

To the Head of the Police of the Republic of Armenia V. Gasparyan

Mr. V. Gasparyan,

I hereby submit to your immediate consideration the statement of our organization regarding application of unbridled violence and other illegal activities by the police forces towards the participants of the peaceful assembly which took place in Gyumri Theatre Square on July 29, 2016.

The essence of the issue is as follows:

On July 29, 2016 the spontaneous peaceful assembly on Gyumri Theatre Square, which was organized by a group of citizens for supporting the members of “Sasna Tsrer” group and the daily demands of thousands of protestors in Yerevan, didn’t take place because of provocative actions of hooligans. The march didn’t take place, either. As a result, participants of the peaceful assembly, as well as passers-by were detained by the police. The head of Shirak regional branch of A.D.Sakharov Armenian Human Rights Centre, human rights activist Seyran Martirosyan was among the detainees.

A.D.Sakharov Armenian Human Rights Centre condemns and expresses its indignation towards the disproportionate actions of the police and for forcibly detaining people without proper bases, as well as for limiting and hindering the human rights defender’s actions. This working style of the police contradicts not only the national, but international human rights norms.

- The right to a person's liberty and security defined by Article 5 of the Convention on the Protection of Human Rights and Fundamental Freedoms has been violated.

- The legal norm on freedom of assembly and association defined by Article 11 of the Convention on the Protection of Human Rights and Fundamental Freedoms has been violated.

- Article 32 of the RA law on Freedom of Assembly has been violated, particularly, policemen's obligation to provide peaceful process of the assembly defined by Paragraph 1/3 of the article.

- Article 12 of the RA law «On Police» on the duties of the Police while safeguarding the public order has been violated.

- All the requirements of the RA law «On the Internal Troops» have been completely violated.

It's interesting that no proper duty was carried out by the police in usually crowded Theatre Square since 19:00 on July 29, 2016. Moreover, when the hooligans (instigators in civilian clothes) began to instigate the assembly, the policemen didn't take proper measures to prevent them. They didn't even take into consideration the warnings made by Seyran Martirosyan and the participants of the assembly. In the result, when the tension was escalated by the instigators' group, there were no policemen in uniform on the scene. If there were policemen in civilian clothes and National Security Service employees, it means that the process and outcome of the operations were conditioned by their tacit approval and participation.

By the way, the human rights activist Seyran Martirosyan had to stop a police patrol car on Sayat Nova street and ask for assistance by informing about the danger of the created situation for the participants of the assembly, as there were people instigating them and creating artificial tension for obstructing the rally. After this warning the police major in the car made a corresponding call to the duty unit.

The policemen, who arrived after 30 minutes of the escalation of the tension, began to use baseless and disproportionate force against the assembly participants instead of calling to order those citizens who were instigating the assembly and were aggressive towards the participants of the peaceful assembly. In the result more than a dozen citizens were detained and taken to Kumayri and Mush departments of the Police in Gyumri.

The human rights activist Seyran Martirosyan was taken to Mush Department of the Police in Gyumri at 21:20 on 29.07.2016 and was kept in custody till 00:50 30.07.2016. During the mentioned period no bases for detention were provided for S. Martirosyan. Only a protocol was drawn up at 00:20 on 30.07.2016, and by violating the requirements of the RA law «On Principles of Administration and Administrative Proceedings», S. Martirosyan, before coming out of the police department, was given a written notice which stated that the basis for keeping S.Martirosyan in custody for more than 3 hours was

the violation of Article 182 of the RA Code «On Administrative Offences»-failure to comply with the lawful demands of servicemen of police army or police officers while fulfilling their duties of safeguarding of the public order and ensuring the public safety.

It's worth mentioning that S.Martirosyan has complied with the demands (both lawful and unlawful) of the policemen while he was being taken to the police department and in the department: there was no disobedience on his behalf. This fact is proved both by the video and photo materials taken by mass media representatives during the assembly and by individuals. Even while being forcibly taken to the police car, S. Martirosyan hasn't offered resistance. Thus, S. Martirosyan hasn't been provided by any evidence proving his violation of the law. If such illegal actions were carried out against a human rights activist, then one may only imagine what illegal actions the police carry out against other citizens who are not aware on their rights.

Accordingt to the above-mentioned, A.D.Sakharov Armenian Human Rights Centre states that the written notice of 29.07.2016 given to human rights activist Seyran Martirosyan is subject to cancellation because it's groundless, and the police must apologize to Seyran Martirosyan for his unlawful and forcibly detention and for keeping him in custody, and to the dozen of citizens who have participated in the peaceful assembly and have been forcibly detained and taken to Kumayri and Mush Departments of the Police in Gyumri.

At the same time we demand to implement an immediate service investigation and bring to account those policemen who have carried out improper service and used disproportionate force against the participants of the assembly at that time on that day, as well as we demand to reveal and bring to account the people in civilian clothes who have instigated the participants of the peaceful meeting and purposefully created a conflict situation for obstructing the peaceful assembly.

According to the data we have, the representatives of GALA TV have taken the vidoe of all the unlawful actions. You can get the video material from GALA TV.

The head of Shirak regional branch of A.D.Sakharov Armenian Human Rights Centre, human rights activist Seyran Martirosyan is ready to introduce the unlawful actions carried out against him by the police forces personally.

Anticipating your response on this statement.

P.S.

I only hope this statement won't have the same fate as the statement on arson of the office of Shirak regional branch of A.D.Sakharov Armenian Human Rights Centre in the early morning of July, 2011, and the crime hasn't been detected by the Police yet.

Levon Nersisyan

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

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