



PROTECTION OF RIGHTS  
WITHOUT BORDERS

Իրավունքների պաշտպանություն  
անաս սահմանների



# Preliminary findings of the fact-finding mission of the Civic Solidarity Platform to Yerevan, Armenia

28 July - 1 August 2016

## Background

On 17 July 2016 an armed group of representatives of the opposition group “Daredevils of Sassoun” occupied Erebuni district police station in southern Yerevan, killing one police officer in the process before calling on Armenians take to the streets to secure the release of jailed opposition politicians.<sup>1</sup> The peaceful protest subsequently organized by Armenian citizens demonstrated their support of the group as well as their discontent with the political leadership of the country. Between 2000 - 3000 protestors participated in demonstrations on peak days.<sup>2</sup>

Responding to allegations about human rights violations that were being committed in the context of the events, on 28 July 2016 the Civic Solidarity Platform (CSP) deployed a fact-finding mission to Yerevan. The purpose of the mission was to study allegations concerning the use of disproportionate and excessive force in relation to peaceful demonstrations; arbitrary detentions; abusive treatment of demonstrators and journalists, as well as other human rights violations. Forty-two victims and witnesses gave testimonies to the team of monitors.

On 30 July 2016 the “Daredevils of Sassoun” surrendered after reaching an agreement with Armenian authorities.

## Violations of the right to freedom of assembly and disproportionate use of force by Armenian law enforcement officials

Members of the CSP monitoring team examined witness statements, photo and video material, physical evidence and medical documents provided by victims, in order to draw conclusions on the proportionality of force used by the police.

The inquiry conducted by the CSP monitoring team confirmed the largely peaceful nature of the demonstrations that took place in July in Yerevan. Monitors observed the efforts taken by the leaders of the demonstrators to

<sup>1</sup> Opposition group, mainly comprised of Nagorno Karabakh veterans. The leader of the group is Jirar Sefilian, who is currently imprisoned after being found guilty of illegal possession of arms. The group does not have coherently articulated programme, but among their publicly voiced demands were calls for a change of government, the preservation of Nagorno-Karabakh as the part of Armenia, and the necessity of effectively fighting corruption.

<sup>2</sup> RFERL, Thousands march in support of gunmen, <http://www.azatutyun.am/a/27879939.html>; Azjazeera, Armenia protesters and police clash over hostage crisis <http://www.aljazeera.com/news/2016/07/armenia-protesters-police-clash-hostage-crisis-160721052049006.html>

restrain the public from any acts of violence. Demonstrators mostly gathered on Azatutyun Square in Central Yerevan and then marched through the city clapping and chanting in support of the “Daredevils of Sassoun” and calling for the resignation of the president Serzh Sargsyan. Major incidents occurred when the police tried to prevent protesters from marching through certain streets. The police argued that the protesters failed to provide advanced information about the route of planned marches. Although such conflicts were mostly resolved through negotiation, this was not the case in the protests that occurred on the nights of 20 and 29 July.

On 20 July protesters gathered on Khorenatsi street (near the occupied police station). As police prevented protesters from marching down the streets they responded by throwing stones. One video recording reveals protesters behaving aggressively, pulling away helmets and protection shields from police officers and throwing stones at them. In response, the police used non-lethal weapons and the protesters started to disperse. The CSP monitoring team was able to identify the following non-lethal weapons that were used during dispersal as stun grenades, sticks, and “Cheremukha” gas grenades. The analysis of evidence related to this particular episode suggests that the use of this type of weapon by the police was justified. However, police officers subsequently followed protesters as they were dispersing and violently beat some of them using excessive force. As the result of the clash 51 protesters and policemen were hospitalized.<sup>3</sup>

A study of the evidence related to the events of 29 July revealed the use of disproportionate and excessive force by police officers. On 29 July the demonstration was peaceful as protesters marched through the city chanting and clapping. However, when protesters approached the district of Sari-Tagh police officers started dispersing demonstrators using non-lethal weapons. The police did not give any warning to protesters before they began using numerous rocket-projected, hand-held and multi-component stun grenades “Vzlet-M”.

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***“Grenades flew upwards in spirals with a whistling sound, then they fell down. One fell on my foot, and by the time I understood that it had hit me I was already in flames. I thought I would be able to run away from the grenade when I heard the explosion, but I was already burning and could not move”***

Tamara Manukyan recalled from hospital where she was being treated for second degree burns covering 16% of her skin including her face.<sup>4</sup>

In addition, a group of unidentified persons in plainclothes acting in coordination with the police followed protesters as they ran away through the Sari-Tagh district. These people were catching protesters and beating them with metal rods and wooden sticks measuring 1.5 meters.

The Law of Armenia “On Police” specifies the conditions for deploying non-lethal weapons. It clearly stipulates that before using force police officers should warn protesters. However, adequate warning was not given either on 20 or 29 July. On 29 July, police officers had asked protesters to leave Khorenatsi street within 10 minutes, but then began using non-lethal weapons immediately after the announcement. Protester Sedrak Arakelyan testifies

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***“...immediately after the announcement police started throwing stun grenades and ran at us!”***<sup>5</sup>

This statement is corroborated by video recording obtained by CSP monitors.

Sixteen years old Sayad Arutunian who was visiting Yerevan during the events stated:

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***“I did not take part in the protest, I was just going to visit my brother who lives near where the protest was taking place. The rally looked fun - they were singing and dancing, so I decided to cut through the crowd”***.<sup>6</sup>

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**3** Caucasian Knot, In Yerevan the number of victims of clashes exceeds 50 <http://www.eng.kavkaz-uzel.eu/articles/36297/>

**4** CSP interview with Tamara Manukyan, 31 July, 2016

**5** CSP interview with Sedrak Arakelyan, 30 July 2016

**6** CSP interview with Sayad Arutunian, 1 August, 2016



Just as Sayad entered the crowd the police attack started. A shell exploded near him, and caused him injuries which resulted in him losing an eye.

Therefore, with the exception of some acts during demonstrations on 20 July, the protests were peaceful. Further investigation is required into the use of force by police officers on 20 July. However, it is evident that on 29 July the actions of police were disproportionate and the use of nonlethal weapons was unjustified. The high number of protestors and bystanders who were seriously wounded and the overall behavior of the police leads to conclusions that the use of force was both indiscriminate and excessive.

## Arrests and ill-treatment in detention

Some participants of the peaceful protests were detained as early as 17 July - the first day of demonstrations. According to police statements a total of 365 people were detained during the protests.<sup>7</sup> However, in interviews with CSP monitors Armenian human rights lawyers stated that the number of those detained is substantially higher than the authorities claim, with estimations varying between 500 and 700.<sup>8</sup> Indications of large numbers of people detained include the fact that many protestors were taken to police stations in neighboring towns around Yerevan, implying that detention centers in the capital were already at full capacity.

According to victims' statements their procedural rights were not respected during detention and arrests. Police officers detained many peaceful protestors on Azatutun Square and near the place of protest on Khorenatsi street, telling nearby journalists that they were holding people simply for identity checks. However, police officers made no attempt to check identity documents on the spot. In many cases, when asked the reason for detention, police officers replied: "You know full well", or "You will find out later". There were cases when protestors were virtually kidnapped by men in plainclothes and taken to the police station. Ara Petrosyan testified:

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***"On 20 July on Khorenatsi street at around 12:15 people were peacefully standing. I walked down to Christopher street to go to a store. At that moment a car with civilian number plates stopped, four people approached me and demanded that I get into the car. I refused, as I couldn't figure out who they were. They grabbed my arms and pulled me into the car. They were trying to twist my arms, I kept screaming at them, I demanded that they told me where they were taking me. They told me that I would find out when we got there, and again I began screaming. They squeezed my head and beat me. Later I found out that they were taking me to Erebuni Police department".***<sup>9</sup>

Victims testified that police officers beat them severely while detaining them. In several cases victims were beaten inside the police station. Vardges Gaspari, detained on 17 July testified:

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***"I was in a compound alone, but the door was opened. So from time to time I shouted Serzhik is a Martaspan (murderer), he is bad'. Someone in civilian clothes came in, I was on the ground, he put his shoe on my face and mouth and started pressing. He asked: 'How can you continue your protest now'? I continued, shaking my head, tried to scream 'Serzhik is a murderer', he saw he couldn't stop me, started to kick me in the head. He did it many times, I don't know how many times, then he went away".***<sup>10</sup>

Artur Minasyan, detained on 18 July, stated:

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**7** RFERL, Police detained 136 people <http://rus.azatutyun.am/a/27871719.html>; RFERL, Police detained 64 people <http://rus.azatutyun.am/a/27883952.html>; RFERL, Police detained 165 people <http://rus.azatutyun.am/a/27889679.html>

**8** CSP interview with Haykuhi Harutyunyan and Artur Sakunts, 1 August, 2016

**9** CSP interview with Ara Petrosyan, 29 July, 2016

**10** CSP interview with Vardges Gaspari, 29 July 2016



***“Two police officers took me to the police car. Then they brought my friend David and another citizen to the same car. After closing the car door, they forced us to lie down on the floor, one of the police officers put his knee on my back compressing my hands, while other police officers started beating me and insulting me. They were punching and kicking me. We were being beaten and tortured for approximately 15-20 minutes, after which one of the police officers ordered to force us to kiss and suck their shoes. When we reached the place, we heard an officer ordering them to pee on us”.***<sup>11</sup>

Based on testimonies gathered by the CSP monitoring team it appears that in many cases the Armenian police failed to respect legal procedural guarantees during the detention of demonstrators. Several people interviewed claimed to have been physically and verbally abused after being placed in detention in police stations, and indicated the use of ill-treatment which requires prompt and independent investigation.

As of 3 August 2016 two criminal cases were opened in relation to the events of July 2016. The first case relates to charges of organization and participation in massive disorder. More than 100 persons, including the leaders of the peaceful protests Armen Martirosian, Ovsep Khurshudian, David Sanasaryan and Andreas Gukasyan, have been arrested in relation to this criminal case. The second criminal case concerns the excessive use of force by the police. Not a single person has been charged in relation to this investigation so far.

According to testimonies obtained by CSP monitors, at the start of the protests relatives of the protest leaders were detained and questioned by police, thus putting protest leaders under pressure. The arrest of Levon Barsegyan, influential civic activist leading the protests suggests that authorities might have used detention as a means of politically-motivated persecution. Barsegyan was detained after being accused of illegal possession of arms. The police searched him and found a knife in his possession. Barsegyan was detained and held in incommunicado detention for 11 hours before his lawyer and representatives of the ombudsman's office managed to locate him in one of the police stations.<sup>12</sup>

Several other respondents testified about being held in custody and not being able to communicate with the outside world, including the defense lawyers.

## Rights of journalists

Journalists testified that before 29 July police officers did not generally interfere in their work. CSP monitors documented one case of a journalist being beaten by police on 20 June 2016 in the Sari-Tagh district of Yerevan. The journalist was filming police officers acting violently towards a protester, when he was noticed by police and then subjected to physical violence by police officers. On 29 July several journalists were brutally beaten both by representatives of the police and unidentified men in plainclothes, acting in coordination with the police.

Marut Vanyan, a journalist of Iragir.am testifies: “I was filming when two persons in plainclothes approached me and asked me what I was filming. They said - ‘don’t film’. They took my camera and broke it, then they beat me with wooden sticks. Eight persons were beating me; I fell on the ground. I was hit at least ten times. The police lined up, I was in front of them, then around eight or ten persons in plainclothes took me behind the police line and continued beating me”.<sup>13</sup>

Based on the evidence obtained by CSP monitors the police was specifically targeting reporters. Robert Ananyan, a reporter for Armenia's A1+ testifies:

***“It’s my impression that the reporters were targeted, especially those with video equipment. I believe the policemen wanted to push the reporters into one place, making it easier to neutralize us. The first percussive grenade used by police was thrown towards the reporters”.***<sup>14</sup>

**11** CSP interview with Artur Minasyan, 30 July, 2016

**12** CSP interview with Haykuhi Harutyunyan, 1 August, 2016

**13** CSP interview with Marut Vanyan, 31 July, 2016

**14** CSP interview with Robert Ananyan, 1 August, 2016



Thus, the authorities used force in relation to journalists to prevent them from filming police officers and the unidentified men in plainclothes severely beating protesters. The targeting of journalists that occurred on 29 July appears of a more systemic nature, thus constituting a grave violation of Armenia's constitution and international obligations.

## Recommendations

### TO ARMENIAN AUTHORITIES:

- 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. Investigations should be carried out with respect to all of the allegations, ensuring a careful examination of the circumstances of each individual case where violations are alleged;
- Ensure that all law enforcement officials responsible for committing human rights violations during the events of 20 and 29 July, including those with command and supervisory responsibility, are held accountable and are appropriately sanctioned in accordance with national and international law. All sanctions imposed should be commensurate with the severity of the violations committed.