

To the Acting Prosecutor General A.Harutyunyan

Dear Mr. Harutyunyan,

As you know, immediately after seizing the Patrol and Guard Service Regiment premises in Yerevan by «Sasna Tsrer» group, protest rallies and marches were staged in Yerevan in support of the group members and their demands. The everyday peaceful rallies were held with clashes with police forces and unidentified people in civilian clothes, as the latter ones were doing their best to thwart the peaceful rallies and marches.

The mass media, participants of the rallies and various human rights activists imparted that on July 29, 2016 the RA Police and unidentified people in civilian clothes had beaten the participants of the peaceful assembly, assaulted journalists covering the peaceful demonstration by causing injuries, broking their video cameras thus hindering their professional activities (see the statement of Human Rights Watch <https://www.hrw.org/hy/news/2016/08/04/292771>).

For several days the information, that there were certain employees of Yerevan Municipality and heads of condominiums among the unidentified people in civilian clothes who had applied violence against protesters and journalist in Khorentasi street and Sari Tagh in Yerevan on July 29, 2016, has been circulating in social networks and mass media. The materials on the facts of participation of employees of Yerevan Municipality were published on www.mamul.am online informative website- <http://www.mamul.am/am/news/88733/>, <http://m.mamul.am/am/news/88787>. Moreover, you can watch the full material in the videos of live broadcast by "Azatutyun" radio-station and "A1+", namely, <http://www.azatutyun.am/a/27889000.html>, <https://www.youtube.com/watch?v=I2geRcDIWUI>. But to our great surprise, Yerevan municipality hasn't issued an official statement till today, hasn't denied or confirmed that information or hasn't take any measures for revealing and calling to account those people.

Surprisingly, the Head of the RA Police V. Gasparyan has assigned the heads of his operative services to reveal the civilian participants of July 29 incident who had instigated clashes and used disproportionate force against the participants of the rally, journalists and policemen, but this in the case when videos and publication are being circulated in all mass media showing who are those instigators and users of force.

In fact, not only people working in the local self-governance body, but also employees of the police system have participated in the forced and cruel dispersal of the peaceful rally: they were armed

with iron rods and used pills (see the abovementioned video-material of the "Azatutyun" radio-station, where one can see that respectable aged men use pills while coming out of the Police cordon, then approach the peaceful protesters and begin their dirty work).

In the result of using disproportionate force, outrageous violence and cruel actions by the police in Sari Tagh, one of the densely populated districts of Yerevan, dozens of protesters and peaceful residents were affected, one teenage citizen lost his eye, several citizens got burn wounds, several dozens of citizens got injuries of various degrees, one of the stun grenades thrown by the police exploded in a peaceful resident's house, where a fire broke out, children were injured (about 60 citizens, including infants with injuries and burn of various degrees were taken to hospitals), more than a dozen of peaceful protesters, political and public figures were detained, many of them are still in custody, but the real offenders are still in freedom.

Besides, a Facebook user Hrant Enokyan posted on August 3 that the immediate head of July 29 assault of citizens and journalists was the notorious Levon Yerosyan, who is the Commander of the RA Internal Troops, as well as his brother Colonel Lernik Yerosyan, who also occupies a high rank in the Internal Troops. This post was widely spread by mass media: (https://web.facebook.com/hrant.enokyan?_rdr, <http://zham.am/am/news/67713.html>, <http://usarmenianews.com/am-n-4723.html>).

Moreover, on August 5 the journalist of Lragir.am website Tehmine Yenokyan submitted a public message to the RA Police, by which she imparted that there were policemen in civilian clothes among the people, who instigated and cruelly beat peaceful protesters in Sari Tagh on July 29, 2016 (<https://web.facebook.com/tehmeyenokyan?fref=ts>, <http://www.aravot.am/2016/08/05/723914/>).

And "Haykakan Zhamanak" daily, by referring to the video material of CivilNet <https://www.youtube.com/watch?v=gJe8AGK1jlc>, published the datum on the person in civilian clothes- <http://armtimes.com/hy/read/90950>.

Thus, we possess the video materials and publications proving that there were employees of the local self-government body, policemen and criminal elements among the people in civilian clothes, but that's not all: it's quite possible that others have been involved as well. Law enforcement bodies simply need to be active and take consistent steps to identify the offenders.

According to Article 175 of the RA Criminal Procedure Code the prosecutor, the investigator, the investigation body must institute criminal prosecution, within their authority, provided there are reasons and grounds for the initiation of criminal prosecution envisaged in this Code.

According to Article 176 of the RA Criminal Procedure Code the reasons for initiation of criminal prosecution 1. The reasons for initiation of criminal prosecution are: 1) statements about crimes sent to the investigation body, investigator, prosecutor by physical persons and legal entities; 2) mass media reports about crimes; 3) the discovery of information about crime, material traces of crime and consequences of crime by the investigation body, the investigator, the prosecutor, the court and the judge in their line of duty.

According to Article 179 of the RA Criminal Procedure Code reports on committed or prepared crimes, in press, on the radio, on TV, in documentary films, as well as reports forwarded to mass media and unpublicized, are considered mass media reports. Mass media which publicized reports about crimes or sent to the media, as well as the authors of these reports must, at the request of the head of the investigating body, investigator, prosecutor, submit the materials in their possession confirming the report about the crime.

Taking into account the abovementioned and the circumstance that Articles 175-179 allow the Prosecutor's Office, within its authority, to examine publications and materials of mass media and institute criminal prosecution, I appeal to you with this request.

Sincerely,

Levon Nersisyan

Executive Director of the "A.D.Sakharov Armenian Human Rights Centre" NGO

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