2015/08/20/protest-freedom-square-founding-parliament/#.Vfjt5tKqkqo>

<sup>584</sup> “We’ll kill you, slaughter you”, Deputy Police Chief threatened the activist, [http://www.forrights.am/?ln=1&id=20&page\\_id=199](http://www.forrights.am/?ln=1&id=20&page_id=199)

remove the protesters from the carriageway, which entailed disputes and scuffles during which one of the police officers slapped an elderly man Hakob Dekhnavi by shouting, “Calm down”.<sup>585</sup> Later several activists ran to the center of Republic Square and sat there. Another 3-4 protesters, including Davit Hovhannisyán, and Hakob Dekhavi, were apprehended by the Police officers.<sup>586</sup>

*Follow-up:* The police instituted claims against Andrias Ghukasyan, Sergey Kyureghyan, Davit Hovhannisyán, and Andranik Martirosyan. The cases against Andrias Ghukasyan and Davit Hovhannisyán were suspended until a ruling was issued over the constitutionality of Article 182 of the RA Code on Administrative Offenses based on the application of Kim Minasyán, while a fine of 50.000 AMD was imposed on Andranik Martirosyan and Sergey Kyureghyan by the decree of the RA Administrative Court for disobeying the lawful order by the police official.<sup>587</sup>

The Human Rights Defender issued a statement condemning the application of violence against the citizen, highlighting that he expected urgent measures to be undertaken by the law-enforcers regarding the quick and impartial examination of the case circumstances, and subjecting the police officer to liability.<sup>588</sup>

After the incident of slapping the elderly protester Police Senior Lieutenant Arthur Vardgesyan’s powers were terminated, and an internal investigation was appointed. On August 24 he made a public apology for the occurrence.<sup>589</sup> On August 29 the Police Media Service notified that the internal investigation was dismissed. a criminal case was initiated at the SIS under Article 309.2 of the RA Criminal Code.<sup>590</sup>

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<sup>585</sup> The police officer slaps an elderly man in Republic Square,

<http://www.epress.am/2015/08/21/nuunhquun-huunpuuqunonipjuun-hpuuquunquunof.html>

<sup>586</sup> Escalated situation in Republic Square, <http://www.aravot.am/2015/08/21/601814/>

<sup>587</sup> Court case N: AC/5773/05/15, Court case N: AC/5766/05/15, Court case N: AC/5785/05/15, Court case N: AC/5781/05/15

<sup>588</sup> Ombudsman strictly condemns the slapping of the elderly man by the police officer,

<http://www.aravot.am/2015/08/22/601874/>

<sup>589</sup> “I ask for public forgiveness, I acknowledge my mistake and regret”: Police officer that slapped the elderly, <http://www.lin.am/1702215.html>

<sup>590</sup> The internal investigation over the police, who slapped the citizen, was suspended,

<http://www.azatutyun.am/archive/news/20150829/2031/2031.html?id=27215563>

Hakob Dekhnavi underwent a medical forensic examination, which revealed that the slapping by the police had caused him 100% hearing loss (before that he had 70% hearing).<sup>591</sup> The investigator informed Hakob Dekhnavi that the documents on medical forensic examination were not attached to the case materials, since they got lost on the way and were not received by them.<sup>592</sup> Over the filed criminal case Dekhnavi was recognized as a victim.<sup>593</sup> No other details are available about the course of the case.

After the incident various publications about Hakob Dekhnavi being an Azeri conspirator and swearing at the police officer were disseminated on the web. Dekhnavi stated that he was Armenian with Nazaryan last name, and swore at the police officer after being slapped.<sup>594</sup> He also brought up the reason for swearing at the police officer hitting of a young demonstrator, mentioning that he had no other choice to prevent the violence.<sup>595</sup>

The Police filed a claim to the RA Administrative Court against Hakob Dekhnavi under Article 182 of the RA Code on Administrative Offenses (disobeying the legal order by a police official). The Court satisfied the claim by inflicting a 50.000 AMD fine against him. An appeal has been filed.<sup>596</sup>

A criminal case was filed over the slapping and inflicting a bodily injury to the citizen by the police officer, <http://www.ccc.am/hy/1428493746/3/4946>

<sup>591</sup> Nazari's is deaf in one ear, while the police officer who slapped him has an urological injury, <http://armtimes.com/hy/read/69010>

<sup>592</sup> The man, who lost hearing as a result of slapping by the police officer, is discontent with the preliminary investigation, <http://armtimes.com/hy/read/70811>

<sup>593</sup> Hakob Dekhnavi, who was slapped by the police official, was recognized a victim, <http://168.am/2015/10/15/550098.html>

<sup>594</sup> "Grandpa" Hakob is an Azeri agent that arrived from Iran": a user's open letter, <http://m.mamul.am/am/news/71300>

<sup>595</sup> 67-year-old grandfather Hakob's swearing after being slapped by the police officer: 18+, [http://asekose.am/hy\\_AM/news/11/198244-67-amy-a-hakob-papi-hayhoyanqner-ostikanic-aptak-stanalouc-heto-18.html](http://asekose.am/hy_AM/news/11/198244-67-amy-a-hakob-papi-hayhoyanqner-ostikanic-aptak-stanalouc-heto-18.html)

Grandfather Hakob to be Armenian, <http://www.hrparak.am/?p=86004&l=am/hakob+papikn+asum+evor+inqy+hay+e>

<sup>596</sup> Who is Hakob Nazari-Dekhnavi? <http://www.aravot.am/2015/08/28/603580/>

<sup>596</sup> The elderly man, who got a blow from the policeman, was charged in the amount of 50.000 AMD, <http://www.aravot.am/2016/03/03/663855/>

Court case N: AC/5771/05/15

*Related rights:* Freedom of assembly and association, Right to property, Right to freedom of movement, Right to be free from torture and inhuman or degrading treatment and punishment, Right to liberty and security, Right to fair trial

### **Case 73. Protest action of “No to Robbery” initiative in the Lovers’ Park**

*Date:* September 1, 2015

*Description:* The protest of “No to Robbery” initiative against the hike in electricity rate launched in the Lovers’ Park on September 1. The demonstrators wanted to continue their action near the Presidential Palace, but the police prevented by forming a circle. As a result clashed broke out, and the police officials removed the activists from the street through shoving. During the clashes protestor Vahram Petrosyan’s eye was injured.<sup>597</sup> 4 activists were apprehended from Baghramyan Avenue, including 1 underage.<sup>598</sup> Activist Ara Gharagozyan felt unwell, but the police officers allowed him past the police wall to drink water only after the intervention of the HRD representatives.<sup>599</sup>

*Follow-up:* The apprehended activists were released after a 3-hour stay in the police department.

*Related rights:* Freedom of assembly and association, Right to freedom of movement, Right to be free from torture and inhuman or degrading treatment and punishment, Right to liberty and security

### **Case 74. “Stand up Armenia” Initiative IV**

*Date:* September 1, 2015

*Description:* In support of the protest action staged on Baghramyan Avenue, the activists of “Stand up Armenia” initiative attempted to block Italy and Vazgen Sargsyan streets adjacent to the Republic Square, but the police prevented it. And when the citizens tried to pass round the police officers and continue the action on the

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<sup>597</sup>Members of “No to Robbery” initiative march towards Republic Square, <http://armtimes.com/hy/read/69426>

<sup>598</sup> 4 citizens were subjected to administrative apprehension. Police, <http://armtimes.com/hy/read/69430>

<sup>599</sup> A protester on Baghramyan felt unwell, <http://www.aravot.am/2015/09/01/604658/>

Square “carpet”, the police apprehended 8 of them to the Central police department, among them were members of “Stand up Armenia” coordinating board Andrias Ghukasyan and Davit Hovhannisyen.<sup>600</sup>

*Follow-up:* After 1 hour the apprehended activists were released.

*Related rights:* Freedom of assembly and association, Right to freedom of movement, Right to liberty and security

### **Case 75. Advocate Nikolay Baghdasaryan**

*Date:* September 1, 2015

*Description:* On September 1 charges were brought up against advocate Nikolay Baghdasaryan by the prosecutor’s decree under Article 144 of the RA Criminal Code on illegal collecting, keeping, use and dissemination of information pertaining to personal or family life. The criminal case was filed based on the grounds that during the open court hearing over one of his cases Baghdasaryan motioned to the Court demanding information about the witness over the case which was of crucial importance to the criminal case. His motion was satisfied by the Court and the witness, who had testified against his client, turned out to suffer from a mental disability. The court did not impose a binding signature on the advocate not to publish the proof obtained from the case. After it, the information regarding the witness’s mental health problems was disclosed by Nikolay Baghdasaryan during “Half-Open Windows” TV program. The advocate informed he had carried out his function prescribed by law and that the criminal prosecution against him was apparently linked with the scope of his professional activities, including the undertaking of actor Vardan Petrosyan’s court defense.<sup>601</sup>

*Follow-up:* Nikolay Baghdasaryan turned to Ombudsman Karen Andreasyan requesting relevant response.

<sup>600</sup> “Stand up Armenia” attempts to block the streets adjacent to Republic Square, <http://armtimes.com/hy/read/69432>

<sup>601</sup> This case is not only against me, but also against the Institute of Advocates, [http://forrights.am/?ln=1&id=12&page\\_id=428](http://forrights.am/?ln=1&id=12&page_id=428) ,

Nikolay Baghdasaryan applied to Karen Andreasyan, <http://168.am/2015/09/28/543041.html>

A number of NGOs have applied to the RA authorities, namely, to the RA General Prosecutor's Office demanding the termination of the illegal criminal prosecution against advocate Nikolay Baghdasaryan.<sup>602</sup>

The Advocates' Rights Protection Commission of the RA Chamber of Advocates also came up with a statement urging to drop the criminal case against the advocate.<sup>603</sup>

Nikolay Baghdasaryan appealed the decision of the Shengavit Deputy Prosecutor to quash the ruling of the RA Investigation Committee on refusing to file a criminal case and the decision of Yerevan Prosecutor to file a criminal case in the court.

On October 22, 2015 the Court of General Jurisdiction of Shengavit Administrative District rejected the appeal against the decision of the Shengavit Deputy Prosecutor.<sup>604</sup> While, the Court of General Jurisdiction of Kentron and Nork-Marash Administrative Districts refused the advocate's appeal against the ruling of Yerevan Prosecutor on January 20, 2016.<sup>605</sup> No other data are known regarding the criminal case.

*Related rights:* Freedom of speech and expression, Right to fair trial

## **Case 76. Violence against activist Shahen Harutyunyan**

*Date:* September 7, 2015

*Description:* Prior to Armenia vs Denmark game of EURO qualifier held in Vazgen Sargsyan Republican Stadium President of the RA FF Ruben Hayrapetyan talked to Shahen Harutyunyan, son of political prisoner Shant Harutyunyan, by urging him not to enter the playing field, as he had previously done it during Armenia-Portugal game held on June 13. During the game the police officials in civilian clothing restricted Shahen's freedom of movement, and did not allow

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<sup>602</sup> The NGOs have turned to international agencies, <http://www.aravot.am/2015/09/30/614160/>

<sup>603</sup> Statement regarding the criminal prosecution against advocate Nikolay Baghdasaryan, <http://www.lragir.am/index/arm/0/right/view/121415#sthash.v2gFoV1t.dpuf>

<sup>604</sup> The court rejected Nikolay Baghdasaryan's appeal, [http://forrights.am/?ln=1&id=12&page\\_id=461](http://forrights.am/?ln=1&id=12&page_id=461)

"Why don't they do things over my case the same way as everyone else's", the court examines the advocate's appeal, <http://168.am/2015/11/10/560631.html>

<sup>605</sup> Advocate Nikolay Baghdasaryan's appeal was declined, <http://www.aravot.am/2016/01/20/649426/>

him to watch the game by forming a wall in front of him. Moreover, at the end of the game a skirmish started between Shahen, the bailiffs and the police officials in civilian clothing. Shahen was shoved down the stairs, which caused him a foot contusion, and he was taken to hospital.  
606

*Follow-up:* During the skirmish Shahen's friend Vazgen Manukyan turned to the police officials for intervention, but they displayed inactivity.

Shahen did not file a report on crime to the police, and no criminal case was instituted.<sup>607</sup>

*Related rights:* The right to freedom of movement, Right to be free from torture and inhuman or degrading treatment and punishment, Right to life

### **Case 77. "No to Robbery" initiative members**

*Date:* September 8, 2015

*Description:* The district inspector visited the apartment of Mihran Avagyan, member of "No to Robbery" initiative's coordinating group, asked the parents for his phone number and inquired about him. The visiting person left his phone in the activist's apartment, then he came back after it, and this time finding Mihran at home, he also asked him questions. According to Mihran Avagyan, the district inspector had intentionally left his phone in order to pay the second visit. He related the latter's visit with the upcoming action of "No to Robbery" initiative to be held on September 11. The apartments of other members of the coordinating group (Aram Manukyan, and Rima Grigoryan) were also visited.<sup>608</sup>

<sup>606</sup> After Ruben Hayrapetyan's words Shahen Harutyunyan was shoved down the stairs,

<http://www.a1plus.am/1404271.html>

Shahen Harutyunyan about his conversation with Ruben Hayrapetyan and the incident in the stadium,

<http://www.lragir.am/index/arm/0/right/view/120107>

<sup>607</sup> Filing of the criminal case over inflicting bodily injury to Shahen Harutyunyan was rejected,

<http://armtimes.com/hy/read/70341>

<sup>608</sup> "Strange" visits to the apartments of "No to Robbery" initiative members,

<http://armtimes.com/hy/read/69859>

*Follow-up:* Head of the Information and Public Relations Department of the RA Police Ashot Aharonyan stated that the information was ungrounded and did not comply with reality. He also noted that if a community inspector visited the activist, it was in no way linked with his public activities.<sup>609</sup>

On September 18 “No to Robbery” initiative issued a statement which read, “Confidential and obvious chasings started against the peaceful demonstrators, civic activists, students struggling against the hike in electricity, and their relatives, that are instigated by various force agencies, employees, and heads of educational establishments in an effort to create an atmosphere of fear among public”. The initiative promised to undertake radical measures in case the chasings continued.<sup>610</sup>

Related rights: Right to respect for private life, Freedom of assembly and association

### **Case 78. "No" Front's forum**

*Date:* September 9, 2015

*Description:* Despite previously obtained agreements, “Marriott Armenia”, “Ani Plaza”, “Golden Tulip”, “Hilton”, “Erebuni Plaza”, “Hayat”, “Elite Plaza”, “Yerevan Plaza”, “Opera Suite” hotels and Moscow house refused to provide a hall to “You Won't Pass It” Initiative struggling against constitutional amendments to hold a forum on September 12.<sup>611</sup>

*Follow-up:* The forum was held in the hall of Armenian Democratic Party headed by Stepan Demirchyan.

*Related rights:* Electoral rights, Freedom of assembly and association, Freedom of speech and expression, Right to be free from discrimination

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<sup>609</sup> “If the police officer visited the activist, it was in no way linked with his activities”, Ashot Aharonyan, <http://webcache.googleusercontent.com/search?q=cache:http://www.aravot.am/2015/09/10/607358/>

<sup>610</sup> “Confidential and obvious chasings started against demonstrators and activists”, “No to Robbery”, <http://www.aravot.am/2015/09/18/610105/>

<sup>611</sup> “You Won't Pass It” initiative will hold the forum in the ADP office, since the hotels refused to provide a hall, <http://hetq.am/arm/news/62538/cheq-anckacni-nakhadzernutyuny-hamazhoxovy-kanckacni-hzhk-grasenyakum-qani-orhyuranocnery-merzhel-en-taratsq-tramadrel.html>

## Case 79. Protest of “No to Robbery” initiative in Liberty Square

*Date:* September 11, 2015

*Description:* The members of “No to Robbery” initiative held a rally demanding the abrogation of the decision on raising the electricity rate in Liberty Square, which was followed by a march towards Baghramyan Avenue and a sit-in strike, although the Municipality had defined a different route in the adopted decision. Near Baghramyan Avenue the police officials attempted to stop the march.<sup>612</sup> The Police announced that the sit-in strike on Baghramyan Avenue was illegal, and gave the protesters 6 hours to empty the avenue. At 5 am on September 12, when the deadline defined by the Police expired, Valeri Osipyan gave another half an hour to vacant the avenue. After the second deadline was over, the police broke through the protesters’ wall, took them into a circle, and apprehended 48 activists.<sup>613</sup> As a result of the police officers’ actions against the sit-inners, the health condition of 3 demonstrators aggravated, 2 of them Artur Kocharyan and Vaghinak Shushanyan was transported to hospital.<sup>614</sup>

*Follow-up:* Kocharyan and Vaghinak Shushanyan underwent an examination and were discharged.<sup>615</sup>

Protocols under Article 182 of the RA Code on Administrative Offenses were drawn up against the apprehended activists. In November some of them, including Maksim Sargsyan and Aram Manukyan, were notified that the Police had submitted claims against them to the Administrative Court.<sup>616</sup> The proceedings of the administrative case filed against Maksim Sargsyan were suspended until a ruling was issued over determining the compliance of Article 182 of

<sup>612</sup> The citizens “occupied” Baghramyan, <http://www.aravot.am/2015/09/11/608078/>  
Crowded procession to Baghramyan avenue launched. The police officials are attempting to prevent, <http://www.lragir.am/index/arm/0/country/view/120285>

<sup>613</sup> All of the activists apprehended from Baghramyan Avenue are already released, <http://www.lragir.am/index/arm/0/country/view/120312>,

How the policemen dispersed the demonstration “dancing” and liberated Baghramyan Avenue, <http://www.lin.am/1718011.html>

<sup>614</sup> Vaghinak Shushanyan was also taken to hospital, <http://www.aravot.am/2015/09/12/608263/>

<sup>615</sup> Activist Vaghinak Shushanyan underwent an examination and went home, <http://armtimes.com/hy/read/70044>

Further actions of “No to Robbery” are not clear, <http://www.a1plus.am/1405290.html>

<sup>616</sup> The RA Police has turned to the court and demands imposing of 50.000 AMD administrative fine on the activists, <http://galatv.am/hy/news/50-14/>

the RA Code on Administrative Offenses with the RA Constitution based on the application of Kim Minasyan, Lusine Harutyunyan and Vardges Gaspari. Aram Manukyan's case is still under examination. The activists submitted counterclaims demanding the recognition of the breach of their rights, and the unlawfulness of the actions of the RA police officers, which were not taken into trial, and the RA Administrative Court of Appeals declined the appeals.<sup>617</sup>

*Related rights:* Freedom of assembly and association, Right to freedom of movement, Right to be free from torture and inhuman or degrading treatment and punishment, Right to life, Right to liberty and security

### **Case 80. Gegham Khachatryan's Facebook post**

*Date:* September 12, 2015

*Description:* Officer of 4th Battalion of Police "Angels" Gegham Khachatryan made the following Facebook post, "My words are meant for those whores, who swear at the mothers and family members of police officials. This is my personal opinion. I ask for the forgiveness of the women who read this: gevorg SAFAROV, shushanik VAGHINAKYAN and remaining other whores and bastards, look at you, your families, and those standing next to you, and you'll see that you deserve the profanities. You have taken to the streets like bastards with those slogans of patriotism and freedom. How can a patriot swear at the servants of motherland and his protectors? I may repeat myself, but this is my persons view."<sup>618</sup>

*Follow-up:* "Foundation against Violation of Law" NGO turned to the RA Police Chief Vladimir Gasparyan and Ombudsman Karen Andreasyan demanding submission of disciplinary proceedings against Gegham Khachatryan. On October 1 RA Human Rights Defender Karen Andreasyan reached a decision to admit the examination of the claim. On September 18 Head of the Information and Public Relations Department of the RA Police Ashot Aharonyan explained the failure to announce a reprimand to Gegham Khachatryan with his standpoint of a

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<sup>617</sup> Court case N: AC/6238/05/15, Court case N: AC/6243/05/15

<sup>618</sup> We request filing of disciplinary proceedings against officer of 4th Battalion of "Angels" Gegham Khachatryan, <http://www.aravot.am/2015/09/19/610557/>

citizen. By the way, Ashot Aharonyan also “liked” the aforementioned post on Facebook.<sup>619</sup>

*Related rights:* Right to be free from torture and inhuman or degrading treatment and punishment, Right to respect for private life

### **Case 81. “A1+” journalist Narine Iritsyan**

*Date:* 2015թ. September 18

*Description:* Journalist of “A1+” Narine Iritsyan asked MP, General Manvel Grigoryan if the latter considered Vahan Martirosyan who had recently fled to Azerbaijan a traitor. Manvel Grigoryan got agitated by stating, “You are on good terms with Aliev, go and ask him.” The journalist urged him to respond her question without impertinent comments, to which the General countered, “Hey you, set aside, what do you want from me?...” and pushed the journalist’s camera.<sup>620</sup>

*Follow-up:* Regarding the incident “Protection of Journalists' Rights” NGO issued a statement condemning Manvel Grigoryan’s conduct and demanding an apology.<sup>621</sup>

Narine Iritsyan considered there was no point in applying to the NA Ethics Commission.<sup>622</sup>

*Related rights:* Freedom of Information, Right to be free from torture and inhuman or degrading treatment and punishment

### **Case 82. “Hraparak” Daily**

*Date:* September 18, 2015

*Description:* On September 18, 2015 an article was published on the website of “Hraparak” daily, according to which, some woman informed the editorial house of the newspaper that several seconds after an incident between a young man and Sashik Sargsyan, the brother of Serzh Sargsyan near “Coffee Shop” café, several men that arrived on case scene in 2 Jeeps brutally beat the young man.<sup>623</sup> After the

<sup>619</sup> HRD’s response over Gegham Khachatryan’s case, <http://arm.favl.am/2015/10/02/միայն-սրճապահը-ընդհատ-խաչատրյանի-գործը/>

<sup>620</sup> Manvel Grigoryan against insulted a journalist, <http://www.aravot.am/2015/09/18/610054/>

<sup>621</sup> They demand that Manvel Grigoryan apologize to the journalist, <http://www.a1plus.am/1406573.html>

<sup>622</sup> The journalist considered applying to the NA Ethics Commission hopeless, <http://armtimes.com/hy/read/70435>

<sup>623</sup> Push off here quickly, or you’ll end up without womb. The subsequent incident with Sashik Sargsyan’s participation,

publication of the article threats of “punishment” were addressed to the newspaper, a demand to publish a denial and disclose the information source was posed.<sup>624</sup>

*Follow-up:* HCA Vanadzor sent a note to the RA SIS and General Prosecutor’s Office with a demand to file a criminal case.<sup>625</sup> The Prosecutor’s office addressed the note to the Police General Department on Combating Organized Crime, representatives of which visited the newspaper’s editorial house and attempted to disclose the information source, but the newspaper refused to provide it. As a result, on October 14 a criminal case was instituted at the RA Investigation Committee under Article 333.1 of the RA Criminal Code (false reporting), within the framework of which the newspaper’s editor-in- chief was summoned for interrogation.<sup>626</sup> The decision on filing a criminal case was not sent to HCA Vanadzor, therefore, the latter sent a complaint-appeal to the RA Prosecutor General on December 23, 2015 demanding to obligate the investigator, who had instituted the criminal case, to provide it to the Origination. In January of 2016 the General Prosecutor’s Office sent the requested decision to file a criminal case in a reply note, which contained no information about exacting explanation from Sashik Sargsyan. A decision was reached to apprehend Chairman of HCA Vanadzor Artur Sakunts in order to exact explanation regarding the submitted report; he was given a status of a witness.<sup>627</sup>

The organization appealed the decision to file a criminal case under false reporting first in the order of subordination and then in court procedure. HCAV demanded provision of a legal assessment over the criminal prosecution against the mass media representative and

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<http://www.hrparak.am/?p=87831&l=am%2Fshut+gna+stexic+te+che+du+aranc+argandi+kmnashertakan+mijadepy+sashik+sargsyani+masnakutyamb>

<sup>624</sup> Artur Sakunts demanded investigation into the incident with the participation of the president’s brother, <http://hrparak.am/?p=90101&l=am%2Fartur+saquncy+pahanjel+e+hetaqnel+naxagahi+exbor+masnakutyamb+mijadepy>

<sup>625</sup> The RA Special Investigation Service and the RA Police function as units of 1 agency, <http://hcav.am/events/13-10-2015-07/>

<sup>626</sup> Artur Sakunts demanded investigation into the incident with the participation of the president’s brother, <http://hrparak.am/?p=90101&l=am%2Fartur+saquncy+pahanjel+e+hetaqnel+naxagahi+exbor+masnakutyamb+mijadepy>

<sup>627</sup> Sashik Sargsyan was not interrogated, <http://hcav.am/events/25-01-2016-08/>

crime reporter, as well as take a decision to quash the breach of Artur Sakunts' rights and freedoms. No ruling has been issued regarding the admission or rejection of the cassation appeal.

The editorial office of "Hraparak" daily considered that the crime report was not to the point, and that it was used by the law-enforcers as a pressure against the newspaper and not an asset for the revelation of the case.<sup>628</sup>

*Related rights:* Freedom of Information, Freedom of speech and expression, Right to fair trial

### **Case 83. Rally by "No" Front**

*Date:* September 25, 2015թ.

*Description:* By the order of the former Traffic Police Chief Ishkhan Ishkhanyan, the driver stopped the bus and dropped the journalists that were going to Gyumri to elucidate the rally of "You Won't Pass It" Initiative struggling against constitutional amendments, and a group of activist in the vicinity of Ujan village, thereby preventing them from reaching the rally destination. Whereas the drama theater named after Vardan Achemyan did not provide power for the rally explaining that they had a previously arranged event. The rally participants also accused the police officers in the power cut.<sup>629</sup>

*Follow-up:* Head of the Information and Public Relations Department of the RA Police Ashot Aharonyan responded to the accusation by posting the following note on his Facebook wall, "By the virtue of its functions, the Police are not entitled to provide rallies with power, cut it, or engage in other sort of issues. We urge to refrain from intentions and attempts to bring up ungrounded accusations against the police."

*Related rights:* Freedom of assembly and association, Freedom of Information, Right to freedom of movement

<sup>628</sup> Artur Sakunts demanded investigation into the incident with the participation of the president's brother, <http://hraparak.am/?p=90101&l=am%2Fartur+saquncy+pahanjel+e+hetaqnel+naxagahi+exbor+masnackutyamb+mijadepy>

<sup>629</sup> "No" Front's first rally was over, the next one is scheduled for October 2, <http://armtimes.com/hy/read/70879>

**Case 84. "You Won't Pass It" Initiative members**

*Date:* September 29, 2015

*Description:* On the night of September 28 members of "You Won't Pass It" Initiative Artur Minasyan, Hrayr Manukyan, Karpis Pashoyan, and Hayk Avetikyan, who were going to paint "No" on the walls, were apprehended to the Central department of the Police.<sup>630</sup> While in the evening of September 29, initiative member Vardan Harutynyan was apprehended from Mashtots Park for the same reason.<sup>631</sup>

*Follow-up:* The apprehended activists were kept in the police department for over 2 hours and a protocol under Article 172. 2 of the RA Code on Administrative Offenses (Violation of the rules for the use of public places) was drawn up against them.

*Related rights:* Freedom of speech and expression, Right to liberty and security

**Case 85. You Won't Pass It" Initiative action**

*Date:* October 5, 2015

*Description:* "You Won't Pass It" Initiative struggling against the constitutional amendments initiated a march from Liberty Square towards the RA National Assembly, where the question of putting the draft on constitutional amendments to a referendum was being voted. For an instant, the police obstructed the march on Mashtots avenue.<sup>632</sup>

The police officials prohibited the demonstrators to post a "No" poster on the gates of the RA National Assembly explaining that they did not have a permission from an authorized body. As a result, clashes began between the protesters and the police.<sup>633</sup> 21 activists were apprehended to Arabkir department of the Police.<sup>634</sup> MP Levon Zurabyan urged the police officers not to "behave like rag-tags, it is a

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<sup>630</sup> 4 members of "You Won't Pass It" were apprehended,

<http://www.azatutyun.am/content/article/27276671.html>

<sup>631</sup> An activist was apprehended again, <http://www.a1plus.am/1408658.html>

<sup>632</sup> Numerous demonstrators were apprehended from the NA building,

<http://www.aravot.am/2015/10/05/615501/>

<sup>633</sup> The protest action in front of the NA continues: 21 people were apprehended,

<http://www.lin.am/1736264.html>

<sup>634</sup> 21 citizens were released: the next rally is scheduled for October 30, <http://armtimes.com/hy/read/71414>

shame”, to which Yerevan Deputy Police Chief Valeri Osipyan replied, “You are the rag-tag, yourself.”<sup>635</sup>

The police officers also attempted to apprehend MP Aram Manukyan, regarding which Yerevan Deputy Police Chief Valeri Osipyan stated, “Nobody was apprehended. Besides, a policeman is not obliged to recognize all of the MPs, if a MP has left the National Assembly, has come and stood side by side with the protesters, then he should have at least had an identification of a MP.”<sup>636</sup>

*Follow-up:* “You Won't Pass It” Initiative disseminated a statement, according to which, the apprehended activists were not for quite some time allowed to meet with their advocates and representatives of the HRD Rapid Response Group.<sup>637</sup>

A protocol under Part 11 of Article 180.1 of the RA Code on Administrative Offenses (breaching the order of holding assemblies defined by law) was compiled against 8 of the apprehended activists.<sup>638</sup>

On October 13 human rights defender Karen Andreasyan issued a statement condemning the attempt of exerting physical force against MP Aram Manukyan, and by highlighting that during the implementation of his duties, Yerevan Deputy Police Chief Valeri Osipyan violated the code of ethics of a police officer, namely, during the implementation of his professional duties, he did not demonstrate necessary reticence, in certain cases he displayed emotional behavior and disrespect towards the rally participants and even to the NA deputy. HRD urged to carry out a thorough investigation of the case, and give a relevant assessment.<sup>639</sup>

<sup>635</sup> The deputy to Valeri Osipyan, “Don't do impudence”, <http://www.aravot.am/2015/10/05/615670/>

<sup>636</sup> During the attempt to apprehend the ANC deputy Osipyan told to get off, but the deputy refused, <http://www.aravot.am/2015/10/05/615632/>

<sup>637</sup> “You Won't Pass It” strictly condemns the arbitrary actions of the police, <http://www.aravot.am/2015/10/06/615963/>

<sup>638</sup> Protocol was drawn up against 8 activists apprehended from the vicinity of the NA, <http://www.lin.am/1736558.html>

<sup>639</sup> During the implementation of his duties, Valeri Osipyan did not demonstrate reticence, HRD, <http://www.lin.am/1743042.html>

In relation to the incident, internal investigations were appointed against some of the police officers in the department of Yerevan police.<sup>640</sup> The results are not available.

*Related rights:* Freedom of assembly and association, Freedom of speech and expression, Right to be free from torture and inhuman or degrading treatment and punishment, Right to liberty and security

### **Case 86. "You Won't Pass It" Initiative member Vardan Harutyunyan**

*Date:* October 14, 2015

*Description:* In the evening of October 14 member of "You Won't Pass It" Initiative and ANC youth group Vardan Harutyunyan was attacked by 5 men near the building entrance of his apartment. He posted a note about this on his Facebook wall, informing that the men had been sent by the ARF faction members. A skirmish began between them, 5 young men hit him and getting return blows the left.<sup>641</sup> Vardan Harutyunyan also notified that ARF member Gerasim Vardanyan had called and threatened him prior to the incident.<sup>642</sup> Activist linked the incident with the question he posed to ARF representative Artsvik Minasyan at the recent discussion on constitutional amendments, "Mr. Minasyan, your colleague, ideological friend Armen Rustamyan once told Hrayr Tovmasyan "Chatlakh" (generic harsh insult) in the NA, don't you think that voting "for" the Constitution drafted by the "chatlakh", you are also bound to commit a "chatlakh" act?"

*Follow-up:* The RA General Prosecutor's Office took Vardan Harutyunyan's statement as a report on crime and sent it to the RA Police to launch an investigation. He was summoned to give an explanation. On October 19 in talk with Gala the activist informed that the conflict had been resolved and he did not intend to go to the Police.

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<sup>640</sup> An internal investigation was launched in the Police,

<http://www.chi.am/index.cfm?objectid=4D48DAA0-737B-11E5-81370EB7C0D21663>

<sup>641</sup> ANC young member, who posed a question full of offenses, was shoved, "Chhorrod Ishkhanutyun", <http://www.aravot.am/2015/10/15/618993/>

<sup>642</sup> Vardan Harutyunyan, "My struggle is not against ARF, but against Serzh Sargsyan's criminal regime", <http://www.aravot.am/2015/10/19/620243/>

“Yes, I have been summoned by the Police, but I did not go there, and I do not intend to, I don’t see point in it, I don’t trust the RA Police.”<sup>643</sup>

*Related rights:* Freedom of speech and expression, Right to be free from torture and inhuman or degrading treatment and punishment, Right to life

### **Case 87. a1plus.am and mamul.am**

*Date:* October 15, 2015

*Description:* On September 24, 2015 a1plus.am reissued the footage on brutally beating citizen of Georgia Poghos Poghosyan to death by the RA president Robert Kocharyan’s security dated 2001, where the murder is said to have been committed in “Aragast” café. But referring to a1plus.am Mamul.am also posted the footage. After the aforementioned publications the owner of “Aragast” café submitted claims against the 2 media outlets, claiming that the murder took place in “Popolovok” café and not in “Aragast” and demanding a compensation of 1.000.000 AMD.<sup>644</sup>

*Follow-up:* Head of “A1plus.am” website Mesrop Movsesyan considered the claim as “beating around the bush” by stating that former incumbent prosecutor stated that the murder took place in “Aragast” café, and the mass media presented his words. The trial over the case is undergoing.<sup>645</sup>

*Related rights:* Freedom of speech and expression

### **Case 88. Rainbow Forum**

*Date:* October 20, 2015

*Description:* “Rainbow” forum, dedicated to the protection of the rights of Armenian LGBT community members, was held on October 17-18 by the initiative of “Public Information and Need of Knowledge” NGO (PINK). Regarding which on October 20 several articles headlined, “Gay and lesbian movement in Armenia, who from

<sup>643</sup> The activist subjected to violence was summoned to the Police, <http://galatv.am/hy/news/127219/>

<sup>644</sup> “A1+” considered the claim against it as pointless “beating around the bush”, <http://www.epress.am/2015/11/19/«ա1»-ն-ի-ը-դե-դատական-հայցն-անիմաստ-ըն.html>

<sup>645</sup> Court case N: YCC /4701/02/15

the Famous Armenians has joined them?”, and photos were disseminated on a number of websites, Facebook walls, and groups. Profanities and threats were contained in the comments of the publications addressed to the forum participants, namely, “It is a herd of cattle, they should be annihilated at state level”, “Burn them all without exception”, “Personally, I will slaughter” and others.<sup>646</sup>

*Follow-up:* Regarding the aforementioned threats PINK NGO sent a complaint to RA Prosecutor General Gevorg Kostanyan. In his letter addressed to him the organization reminded that another letter regarding the threats to the participants of International day against Homophobia and Transphobia events had been previously sent to the Prosecutor's Office, but a response was received from the Police stating that no crime elements were revealed as a result of the conducted investigation. The Organization also highlighted that as a result of the inactivity by the law-enforcers, the atmosphere of impunity has entailed the non-stop threats and hate speeches against the LGBT community members. On October 28 [henaran.am](http://henaran.am) issued an article headlined, “Gays have filled up the Prosecutor’s office with documents. Armenian Times”, which read, “It turns out that the homosexual public has thoroughly documented all those negative opinions and sent a large-scale complaint to the General Prosecutor’s Office. As one of the worker of Prosecutor’s Office pointed out with humor, “Poor our cleaning lady, we have not received so much waste for ages.”” [Epress.am](http://Epress.am) disclosed that such an article wasn’t posted either in “Haykakan Zhamanak” daily, or in its website.

The US Embassy also expressed concerns through statements regarding the incident.<sup>647</sup>

The Investigation Committee informed the Organization that no criminal case had been instituted due to lack of *corpus delicti*.<sup>648</sup>

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<sup>646</sup> Press preaches hatred, the organization is waiting for the law-enforcers’ reply,

<http://www.epress.am/2015/10/30/fuufnqlu-wuntpjnjnlu-f-pupnqnuf.-lquqif.html>

<sup>647</sup> The US Ambassador met with the representatives of PINK NGO, and expressed concerns regarding the threats of violence against them, <http://www.aravot.am/2015/10/30/623892/>

<sup>648</sup> “Irvunk” newspaper, LGBT forum, beating of transgenders in HRW’s report, [http://www.pinkarmenia.org/2016/01/hrw\\_report/](http://www.pinkarmenia.org/2016/01/hrw_report/)

*Related rights:* Right to be free from discrimination, Right to respect for private life, Right to be free from torture and inhuman or degrading treatment and punishment, Right to fair trial

**Case 89. “Transparency International Anticorruption Center” NGO observers**

*Date:* November 6, 2015

*Description:* At the discussion on Constitutional Amendments convened by “Transparency International Anticorruption Center” NGO in Meghri Meghry Mayor Arshavir Hovhannisyan stated that citizens don’t need additional awareness and will vote as he tells them to. As a result, 3 of the Organization’s observers refused to conduct an observation mission on the day of the Referendum.<sup>649</sup>

*Follow-up:* To the question of aravot.am about the abovementioned statement at the discussion, Meghry Mayor answered, “I could not have made such a statement that I was the decision-maker in the marz. The marz has a governor, let him decide.”

When the journalist specified that the city and not marz was meant, he stated that he invited to see the atmosphere in the city by adding, “I don’t know what organization it was, but I can immediately say it was just a slender... Only tell that person on my behalf that I consider him a jerk, I could not have uttered anything of the kind, it is something that contradicts my character”.<sup>650</sup>

*Related rights:* Electoral rights

**Case 90. “Red Card” civic initiative I**

*Date:* November 16, 2015

*Description:* On November 16 “Red Card” civic initiative struggling against the electricity, gas, sugar, flour, and petrol price hike staged an action in front of the Presidential Palace. The action participants gave 10 minutes for the President to come downstairs. After the given time elapsed, they threw red cards to the inner side of

<sup>649</sup> Use of Administrative Resources in Preparation of Referendum, Summary, <http://transparency.am/hy/news/view/1170>

<sup>650</sup> Meghri Mayor threatens, “Tell that person on my behalf that I consider him a jerk”, <http://www.aravot.am/2015/11/19/630684/>

the gate grilles. The police apprehended Sevak Manukyan and Varazdat Barseghyan, 2 young activists who threw the cards.<sup>651</sup>

*Follow-up:* A protocol was drawn up against the apprehended activists and they were released.<sup>652</sup>

*Related rights:* Freedom of assembly and association, Right to liberty and security

### **Case 91. "No" Front's youth forum**

*Date:* November 27, 2015

*Description:* Violating the previously obtained agreement, "Double Tree by Hilton" Hotel refused to provide a hall for the "No" Front's youth forum scheduled for November 30.<sup>653</sup> The forum was cancelled due to the unwillingness of the hotel to provide a hall.

*Follow-up:* "You Won't Pass It" civic initiative issued a statement, where the case was assessed as a breach of the right to equal opportunities for campaigns by the authorities.

*Related rights:* Electoral rights, Freedom of speech and expression

### **Case 92. . "Red Card" civic initiative II**

*Date:* November 30, 2015

*Description:* "Red Card" civic initiative struggling against the electricity, gas, sugar, flour, and petrol price hike held a march to the Governmental building, National Assembly and the Presidential Palace to get the replies of the letters submitted on November 23. Near Baghramyan-Demirchyan intersection the protesters attempted to get on the Presidential Palace side, but the police prevented.<sup>654</sup> The police officers allowed several protesters and a cameraman to enter the NA reception, but were soon forced out. The activists again wanted to cross the Presidential Palace side. As a result of the skirmish, the initiative members Sevak Manukyan and Varazdat Barseghyan were

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<sup>651</sup> Activists were apprehended for throwing a suspicious object over the gate grilles of the Presidential Palace, <http://news.am/arm/news/296576.html>, Activists

<sup>652</sup> Activists apprehended from the Presidential Palace were released, <http://armtimes.com/hy/read/73928>

<sup>653</sup> Statement of "You Won't Pass It" civic initiative, <http://www.aravot.am/2015/11/27/633441/>

<sup>654</sup> Clashes between the police and protesters, <http://www.aravot.am/2015/11/30/634207/>

apprehended.<sup>655</sup> The protesters marched from the NA to the square by attempting to block Moskovyan Street on the way, but the police moved the protesters to the sidewalk and apprehended another 3 activists.<sup>656</sup> The remaining protesters went to the Central department of the Police.

*Follow-up:* Activists were freed three hours later. A protocol was drawn up against them under Article 182 of the RA Code of Administrative Offenses: disobeying a lawful order by a police officer. Apprehended Paylak Tevanyan informed that in the police station he was not allowed to contact his advocate and relatives to report his location.<sup>657</sup>

*Related rights:* Freedom of assembly and association, Right to freedom of movement, Right to liberty and security, Freedom of Information

### **Case 93. Journalist Karine Simonyan**

*Date:* December 4, 2015

*Description:* President of the RPA Regional Board Aleksan Poghosyan forbade journalist from “Azatutyun” radio station Karine Simonyan to carry out shootings in “Yes” headquarters located in Sevan city, stating, “Hey you, switch it off, stop making monkey out of me, push off here”.<sup>658</sup>

*Follow-up:* No additional information is available regarding the case.

*Related rights:* Electoral rights, Freedom of Information, Right to be free from torture and inhuman or degrading treatment and punishment

### **Case 94. Mass Media representatives elucidating the referendum on constitutional amendments**

*Date:* December 6, 2015

*Description:* Pursuant to the data of the Committee to Protect Freedom of Expression, 2 Mass Media representatives were subjected to

<sup>655</sup> Protesters were apprehended, <http://www.aravot.am/2015/11/30/634216/>

<sup>656</sup> Paylak Tevanyan and another 2 protesters were apprehended, <http://www.aravot.am/2015/11/30/634221/>

<sup>657</sup> 5 of the apprehended “Red Card” protesters were released, <http://news.am/arm/news/299233.html>

<sup>658</sup> Representatives of the RPA Sevan are sure “yes” will win in their community, <http://www.azatutyun.am/content/article/27407359.html>



from the precinct” had been posted on the alerts map of Transparency International Anticorruption Center’s website in order to exact a report and an explanation in that regard.<sup>660</sup>

“Civic Observer” initiative issued a statement that on the day of the referendum Chairman of the Central Electoral Commission of RA Tigran Mukuchyan called representative of asparez.am Meline Avagyan and informed that a complaint had been received by the CEC under her name, which contained information about alleged pressures against her in the precinct. Hearing that there was nothing of the sort, T. Mukuchyan demanded from the mass media representative to contact the reporters, and deny the information.

The statement disseminated by the Prosecutor’s office on December 7 had it that Meline Avagyan informed Tigran Mukuchyan that the facts contained in the report did comply with reality, and that she did not ask anyone to file a complaint on her behalf. Whereas, the application filed to the CEC read that the mass media representative and the observer were prevented from getting familiarized with the voters’ list and make notes, instead of pressures exerted against them. The complaint had been sent by one of the advocates of “Civic Initiative” authorized by Meline Avagyan and representative of “Europe in Law Association” NGO Ani Gevorgyan, who was an observer in the same precinct based on the reports from them. The initiative condemned CEC President Tigran Mukuchyan’s act.<sup>661</sup>

*Follow-up:* On December 7 10 journalism organizations came up with a statement condemning the violations of journalists’ rights on the day of the referendum, demanding impartial investigation of the cases.<sup>662</sup> OSCE Representative on Freedom of the Media Dunja Mijatović expressed concerns over the case by urging the authorities to investigate the incidents.<sup>663</sup>

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<sup>660</sup> The police regarding received alerts, <http://galatv.am/hy/news/132579/>

<sup>661</sup> Tigran Mukuchyan exerted pressure against mass media representative, <http://www.aravot.am/2015/12/09/637996/>

<sup>662</sup> Statement. Provide the public with explanations regarding the violence and hindrance against journalists, <http://www.aravot.am/2015/12/07/637092/>

<sup>663</sup> Mijatović called on the RA authorities to ensure journalists’ right to freedom of movement, <http://www.azatutyun.am/content/news/27417161.html>



*Related rights:* Electoral rights, Freedom of Information, Right to property, Right to be free from torture and inhuman or degrading treatment and punishment, Right to fair trial

### **Case 95. Observers of constitutional referendum**

*Date:* December 6, 2015

*Description:* Pursuant to the alerts map of “Civic Initiative”, 577 cases over breach of rights of observers/ mass media representatives, proxies, or commission members were recorded on the day of the referendum. Generally speaking, the number and volume of pressures against the observers and mass media representatives by the proxies and election commissions were unprecedented.<sup>667</sup>

The most serious encroachments against the observers are presented below.

By the instruction of the Commission chairman, observer of “Europe in Law Association” NGO Vardges Gaspari was apprehended from 9/15 precinct on the grounds that he impeded the course precinct’s regular work.

In 4/01 precinct the proxies of RPA and Rule of Law beat observers Iranian citizen Romik Danial and RA citizen Hakob Nazari-Dekhnavi, because they had being reporting on election frauds. RPA’s proxy snatched Romik Danial’s camera. Hakob Nazari-Dekhnavi was apprehended based on a report on crime received by them. The law-enforcers also forced Romik Danial out of the precinct and attempted to apprehend.<sup>668</sup>

*Follow-up:* Romik Danial’s camera was returned several hours later without the memory card. A criminal case was filed over the

<sup>667</sup> Final Report: Observation Mission for the Constitutional Amendments Referendum of the Republic of Armenia on December 6, 2015, <http://transparency.am/files/publications/1454928096-0-529110.pdf>  
HCA Vanadzor Report on Adoption Process of Imposed Constitutional Amendments, <http://hcav.am/wp-content/uploads/2016/01/Constitutional-Reform-2015.pdf>

<sup>668</sup> Process of Constitutional Referendum, <http://civilnet.am/2015/12/06/constitutional-referendum-online-update/#.Vvkrp9KLTct>

<https://www.youtube.com/watch?v=c2PdDqoF3eE>

Dispute between a police officer and an observer, <http://www.azatutyun.am/media/video/27410360.html>

incident with him, within the framework of which he was recognized as a victim.<sup>669</sup>

Several days later the SIS published a statement informing that a criminal case under the features of Article 149.1 of the RA Criminal Code had been instituted against Vardges Gaspari.<sup>670</sup> Pursuant to the investigator's conclusion, Vardges Gaspari "had defiantly and very closely shot the PEC's work, exerted psychological pressures on them, made noise, started disputes, and asked the voters unnecessary questions". The investigator also inferred that Vardges Gaspari's shooting caused a female voter "to be ashamed, perplexed and to leave the precinct without voting", whereas, in reality someone else had already voted in the place of the woman, therefore, she could not vote.<sup>671</sup> On May 19, 2016 the RA SIS took a decision to dismiss the criminal case against V. Gaspari.<sup>672</sup>

The RA Special Investigation Service informed that the Chairman of 4/01 precinct commission reported that Hakob Nazari-Dekhnavi had unduly disputed, and exerted violence against him. In his turn, the observer filed a report that the Commission Chairman applied violence against him. A criminal case was filed over the incident under the features of Paragraph 3 of Article 149.2 of the RA Criminal Code.<sup>673</sup>

*Related rights:* Electoral rights, Freedom of Information, Right to property, Right to be free from torture and inhuman or degrading treatment and punishment, Right to liberty and security, Right to participate in decision making

## **Case 96. Activist Artak Gevorgyan**

*Date:* December 10, 2015թ.

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<sup>669</sup> Romik Danial, "Top goal of the Chairman and some members was to hinder the observer's work", <http://www.azatutyun.am/content/article/27443389.html>

<sup>670</sup> Criminal case was filed against Vardges Gaspari, <http://www.aravot.am/2015/12/11/638573/>

<sup>671</sup> The observers turned from a witness into a defendant for "hindering the voting", <http://www.azatutyun.mobi/a/27529778.html>

<sup>672</sup> Criminal case filed against Vardges Gaspari was closed, <http://henaran.am/202573.html>

<sup>673</sup> Brawl between the commission member and Hakob Dekhnavi: criminal case was filed at the SIS, <http://news.am/arm/news/300561.html>

*Description:* In relation to rubbing pink paint to the RA Human Rights Defender's door<sup>674</sup> the police officers in civilian clothing, of which one introduced himself as Deputy Chief of the Central department of the police, apprehended civic activist, member of "Counterblow" art group Artak Gevorgyan.<sup>675</sup>

*Follow-up:* Another member of "Counterblow" art group Herbert Gevorgyan informed they had nothing to do with painting HRD's office door.<sup>676</sup>

The Human Rights Defender's staff disseminated a statement which had it that they had not filed a report on painting the door and they did not want anyone to be held liable.<sup>677</sup> After a 3-hour apprehension the activist was released.<sup>678</sup>

*Related rights:* Right to liberty and security

### **Case 97. Activist, observer Karpis Pashoyan**

*Date:* December 10, 2015

*Description:* According to the Facebook post of former History teacher of #145 school in Yerevan Karpis Pashoyan was dismissed from his job on December 10, 2015 due to his struggles against the constitutional amendments, and especially against the election frauds in the precinct on the day of the constitutional referendum.<sup>679</sup>

*Follow-up:* After the dissemination of information about his dismissal, Karpis Pashoyan received a job offer from Anania Shirakatsy Lyceum of Yerevan. He statement published by the Lyceum read, "We hope that in case of cooperation you will turn the students of our educational complex into true citizens like You."<sup>680</sup> Karpis Pashoyan accepted the offer.

<sup>674</sup> Was Mishik in charge of painting the HRD office door? HRD's office response,

<http://armtimes.com/hy/read/75804>

<sup>675</sup> Activist was apprehended from Koghbatsi Street, <http://armtimes.com/hy/read/75831>

<sup>676</sup> Member of "Counterblow" was apprehended, <http://www.a1plus.am/1423990.html>

<sup>677</sup> Civic activist Artak Gevorgyan was apprehended, <http://www.aravot.am/2015/12/10/638421/>

<sup>678</sup> Artak Gevorgyan is in liberty, <http://www.aravot.am/2015/12/10/638436/>

<sup>679</sup> Karpis Pashoyan, "I was trying to break stereotypes to prevent you from becoming a RPA supporter against your will, you don't agree, then live like that, disguised and muted", <http://hetq.am/arm/news/64466/karpis-pashoyan%E2%80%A4pordzum-ei-kartsratiper-kotrel-or-dzer-kamqin-hakarak-chdarmaq-hhk-akan-hamadzayn-cheq-de-aydpes-el-apreq-tsptvats-ev-khexdvats.html>

<sup>680</sup> Dismissed teacher, who struggled against stuffing, gets a job offer, <http://www.a1plus.am/1424438.html>

*Related rights:* Electoral rights, Freedom of assembly and association, Freedom of speech and expression, Right to participate in decision making

### **Case 98. False crime reporting against human rights activists**

*Date:* December 10, 2015

*Description:* During the meeting to the penitentiary institution within the framework of the Group of Public Observers Conducting Monitoring of Penitentiary Institutions and Agencies of the RA Ministry of Justice human rights defenders Artur Sakunts, Ofelya Zalyan, and Arayik Zalyan have recorded violation of inmates' rights for the abolition of which they submitted an application to the RA Ministry of Justice to move the inmate to another penitentiary institution. The RA Ministry of Justice did not undertake any measures regarding the issue. In the meantime, on December 10, 2015 a criminal case was instituted against Artur Sakunts, Ofelya Zalyan, and Arayik Zalyan for false crime reporting.

*Follow-up:* Regarding the brought up charges HCA Vanadzor disseminated a statement in which considered the accusation of false crime reporting as a trend to exert pressures against human rights defenders.<sup>681</sup> By the investigator's decision the case was closed. The decision was appealed demanding provision of legal assessment to the criminal prosecution against human rights activists. The court trial is undergoing.

*Related rights:* Freedom of speech and expression, Right to liberty and security, Right to be free from torture and inhuman or degrading treatment and punishment, Right to fair trial

### **Case 99. Artak Gevorgyan's cardboard tank action**

*Date:* December 11, 2015

*Description:* "Counterblow" art group member Artak Gevorgyan staged an action by going to the RA CEC, the RA Constitutional Court, and the Presidential Palace in a green cardboard tank. While in the end he crashed the cardboard tank into the gates of

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<sup>681</sup> Trend on criminal prosecution of human rights defenders based on false crime reporting.  
<http://hcav.am/events/04-03-2016-0687>

the NSS building.<sup>682</sup> On December 11 2015 the NSS officials apprehended Counterblow” art group activists Artak Gevorgyan, Armen Arakelyan, and Arman Gharibyan in turns. Before that they had tried to take also Sipan Pashinyan and Herbert Gevorgyan. Upon apprehension the police officials exerted violence against Artak Gevorgyan. All of the apprehended activists were released on the same day.<sup>683</sup>

*Follow-up:* A criminal case was filed against Artak Gevorgyan under Article 258.1 of the RA Criminal Code. The accusatory verdict read, “Charges were brought up against Artak Gevorgyan on the grounds that he intentionally crashed the cardboard tank made by him into the iron gates of the RA SIS administrative building located in 104 Nalbandyan Street, Yerevan at around 01.30 on December 10, 2015 by displaying obvious disrespect towards the society, that is, by creating an atmosphere of impunity, thereby highlighting the alleged advantage of his person. In such a way he gravely violated the public order, which was expressed in impeding the regular work of the officials carrying out protection service in the building of the SIS and creating among them a sense of fear regarding property maintenance.”<sup>684</sup> On June 24, 2016 the accusing prosecutor of the Court of General Jurisdiction of Kentron and Nork-Marash Administrative Districts over the case refrained from charges due to lack of corpus delicti, after which the court found Artak Gevorgyan innocent.<sup>685</sup>

*Related rights:* Freedom of speech and expression, Right to liberty and security, Right to be free from torture and inhuman or degrading treatment and punishment, Right to fair trial

<sup>682</sup> Last “stroll” of green tank ended up on the SIS wall, <http://hetq.am/arm/news/64448/kanach-tanki-verjin-zbosanqn-avartvec-aats-i-patin.html>

<sup>683</sup> “Tank-man” Artak Gevorgyan was released, <http://www.a1plus.am/1424277.html>

<sup>684</sup> The cardboard tank became a ground for charges, <http://www.a1plus.am/1437122.html>

[http://datalex.am/?app=AppCaseSearch&case\\_id=14355223812339688](http://datalex.am/?app=AppCaseSearch&case_id=14355223812339688), Court case N: ԵԳՂ/0104/01/16

<sup>685</sup> The court found Artak Gevorgyan innocent, <https://www.youtube.com/watch?v=ra2WyPjmxio>

## **Recommendations of HCA Vanadzor to the RA authorities**

1. Implement the recommendations of the UN High Commissioner for Human Rights published in 2010 after the visit to Armenia.
2. Adopt and adapt the actions on the protection of human rights activists prescribed in the OSCE guidelines at legislative and practical level.<sup>686</sup>
3. Not obstruct staging of peaceful assemblies by stipulating in legislation that the administrative apprehension of the assembly participants is excluded, and that it is exercised in case of only obvious felonies.
4. Carry out impartial, transparent and effective investigation of the cases presented in the current and previous reports about the situation of human rights defenders in Armenia, and ensure that the investigations are conducted by an independent agency.
5. Not restrict the freedom of mass media outlets in demanding the revelation of the source of information or foreseeing criminal liability for the published information.
6. Ensure the protection of human rights activists, especially those that defend the rights of vulnerable groups, such as LGBTI representatives.
7. Ensure the effective and transparent investigation of slander and insult cases against human rights activists.
8. Ensure the effective participation of human rights defenders in the implementation, assessment and review of the activities envisaged in the Human Rights Strategy.
9. Define the opportunity of using free airtime on Public TV by the human right antagonists and human rights organizations.

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<sup>686</sup> Guidelines on the Protection of Human Rights Defenders, OSCE, <http://www.osce.org/odihr/119633>

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## About HCA Vanadzor

Helsinki Citizen's Assembly-Vanadzor NGO (hereinafter HCA Vanadzor) is a non-political, non-religious, non-profit, NGO, which unites individuals who support the supreme principles of Democracy, Tolerance, Pluralism, and Human Rights, as values.

HCA Vanadzor was founded in 1998 as a branch of Helsinki Citizens' Assembly Armenian Committee. It was registered as an independent organization in 2001 and was re-registered in 2005 at the Ministry of Justice. The Headquarters of the organization is in Vanadzor – Lori Regional Center. HCA Vanadzor has representative offices in Spitak and Yerevan. The geographical scope of the organization's activity covers both the Lori Region and the entire territory of the Republic of Armenia.

The Vision of HCA Vanadzor is a society formed with the supreme values of Human Dignity, Democracy and Peace.

The Mission of HCA Vanadzor is the promotion and support of civil initiatives, the strengthening of human rights protection, and peacebuilding activities on national and regional levels

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Vanadzor 2016