



EASTERN PARTNERSHIP
Civil Society Forum

Report

of the Monitoring Mission

**on the civil society, media and human rights situation in Armenia
in relation to the events of 17-31 July 2016**
(September 2016)

Summary

Context: mass protests in the Republic of Armenia

Tens of thousands of people participated in street protests after the presidential elections held on 19 February 2008. The culmination of the confrontation between the citizens and the police came on 1 March 2008 when at least 10 people - 8 protesters and 2 police officers - were killed. A complete picture of these dramatic events remains unclear, and representatives of the law enforcement agencies were never punished for the killings.¹

There was another confrontation with the police in January 2015 in Gyumri, the second largest Armenian city. At least 12 people, including three police officers, were injured; journalists suffered injuries as well.²

In September 2015 mass peaceful protests later called Electric Yerevan or Tariff Maidan were held in Armenia. Police used force against the demonstrators even though these protests were peaceful. At least several dozen people were taken into custody.

Despite demands by civil society and international organizations the state has yet to publish an account of the police actions and those responsible for the violations of laws on freedom of assembly and interference with journalists' discharging their professional duties were never brought to justice.

Events in the Republic of Armenia on 17-31 July 2016 and the response of civil society

On 17 July 2016 a group of armed men seized the building of the police station in the Erebuni district of Yerevan; one policeman was killed and six people were injured during the assault. The attackers took nine people hostage, five of whom were released after the negotiations with the authorities.^{3,4}

¹Democracy on Rocky Ground: Armenia's Disputed Presidential Elections, Post-Election Violence, and the One-Sided Pursuit of Accountability. February 2009,

<https://www.hrw.org/sites/default/files/reports/armenia0209webwcover.pdf>

²Armenia clashes over Russian soldier. 16 January 2015, <http://www.bbc.com/news/world-europe-30843361>

³Hot Armenian summer: the reason of raging protests on the streets of Yerevan, — expert.02.08.2016 17:04 <http://politolog.net/analytiks/goryachee-letu-armenii-iz-za-chego-bushuyut-protesty-na-ulicax-erevana-ekspert/>

⁴Armenia: the protests calmed down for a short time? 05.08.2016, DW <https://goo.gl/J6u4xU>

The events of 17-31 July 2016 also saw mass street demonstrations and reports about a significant number of arrests and the use of force by the police against citizens and journalists on the nights of 20 and 29 July in particular.

Armenian civil society, which has been acting in a consistent manner to help resolve conflicts peacefully, moved to collect information about the events and human rights and freedoms violations, as well as to defend and restore violated rights.

On 21 July 2016 the Armenian National Platform of the Eastern Partnership Civil Society Forum (EaP CSF) issued a statement⁵ calling for the peaceful resolution of the situation. The statement emphasized that the authorities of the Republic of Armenia must forgo the use of force and addressed the same appeal to those who seized the police building.

Hovsep Khurshudyan, a member of the EaP CSF Steering Committee was one of those arrested on the night of 29-30 July.

A report of the Armenian Helsinki Committee contains information and the analysis of these events⁶. It details acts of force against peaceful civilians, including journalists; arbitrary detentions and subsequent arrests, as well as other serious human rights violations.

Several international organizations have also assessed the situation and called for an end to human rights violations.

Mission

On 1 August 2016 the Steering Committee demanded the immediate release and withdrawal of all charges against Hovsep Khurshudyan and other peaceful protesters charged under Article 225 of the Criminal Code (organizing mass disorder accompanied with violence).⁷ The Steering Committee stated that dialogue is the only way to resolve this conflict.

⁵EaP CSF ANP Statement on the Ongoing Events related to the Armed Assault by “Sasna Tsrer” Group. 21.08.2016, <http://transparency.am/en/news/view/1548>

⁶REPORT on the events that occurred in the Republic of Armenia on 17 July-5 August 2016. http://armhels.com/wp-content/uploads/2016/08/HCA_Report_July-17-Aug-5_Eng.pdf

⁷Steering Committee Demands Immediate Release of Steering Committee Member Hovsep Khurshudyan, 1 August 2016, <http://eap-csf.eu/en/news-events/news/steering-committee-co-chairs-deplore-arrest-of-steering-committee-member-hovsep-khurshudyan/>

The Steering Committee decided to establish a Monitoring Mission on the situation of civil society, media and human rights in Armenia. The mission's objectives were: to assess the situation of non-governmental organizations and the media in the aftermath the July political crisis and to establish a complete and accurate picture of information about the situation in particular fields of human rights during the period from the beginning of the crisis until the start of the Mission's work. Special attention was to be given to arbitrary detentions, inhuman treatment and torture, access to justice and legal aid.

The mission visited Armenia during the period of 9-15 August 2016. The Mission was composed of the experts in the field of human rights: Elena Tonkacheva (Belarus) - Head of the Mission, Natalia Belitser (Ukraine), Eliso Amirejibi (Georgia), Ion Guzun (Moldova).

The Mission's work was carried out with the support and assistance of the EaP CSF Armenian National Platform.

During the visit to Armenia, the Mission held meetings and discussed the situation with representatives of civil society, leading human rights organizations, experts and lawyers, who have taken upon themselves the protection of those arrested during the events of 17-31 July.

Separate meetings were held with the Ombudsman of the Republic of Armenia and with the representatives of major intergovernmental organizations. In the framework of the Mission first-hand accounts of those who participated in the events, including journalists, were collected. Moreover, public statements and documents of Armenian government agencies' representatives, reports of human rights organizations (including international ones) and expert opinions were analysed.

Conclusion

The Mission concluded that the events of 17-31 July were accompanied by serious violations of human rights, including the disproportionate use of force by law enforcement agencies; arbitrary detention, the imprisonment of people in military facilities without drawing up protocols, both during and after detention and arrest; attacks on journalists and the obstruction of members of the media in the performance of their professional duties; cruel and degrading treatment of the protesters, restrictions on access to medical care, illegal intrusion on private property and the denial of detainees' right to a phone call and legal aid.

In the aftermath of the 17-31 July events Armenian civil society made every effort to protect citizens' fundamental rights and freedoms. Armenian civil society consistently collected reliable information about the events of 17-31 July and the scope of civil rights violations during the protests, helped to restore citizens' rights, provided assistance, including legal aid, to the victims and their families.

Representatives of non-governmental organizations (especially human rights organizations) coordinated their activities, seeking to maximize the performance of human rights related tasks, including the provision of legal assistance for all the victims. It should be noted that the legal community of Armenia took it upon themselves to provide legal aid to the arrested and detained. Civil society in Armenia needs additional and systematic support in the continuance of these vital tasks.

The events of 17-31 July 2016 were serious enough to warrant examination by reputable international organizations. Above all, it has to be established why the reaction of the international organisations to the escalation of violence was late and to explain the absence of effective help in the peaceful resolution of the acute political crisis and reaction to numerous appeals and recommendations to this end by Armenian civil society.

The actions of international organizations require additional coordination. Also they should now assist in restoring citizens' rights and strengthening the role of civil society of the Republic of Armenia.

A separate issue that requires serious attention is the effectiveness of international assistance in the implementation of programmes designed to reform the police in the Republic of Armenia.

Recommendations

of the EaP CSF Monitoring Mission
on the civil society, media and human rights situation in Armenia

Acting as an international group of experts on the instructions of the Steering Committee of the Eastern Partnership Civil Society Forum, which is comprised of representatives of national and international organizations from the Eastern Partnership countries, with a comprehensive support of the Armenian National Platform,

Monitoring the conditions of civil society, media, and respect for several fundamental human rights in the Republic of Armenia, as well as the state of the protection of human rights defenders and ensuring their professional activities,

Acknowledging that human rights is the object of international civil society's direct and lawful concern,

Urging the authorities of the Republic of Armenia to respect their international commitments in the field of human rights,

Being guided by the fundamental treaties and standards for protection of human rights and human rights defenders, i.e.:

- [The UN Declaration on the Right and Responsibility of Individuals, Groups, and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms](#)
- [The Declaration of the Committee of Ministers on Council of Europe action to improve the protection of human rights defenders and promote their activities](#)
- [The European Union Guidelines on Human Rights Defenders](#)
- [OSCE/ODIHR Guidelines on the Protection of Human Rights Defenders](#)

Relying on the information gathered during the period of 9-15 August in the Republic of Armenia through conducting meetings and consultations with representatives of the Armenian National Platform, representatives of civil society, human rights defenders, journalists, victims of violations, lawyers, representatives of international organizations and the Ombudsman of the Republic of Armenia, as well as on a systemic analysis of public sources of information, including statements and assessments of intergovernmental organizations,

Supporting the statements adopted earlier by the Armenian National Platform on 21 July 2016, by the EaP CSF Steering Committee on 1 August 2016, as well as the statement of

the Mission on the preliminary results and urgent measures addressed to the government of Armenia,

Welcoming separate measures undertaken recently by the government of Armenia aimed at freeing a group of citizens and civil activists arrested during the peaceful meetings,

the Mission have prepared the following recommendations as of 4 September 2016.

1. To the Government of the Republic of Armenia

1.1. Urgent measures

- To release all detained participants of the peaceful protest actions and stop criminal prosecution of these citizens;
- To investigate the three cases of policemen's deaths with the assistance of international experts;
- To provide guarantees of observing the rights and legitimate interests of the citizens who are detained and in custody, including the citizens who carried out an armed attack on the police station, excluding measures of physical and/or other pressure.

1.2. Reaction measures

- To conduct an effective investigation of all cases of infringements of human rights, including, the proportionality of the use of force and special measures against civilians; arbitrary detentions; torture and cruel, inhuman or degrading treatment; illegal intrusions into houses and property withdrawals; refusals of granting medical aid and services of a lawyer;
- To call to account the persons responsible for infringements of human rights and freedoms. Special attention must be paid to the transparency of this process: to provide human rights defending organizations with access to the information on the course of investigation, to the extent possible inform society on the course of the investigation and measures undertaken to conduct it;
- To identify and bring to justice those responsible for infringements of the rights of journalists during the performance of their professional duties;
- To ensure the activity of the lawyers who defend the persons involved in the events of 17-31 July 2016 without hindrance;

- To provide human rights defenders and the representatives of other interested parties with the access to the information, which is in the hands of the state, in order to document and to protect human rights, including: full information on all arrested persons during the period of 17-31 July 2016 in connection with the peaceful protest actions, including the official information on the citizens who were detained without detention reports, as well as the information on the persons who carried out these detentions and who made decisions to detain and to hold the citizens in custody without lawful grounds;
- To invite independent OSCE experts in the field of freedom of assembly and investigation of cases of mass riots and actions of law enforcement bodies for the purpose of carrying out an urgent and impartial international investigation of the events of 17-31 July 2016 in order to evaluate the actions of citizens and law enforcement bodies from the point of view of criteria for peaceful assembly, and proportionality of the use of force; the documents and materials on these events in possession of the authorities are to be presented to the bodies of the international investigation;
- To ensure effective interaction with the UN mechanisms, in particular, the implementation of earlier adopted Universal Periodic Review (UPR) recommendations, including those concerning amendments to the criminal legislation on torture, as well as those concerning judicial reform and responsibility for human rights infringements;
- To ensure effective interaction with the UN special procedures: The Working Group on arbitrary detention, the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, the Special rapporteur on independence of judges and lawyers, and the Special Rapporteur on the rights of freedom of peaceful assembly and of association;
- To restore the effective functioning of social councils and public commissions, including those supervising the places of preliminary detention, both for members of commissions - representatives of human rights defending organizations and the public, and for parliamentarians, according to their lawful powers.

2. To intergovernmental organizations, international non-governmental organizations, and the donor community, including the European Union institutions

2.1. Urgent measures

- To use all possible political and diplomatic measures to free detainees and stop criminal prosecutions against the citizens detained in connection with their participation in the peaceful demonstrations on 17-31 July 2016, as well as to identify and punish those responsible for infringements of human rights during these events;
- To support Armenian civil society's efforts to collect information on the facts of infringements of human rights, as well as to defend and restore violated human rights. To provide urgent and sufficient support to the civil society in order to supply legal aid, document human rights violations, help the victims of infringements, as well as members of their families, including rehabilitation, psychological and medical aid. It is necessary to take into account that civil society has to make significant efforts working in the aftermath of these infringements;
- To organize systematic consultations with representatives of civil society and human rights defenders in order to monitor the current situation, evaluate the efficiency of the measures undertaken by the government aimed at restoring rights of citizens, as well as the measures aimed at preventing the practice of impunity, covering up regular and repeated infringements of human rights and fundamental freedoms.

2.2. Reaction measures

- To urgently evaluate the efficiency of the international assistance programmes aimed at reforming the police of the Republic of Armenia. International assistance in this field must be suspended until the results of the evaluation of the international assistance programmes are assessed, until a detailed investigation of the actions of the police on 17-31 July 2016 is carried out, and until the persons responsible for infringements of human rights during these events are brought to justice;
- To help organize the work of special rapporteurs and working groups of the United Nations, namely: The Working Group on arbitrary detention, the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, the Special rapporteur on independence of judges and lawyers,

and the Special Rapporteur on the rights to freedom of peaceful assembly and of association;

- To help prepare and implement the activity of the OSCE/ODIHR Monitoring Group supervising the court proceedings that take place as a result of the criminal prosecution of the persons in the aftermath of the events of 17-31 July 2016.
- To support the comprehensive dialogue with the Armenian state on human rights and democracy, as well as the EU-Armenia relations, with the maximum involvement of the EaP CSF Armenian National Platform, human rights NGOs and other civil society representatives. To support the strengthening of civil society's role when decisions on technical aid programs are made and their execution is monitored.

3. To the Eastern Partnership Civil Society Forum

3.1. On the situation in Armenia

- To provide maximum support to the Armenian National Platform in the consolidation of civil society's efforts aimed at protecting human rights and fundamental freedoms; to support the strengthening of the role of the civil society of Armenia and the Armenian National Platform as an actor at national and international levels, including by organizing and supporting special visits and working meetings with the EU institutions;
- To use the Forum's capacity for international advocacy on the questions of human rights and conditions for civil society and media in Armenia, inter alia, by including questions in the field of human rights and human rights defenders in the agenda of the Forum's main actions, by preparing and adopting a separate resolution of the Forum;
- To monitor the implementation of the recommendations and changes in the conditions for civil society and media within a year; to evaluate the efficiency of state structures' actions aimed at restoring citizens' infringed rights and bringing to justice the responsible persons.

3.2. On the support of civil society, human rights, and human rights defenders in the Eastern Partnership countries during the crisis periods

- To adopt the practice of international monitoring missions on the conditions for civil society, media, and respect for human rights as a permanent tool of the Forum's activity, to be used in situations that require immediate response and bring together international experts and civil society activists;

- To provide joint systemic training and preparation of a group of civil society experts from the Eastern Partnership countries for work in monitoring missions on the conditions for civil society, media, and respect for human rights in crisis situations;
- To provide resources to secure the activity of international monitoring missions in the Eastern Partnership countries invited by the National Platforms or deployed by an independent decision of the Steering Committee in exceptional cases, as well as to monitor reforms and implementation of recommendations.

Background Information

Armenia: A brief overview of the events

Mass protests of varying degrees of intensity have taken place in the Republic of Armenia since 2003 and these were mainly related to presidential elections. These opposition protests against the alleged violations in the election campaigns were mostly peaceful.⁸ However, after the presidential election which took place on 19 February 2008, there were protests, in which thousands of people were involved, which were characterized by a high level of police violence and response by protesters. The culmination of these events came on 1 March 2008, when at least 10 people were killed during the clashes. These were eight protesters and two police officers.

A year later, in 2009, the human rights organization “Human Rights Watch” published a report, which contained a detailed analysis of the incident, conclusions and recommendations.⁹ The report stressed that the police resorted to the use of excessive force, including indiscriminate and disproportionate use of firearms, and also noted the torture and mistreatment of detainees. The complete picture of these dramatic events remains unclear. The action of the Youth Wing of the Armenian National Congress which took place on 8 February 2010 has served as a reminder of the 2008 elections, which was dispersed by the police; protesters were beaten with batons, several people were arrested. As one of the protesters bitterly said, after the elections in 2008 Armenia's youth no longer has the right to hold free campaigns, rallies, protests, and so on.¹⁰

Later Armenian society split between supporters of the pro-European and pro-Russian vector of integration compounded in 2013-2014. after the Armenian government's decision to join the Customs Union and the Eurasian Economic Union.¹¹

Spontaneous clashes of the local population with the police took place in January 2015 in the second largest Armenian city of Gyumri as a result of the killing of the Armenian family by a Russian soldier. Protesters threw stones at the police cordon at the

⁸ Democracy in Armenia. EU's Eastern Partnership as a Supportive Tool Towards Democracy. By Hasmik Grigoryan, July 2013, <http://www.acgrc.am/paper,%20democracy%20in%20Armenia.pdf>

⁹ Democracy on Rocky Ground: Armenia's Disputed Presidential Elections, Post-Election Violence, and the One-Sided Pursuit of Accountability. February 2009, <https://www.hrw.org/sites/default/files/reports/armenia0209webwcover.pdf>

¹⁰ Opposition activists and police clash in Yerevan. February 19, 2010, <http://www.a1plus.am/en/politics/2010/02/19/clash>

¹¹ Armenia rift over trade deal fuels EU-Russia tension. By Laurence Peter, BBC News. 5 September 2013, <http://www.bbc.com/news/world-europe-23975951>

Russian Consulate; and to contain protesters the police used stun grenades. At least 12 people were injured, including three police officers; journalists were also hurt.¹²

Subsequent protests were caused mainly by worsening of socio-economic conditions in the Republic of Armenia, which led to the biggest protests in June-July and September 2015, which became known as Electric Yerevan or Tariff Maidan. Although these actions were peaceful the police used force to disperse the protestors on 23 June; several dozen people were detained and taken to the police stations. After that, a number of MPs, ministry officials and cultural figures created a "human chain" in between the police and protesters, trying to prevent further violence.^{13,14} A Wall Street Journal editorial subsequently noted the inadequate response to the above mentioned events of both the EU and the US Embassy in Yerevan.¹⁵

The most acute and large-scale political crisis in Armenia erupted a year later. It began on 17 July 2016, when a group of armed men seized the building of the regiment patrol in the area of Erebuni in Yerevan; one policeman was killed and six people were wounded. The attackers took nine people as hostages, five of them were released as a result of negotiations. The hijackers demanded to free Zhirayr Sefilyan, the Coordinator of opposition' Armenian civil initiative "Founding Parliament", who was arrested on charges of illegal acquisition and possession of weapons; the second demand was the resignation of the government.^{16,17}

Further developments were characterized by unprecedented levels of violence and gross human rights violations. In this regard, the Civil Society Forum of the Eastern Partnership decided to send a monitoring mission to Yerevan. The following tasks have been set for the Mission: to assess the situation of non-governmental organizations and the media in the aftermath of the political crisis, which took place on 17-3 July 2016; to obtain a complete and accurate information about the situation in the particular area of human rights. The main emphasis was on arbitrary detention, torture, cruel and degrading treatment, access to justice and access to legal aid.

¹² Armenia clashes over Russian soldier. 16 January 2015, <http://www.bbc.com/news/world-europe-30843361>

¹³ Armenia protests: Electricity price hike suspended. 27 June 2015, <http://www.bbc.com/news/world-europe-33301689>

¹⁴ Жесткая и мягкая сила ереванской полиции. 01.07.2015, <http://www.novayagazeta.ru/politics/69034.html>

¹⁵ Putin's Armenia Shock. Protests break out against a Russian ally in the Caucasus. June 29, 2015, <http://www.wsj.com/articles/putins-armenia-shock-1435600879>

¹⁶ Горячее лето Армении: из-за чего бушуют протесты на улицах Еревана, — эксперт. 02.08.2016 17:04 <http://politolog.net/analytics/goryachee-letto-armenii-iz-za-chego-bushuyut-protesty-na-ulicax-erevana-ekspert/>

¹⁷ Армения: протесты стихли ненадолго? 05.08.2016, DW <https://goo.gl/7a3u4o>

The Mission visited Armenia during the period from of 9-15 August 2016; it consisted of experts working in the field of human rights from Belarus, Georgia, Moldova and Ukraine, with the support of the Armenian National Platform of the Eastern Partnership Civil Society Forum.

July-August 2016: document analysis

During the first days of the acute political crisis in Armenia, the events in Yerevan on 17-19 July 2016 were mainly covered by the national and local NGOs and the mass media.

Thus, on 20 July, the website of the Transparency International Anticorruption Center, ran a joint statement initiated by the Yerevan House of Human Rights and signed by 8 NGOs, which was supported at once by 10 more organizations.¹⁸ In this document, numerous infringements of human rights and police violence are mentioned (during the first day, more than 140 people were detained and brought to police stations where they were kept without being charged for 3-20 hours). The authors of this statement marked that no political factors can excuse the illegal actions of the police, which break the fundamental human rights and freedoms, and formulated the following demands and appeals:

- The police and the National Security Service must respect and protect the rights and freedoms of citizens, ruling out the use of weapons, act in legitimate and accountable manner;
- The mass media must pay special attention to the cases of violation of human rights and freedoms, and to provide full and comprehensive information on these issues, at the same time refraining from targeted discrediting;
- Human rights defenders, NGOs, public figures, and other active citizens were called to create a «security barrier» between police and occupied patrol service station;
- The Human Rights Defender of Republic of Armenia was asked to assist in creation of security barrier, adequately respond to the situation and make efforts to restore the violated rights of citizens;

¹⁸ TIAC joined the statement condemning police activities against peaceful civilians. 20.07.2016, <http://transparency.am/en/news/view/1546>

- The OSCE office, the embassies of European countries and the embassy of USA, as implementers of projects aiming at transformation and modernization of the Armenian police, were urged to carry out monitoring of police activities;

Those who signed this statement were convinced that the solution of this difficult political situation with the use of weapons and at the cost of victims from any party of the conflict is absolutely unacceptable; all responsibility for the events in question rests with the ruling regime.

Next day, on 21 July, there appeared a statement of the Armenian National Platform of the Civil Society Forum of the Eastern Partnership, which united more than 220 organizations (2).¹⁹ Admitting the fact that fundamental changes are needed in the country, ANP members drew attention to two problems to be solved immediately. The first one is to peacefully settle the situation which has developed as a result of the actions of the Sasna Tsrer armed group that occupied the building of the patrol and inspection service of the Yerevan police. The statement underlines that in order to avoid a chain reaction of further violence, there is no alternative to peaceful ways of solving the conflict. In this connection, the Armenian authorities were called upon to provide guarantees that they will not use force; the same appeal is addressed to the members of the group that occupied the police building.

Paying attention to gross infringements of citizens' constitutional rights by law enforcement officers, the ANP demanded:

- to immediately stop recourse to force against citizens and to release all arrested people;
- in a very short time (within a month), with participation of human rights defending organizations, to carry out an official investigation and to call to account all those who issued illegal orders and those who executed them;
- till the end of September 2016, to create dialogue groups, in the work of which both authorities and representatives of civil society should participate.

In consideration of the fact that today's high-handedness of the law enforcement bodies is caused by their impunity during previous years, the ANP considers it more than topical to inquire into the hidden or unjustifiably delayed investigations of the events on 1 March 2008, on 23 June 2015, and other similar cases.

¹⁹ EaP CSF ANP Statement on the Ongoing Events related to the Armed Assault by "Sasna Tsrer" Group. 21.08.2016, <http://transparency.am/en/news/view/1548>

In the light of these events, Transparency International Anticorruption Center analysed programs of the international assistance in Armenia's police sector reforms.²⁰ The organization has come to a disappointing conclusion that this help, in particular – that provided by the OSCE Office since 2003-2004, was not effective; and that there were no police reforms at all. Moreover, since 2008, when this aid has been focused on adequate actions of the police during public actions, including protest ones, Armenian citizens have been witnesses - and frequently victims – of policemen's increasing aggression and arbitrariness. In this connection, the authors of the analysis insist on the suspension of the international assistance in this sector until there is a serious reconsideration of the role of the police in the system of state power in Armenia.

The development of the acute political and humanitarian crisis in the second half of July 2016 failed to elicit any public response from the President of the Republic of Armenia (during 11 days, he failed to make any public appeal to the people) and in the absence of MPs who did not interrupt their summer vacations. This angered civil activists who addressed members of parliament with an appeal to gather for an extraordinary session. This appeal was supported by 30 NGOs that work in various spheres, including culture and business.²¹

One more example of civil society's efforts aimed at stopping the escalation of violence and at solving this crisis in a peaceful way were recommendations to international organizations with a request for help and effective assistance in the solution of the acute political conflict between Armenia's authorities and society. These recommendations prepared by 5 public organizations pay attention to the necessity of observing the relevant legal rules while carrying out pre-judicial investigations; monitoring of the implementation of fair litigations; objective investigation of the circumstances of death of the two police officers. The authors of the recommendations look to the international organizations and the international community for help in the creation and application of effective control mechanisms during the investigation of human rights infringements with participation of representatives of the public, including victims of violence and high-handedness.²²

²⁰ Statement on the effectiveness of the international assistance in police sector reforms. 22.08. 2016, <http://transparency.am/en/news/view/1550>

²¹ Statement on the need to convene a special parliamentary session. 28.07.2016, <http://transparency.am/en/news/view/1558>

²² RECOMMENDATIONS TO THE INTERNATIONAL ORGANIZATIONS (on behalf of the Union of Informed Citizens NGO, Helsinki Committee of Armenia, Helsinki Citizens' Assembly Vanadzor office, "Protection of rights without borders", and Journalists' club "Asparez").

Detailed descriptions and concrete examples of the most flagrant violations of human rights during 17-23 July 2016 are presented in a document prepared by the Foundation Against the Violation of Law.²³ In this document there are 6 points calling the authorities to immediately stop the specified infringements. First of all, it concerns the application of illegal violence by representatives of power structures; the necessity to carry out an objective investigation of all specified episodes; to inform the public on the accepted measures and to bring to account those who are guilty. It is underlined that the actions of the police violated a number of articles of the European Convention on Human Rights, in particular - Article 3 (Prohibition of torture); Article 5 (Right to liberty and security); Article 10 (Freedom of expression); and Article 11 (Freedom of assembly and association).

In the same document sent to the Council of Europe, the UN, and the OSCE, there is an appeal to the leading international organizations to take measures obliging the Armenian authorities to implement actions to peacefully settle the situation and to eliminate the specified infringements.

A separate statement of a group of human rights defending and media NGOs was caused by the detention of journalist and civil activist Levon Barseghyan on 27 July, the authors of the statement demanded to immediately free their colleague and to terminate the criminal case against him.²⁴ Also the EaP CSF Steering Committee issued a demand on 27 July for the release of Levon Barseghyan and other detainees. In this [statement](#) the Steering Committee called for police actions to be investigated and for officials guilty of human rights violations to be held accountable.

International organisations' official reaction to these events at the first stage (till July 29th) was quite restrained. Thus, in the Statement of the European Union Delegation d/d 21 July 2016,²⁵ it is underlined that the use of force to achieve political change is unacceptable; condolences to the family of Colonel Artur Vanoyan are offered, and all persons injured in connection with the hostage situation are wished a swift and full recovery. Also, reports on excessive use of force and mass arrests by the police are noted with concern. In that regard, the European Union Delegation called on the authorities to observe the principle of proportionality in handling public manifestations, both peaceful

²³ STATEMENT AND CALL FOR ACTION. The Foundation against the Violation of Law (FAVL). 23.07.2016, <http://www.favl.am/blog/2016/07/23/statement-and-call-for-action/>

²⁴ Statement on the arrest of Levon Barseghyan by journalist and human rights organizations. 28.07. 2016, <http://transparency.am/en/news/view/1560>

²⁵ Local EU statement on recent events in Armenia (21/07/2016). http://eeas.europa.eu/delegations/armenia/press_corner/all_news/news/2016/2016_07_21_en.htm

and violent gatherings. Likewise, demonstrators need to refrain from violence in the exercise of their civil rights.

The culmination of the use of force by the police against participants of peaceful protests and casual passers-by, as well as inhabitants of neighbouring houses on Khurenatsi Street, occurred in the night of 29-30 July. There were mass detentions, beatings, intimidations, humiliation of human dignity, and other incidents of cruel and lawless arbitrariness on the part of uniformed and plainclothes police. The inadequate use of special measures led to a considerable number of victims; these and other flagrant infringements of human rights caused a new wave of public indignation and drew the greater attention of the international community.

It is necessary to mark that exactly this day, on the eve of the aforementioned events, the leading international organizations, intergovernmental and non-governmental, were sent an appeal of a big group of Armenian NGOs (37 organizations) with a description of the menacing dynamics of the events and the increasing level of violence and high-handedness on the part of the police against the background of the full inactivity of other structures of power.²⁶ It is mentioned in the appeal that the bulk of the population is reduced to poverty, while spending on the police has increased since 2007 by more than fivefold and the number of police is at least 30,000. They have modern armament, regular practice of disproportionate force; there is lawlessness of police officers and their impunity. The authors of the appeal consider that «the police have turned into an enormous structure that uses weapons against unarmed citizens for protecting the authorities and their political or economic interests, executing their illegal orders and cracking down on democratic processes contrary to its major role of protecting the people by ensuring the rule of law and public order».

The NGOs that signed this appeal called for help to international organizations and institutions in these areas:

- To condemn and prevent the unlawful acts of the police and violations of human rights;
- To deploy missions (and particularly CPT mission) to observe and document violations, including those against the peaceful protesters, arrestees, and the wounded detainees;
- To drop fabricated charges against detainees, as well as the political prisoners immediately;

²⁶ Statement on the Mass Violation of Human Rights in the Republic of Armenia. 29 July 2016, <http://transparency.am/en/news/view/1565>

- To resolve the conflict through negotiations with inclusion of civil society members.

The appeal of 37 Armenian NGOs was a signal of deep concern in connection with a possible escalation of violence, which did occur on the night of 29-30 July 2016. During these most resonant events, the excessive use of force by the police to disperse protestors was accompanied by attacks on journalists; their equipment was specifically targeted by the police. This time, the US Embassy promptly responded to this - in its statement dated 30 July 2016, it says there are credible reports of clear violations of the freedom of the press and the right to peaceful assembly. Urging the Armenian government to take immediate steps to prevent similar actions on the part of the police, the Embassy, at the same time, positively assessed steps which had already been undertaken. It welcomed the Armenian Human Rights Ombudsman's efforts to document the reports of violence against protestors, journalists, and passers-by, and to advocate for the rights of those in detention. The Prosecutor General's launch of a criminal case into violence against journalists was also considered a positive initial step, too.²⁷

The same day, the United Nations office in Armenia, which was closely following the events in Yerevan unfolding since the seizure of a police compound in Erebuni on 17 July, issued a statement expressing its concern in connection with reports of numerous detentions and the use of force resulting in injuries. It joined the Human Rights Ombudsman of the Republic of Armenia and other international organizations in calling for immediate investigations, restraint and tolerance on all sides.²⁸

It is necessary to notice that throughout the period of the acute political crisis the Armenia Ombudsman Arman Tatoyan was actively engaged in all cases of infringements of human rights, which were known to him thanks to phone calls to his office, oral and written statements of citizens and reports in the mass media. He visited police stations, hospitals, jails, and talked to detained and arrested people. Reports on groundless detention of citizens with their subsequent incarceration at the police stations, violence and torture against them, the impossibility to exercise the right to call, the preventing of lawyers' access to police stations, the confiscation of personal belongings without observing the due procedures, etc. were checked. The information on attacks against journalists and the preventing of execution of their professional duties was checked and documented.

Within his powers, the Ombudsman demanded information and called for necessary measures by the relevant agencies and departments. He also sent inquiries to

²⁷ Statement from U.S. Embassy. July 30, 2016, <http://armenia.usembassy.gov/news073016.html>

²⁸ Statement on Recent Events in Yerevan. 30.07.2016, <http://www.un.am/en/news/463>

bring to account the officials whose transgressions could be established during office investigations and to launch criminal cases in all cases where criminal responsibility was evident. Statements on cases of infringements of human rights went to the Office of Public Prosecutor and the Special Investigatory Committee, which is engaged in investigation of crimes committed by law enforcement officers.

The Ombudsman paid special attention to the inadmissibility of the language of hate, appeals to violence, and any statements and actions that could lead to the conflict escalation, calling all parties for restraint and tolerance as bases of the peaceful solution of the crisis. (As the web-site of the Ombudsman's Office was inaccessible during the Civil Society Forum of the Eastern Partnership Mission's stay in Yerevan, the source of this information is the Ombudsman's personal page on Facebook).

National and international NGOs expressed their support and professional solidarity with journalists who had been attacked. The statement of Armenian media organizations concerning the events on 29 July was prepared by 12 organizations and published 31 July.²⁹ A sharp condemnation of the actions of the authorities that allowed the unprecedented violence against journalists was followed by references to previous "investigations" that resulted in no results and expressions of mistrust that there would be any adequate official response to the current flagrant infringements of the rights of journalists. Under the circumstances, the authors of the statement thought it made no sense to demand justice from the police and other law enforcement bodies and reserve their right to reach for other ways of protecting their rights.

This time, there was the OSCE's timely reaction. Thus, on 1 August 2016, Dunja Mijatović, OSCE Representative on Freedom of the Media, sought reassurance from the foreign minister of Armenia that journalists' rights and safety during times of civil unrest would be protected. In her letter, there is a list of 14 journalists who had been assaulted and a reference to the statement of public media organizations of Armenia dated 21 July, which concerns previous police attacks against 4 journalists.³⁰

The European and International Federation of Journalists (EFJ/IFJ) condemned the violence used by police forces against journalists;³¹ it is noticed that as a result of the events on 29 July at least 10 journalists suffered. Special concern is caused by the fact that

²⁹ 31.08.2016, <http://www.lragir.am/index/arm/0/right/view/136998>

³⁰ OSCE media freedom representative urges protection for journalists reporting on civil unrest in Armenia. VIENNA, 1 August 2016, <http://www.osce.org/fom/257336>

³¹ Armenia: excessive police force used against journalists covering demonstration. 02/08/2016, <http://europeanjournalists.org/blog/2016/08/02/armenia-excessive-police-force-used-against-journalists-covering-demonstration/>

journalists were attacked not only by policemen, but also by plainclothes police in armed with bludgeons and metal batons, who smashed journalists' equipment.

A detailed report on the events in Yerevan on 29 July, based on numerous interviews with victims and witnesses of these events, was published on 1 August by Human Rights Watch.³² Special attention is paid to the fact that the police used stun grenades with a blinding and deafening effect, which is forbidden under international law. Infringements of these rules led to severe consequences - numerous burns, fragmentation wounds from grenade fragments, damaged eyes that had to be removed. Journalists and protesters said that although police told protest leaders that the crowd should disperse, the police did not make any meaningful effort to warn the crowds to disperse or about their plans to use force. Besides, uniformed police and unidentified people in civilian clothes acting with them ran toward the protesters, detaining many of them.

In interviews the assaulted journalists underlined the peaceful character of the political protest actions and the fact that during all previous events, since 17 July, the police did not put such rigid obstacles to the implementation of journalists' professional duties. A number of the TV reporters mentioned the loss of their expensive equipment, which was damaged or taken and never returned.

Among those arrested on 29-30 July, there was a member of the Steering Committee of the Civil Society Forum of the Eastern Partnership Hovsep Khurshudyan. In this connection, on 1 August 2016, the Steering Committee published a statement condemning this arrest and demanding his immediate release. Khurshudyan and the other participants of the peaceful protest arrested and charged under Article 225 of the Criminal Code (the organization of mass disorder accompanied with violence) and the Steering Committee demanded these charges be dropped.³³ The Steering Committee expressed its confidence that dialogue is the only way to resolve the present situation. It also appreciated the fact that another member of the Civil Society Forum, Levon Barseghyan, was released by the authorities in a gesture, which suggests that a peaceful end to this tense situation is possible.

³² Armenia: Excessive Police Force at Protest. Stun Grenades, Beatings; Protesters, Journalists Injured. AUGUST 1, 2016, <https://www.hrw.org/news/2016/08/01/armenia-excessive-police-force-protest>

³³ Steering Committee Demands Immediate Release of Steering Committee Member Hovsep Khurshudyan. 1 August 2016, <http://eap-csf.eu/en/news-events/news/steering-committee-co-chairs-deplore-arrest-of-steering-committee-member-hovsep-khurshudyan/>

A detailed report of the Helsinki Committee of Armenia contains a description and analysis of the events of 17 July-5 August 2016.³⁴ It mentions the absence of the authorities' official reaction up to 21 July; features of the negotiating process; the behaviour and positions of various actors and stakeholders - participants of the conflict. The presented dynamics of the conflict reflects its escalation, in particular, on 20 July those who were protesting against the cruel treatment of detained and arrested people started to throw stones, bottles, and other subjects at policemen. The police did the same and besides, they used tear gas and stun grenades. There were cases of violence against journalists on the part of unknown people in plainclothes. During the night on 21 July, the police arrested 136 citizens on suspicion of using violence in which could threaten life or health of the representative of power. During the following actions, in particular, the protest meeting and rally on 26 July, at least 64 participants were brought to police stations. 63 people were released subsequently; one was charged with the illicit possession of weapon. On 27 July, the police again declared again a ban on public actions on Khurenatsi Street which was surrounded by cordons; during the whole day, both active and potential participants of protests were detained.

A report of the international non-governmental organization "Civic Solidarity Platform", which unites NGOs from Europe, Asia, and the USA, is based on preliminary findings of the fact finding mission that visited Yerevan on 28 July-1 August 2016.³⁵ During their work, participants of the mission polled 42 people - participants, victims, and witnesses of the events. The mission found infringements of the right to free assembly, disproportionate use of force by employees of power structures, arrests and cruel treatment of arrested people, as well as infringements of the rights of journalists.

The basic points of the recommendations developed on the basis of the received data are addressed to the authorities of Armenia:

- The authorities of Armenia should undertake prompt, thorough, impartial, and independent investigations into all allegations of unlawful conduct by law enforcement officials in connection with the dispersal of the protests in Yerevan on 20 and 29 July 2016.
- Ensure that all law enforcement officials responsible for committing human rights violations during the events of 20 and 29 July, including those with

³⁴ REPORT on the events that occurred in the Republic of Armenia from July 17 through August 5, 2016. http://armhels.com/wp-content/uploads/2016/08/HCA_Report_July-17-Aug-5_Eng.pdf

³⁵ What happened in Armenia: the CSP reports. 05.08.2016, <http://www.civicsolidarity.org/article/1155/what-happened-armenia-csp-reports>

command and supervisory responsibility, are held accountable and are appropriately sanctioned in accordance with national and international law.

Main conclusions

Within two weeks after the building of the patrol and inspection service of the Yerevan police was occupied and people were held hostage on 17 July 2016, Armenian civil society did its best to stop the escalation of violence and to solve this sharp crisis situation in a peaceful way, including dialogue and negotiations. Due to the fact that during this period representatives of the central authorities of Armenia did not undertake any adequate measures in the same direction and actually kept aloof, there is an impression that the police were given *carte blanche*, including the use of violence (including weapons and special means) against participants of protest actions, journalists, and ordinary peaceful citizens.

During these two weeks, Armenian NGOs and civil activists repeatedly called on international organizations - primarily, those responsible for observance of human rights - for help. These appeals basically remained unanswered; a more determined response came from intergovernmental and non-governmental international and foreign organizations only after the tragic events on 29 July.

It is possible to consider this date a turning point in Armenia's political and public life and in the world community's attitude to these events. Only this unprecedented wave of violence compelled a number of international organizations and institutions to interrupt their watchful silence, and to react with adequate statements, and to direct their missions directly to the scene of the police violence. For example, Human Rights Watch's, representatives appeared in Yerevan literally several hours after the beginning of the police «cleansing», and questioned considerable number of victims and witnesses of the event, wrote a report, and met with representatives of the authorities.³⁶

There followed quite strong statements from authoritative international organizations, the US Embassy, human rights defenders, and experts based on reports gathered at the scene of the violence which included proof of inadmissible behaviour by uniformed and plain clothes policemen. Special attention was paid to violence in relation to journalists who were carrying out their professional duties.

Although the acute political crisis in Armenia is still far from being over, the events that began on 17 July 2016 should serve as a serious lesson not only for the Armenian

³⁶ Armenia Sacks Yerevan Police Chief Authorities Act After Protestors Are Violently Attacked by Police. Giorgi Gogia, August 9, 2016, <https://www.hrw.org/news/2016/08/09/armenia-sacks-yerevan-police-chief>

authorities and society, but also for a much wider range of actors and stakeholders. First of all, it concerns authoritative international organizations and governments of democratic countries whose embassies are present in Armenia. The first question is why they reacted so slowly to the escalation of violence and the absence of effective assistance in the peaceful solving this acute political crisis, despite numerous appeals and recommendations submitted by Armenian civil society organisations.

Another question is the problem of the efficiency of the implementation of international aid programs aimed at reforming the police. As the described and analysed events have proved, the assistance from the OSCE and other international donors, whose programmes were initiated more than 10 years ago, appear not to have yielded the expected effect.

In this context, it is obvious that both the methods and strategy of rendering international aid to reform power structures in post-totalitarian states should be reconsidered and more reliable mechanisms of monitoring their efficiency should be worked out.

About the Eastern Partnership Civil Society Forum

The Eastern Partnership Civil Society Forum (EaP CSF) is a unique multi-layered regional civil society platform aimed at promoting European integration, facilitating reforms and democratic transformations in the six Eastern Partnership countries - Armenia, Azerbaijan, Belarus, Georgia, Moldova and Ukraine. Serving as the civil society and people-to-people dimension of the Eastern Partnership, the EaP CSF strives to strengthen civil society in the region, boost pluralism in public discourse and policy making by promoting participatory democracy and fundamental freedoms. For more information, visit www.eap-csf.eu