

SPECIAL REPORT

Assembly and Police activities
[including use of special means]
**at the Yerevan Baghramyan
Demirchyan intersection on 12.06.2024**

19.06.2024
YEREVAN

 **TATOYAN**
FOUNDATION
Center for Law & Justice

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INTRODUCTION

This special report centers on the civil actions spearheaded by "Tavush for the Motherland," led by Archbishop Bagrat Galstanyan, Primate of the Tavush Diocese of the Armenian Apostolic Church. It also examines the authorities' response, particularly the police reaction to civil actions and complaints in Yerevan on June 12. To provide a thorough understanding, introductory information precedes the main issues discussed in this report.

Thus, the delimitation and demarcation process of the Armenia-Azerbaijan state border has been mired in controversy, as described in the text. Here are the key points summarized:

- 1. Human Rights Concerns:** The process has allegedly involved human rights violations against residents of bordering communities in Armenia, impacting their security and human rights (right to life; rights to property and well-being; right to freedom of movement etc.).
- 2. International Standards:** Despite being termed as "delimitation and demarcation" by the Armenian government, the process has been criticized for not meeting international standards set by organizations like OSCE and the UN. It lacks proper legal grounds in Armenia, and has been expedited due to political-military unlawful pressures from Azerbaijan.
- 3. Local Impact:** The initiative, particularly affecting areas like Tavush, has sparked significant concern and civil complaints among residents in Kirants, Voskepar, Baghanis, Vazashen, Aygehovit, and other communities.

4. **Public and Diaspora Response:** The issue has become a focal point of debate within Armenia and among the Armenian diaspora, highlighting widespread public concern¹.

5. Launched on April 9, 2024, "**Tavush for the Motherland**" Movement, led by Archbishop Bagrat Galstanyan, formulated its aims: to defend the safety and well-being of residents in affected villages. Its goal is to secure their ability to live securely in their ancestral homes and sustain their livelihoods, advocating for dignified living conditions amidst the ongoing border disputes².



¹ Given the announced border determination process, the Center for Law and Justice carried out series of fact-finding visits to different villages of Tavush province and produced a special report on the results of the mentioned missions: <https://tatoyanfoundation.org/wp-content/uploads/2024/05/TavushReport.pdf>.

² Watch video with the following link: <https://www.youtube.com/watch?v=vIGZeGzsRe0>

Throughout the peaceful assemblies and demonstrations, the "Center for Law and Justice Tatoyan" foundation conducted monitoring activities and held meetings/interviews with various assembly participants, journalists, and human rights defenders.

These discussions and interviews focused on the actions of the police and the human rights violations that took place during the demonstrations. The monitoring also included reaction of the authorities in the Parliament and the Government.

The Foundation has regularly issued statements regarding Police response towards civil actions, including the unlawful actions and human rights violations committed by police during peaceful assemblies. These statements also referred to reaction of authorities (the Parliament and the Government) toward civil actions.

Despite the statements made, no measures were taken by the authorities to prevent intolerance and insulting speech, as well as to prevent further human rights violations and unlawful behaviors by the police.



Moreover, monitoring detected hate speech and intolerance by the Parliamentary ruling party faction members and the Government officials toward civil actions and their participants, including its leader Archbishop Bagrat Galstanyan. Specific hate speech was generated and led against the Armenian Apostolic Church and the Catholicos of All Armenians.



Moreover, no criminal prosecutions or even proceedings were launched against "red beret" or "red hat" police officers, who committed actions clearly amounting to crimes, including torture and unlawful violence.



This situation at the end led to the use of violent force and special means by the police against participants of the assembly on June 12 in Baghramyan Avenue.



BACKGROUND AND METHODOLOGY

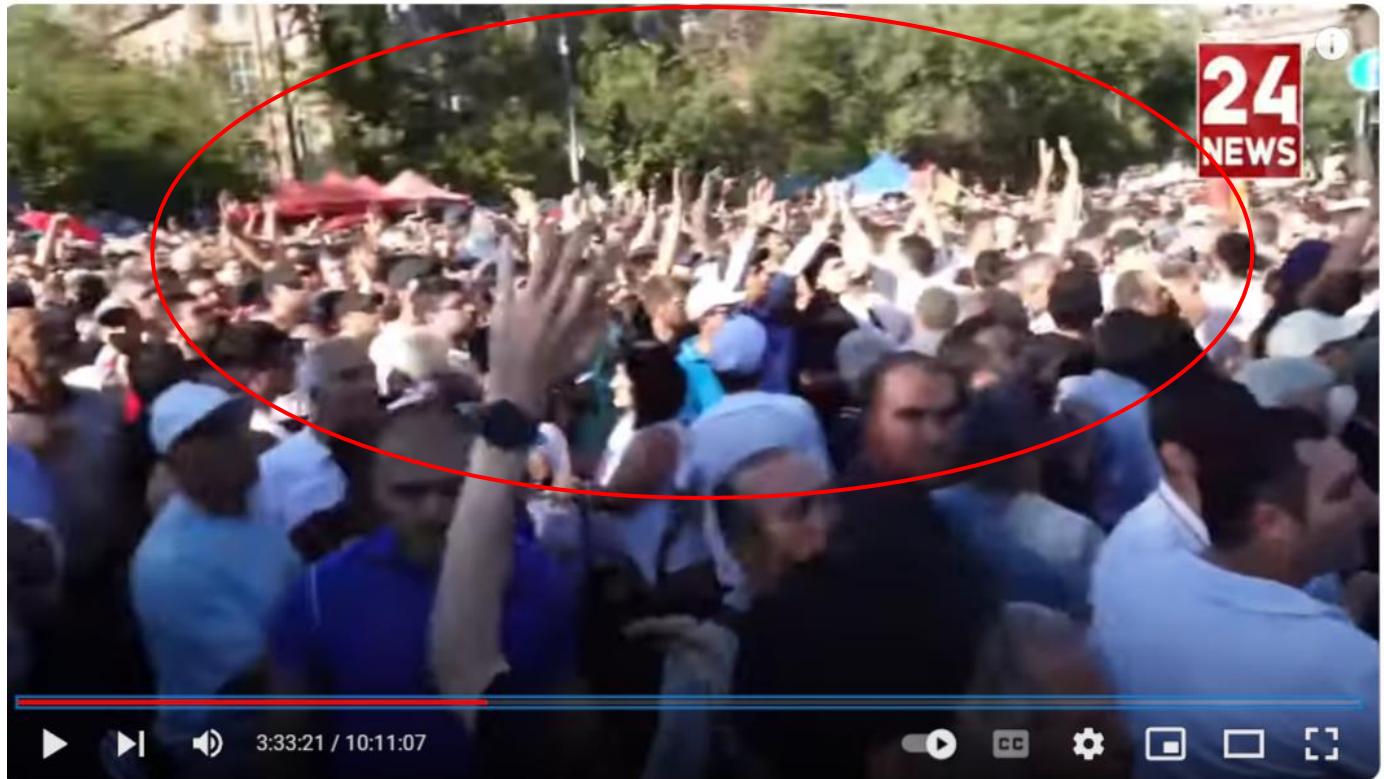
As mentioned above, activities were carried out to monitor the RA Police activities towards the assembly organized at the Baghramyan-Demirchyan intersection in Yerevan on June 12, 2024.

The monitoring was carried out based, *inter alia*, on applications and alarms raised by the assembly participants, and information reported by human rights defenders, journalists about human rights violations, obstruction of journalists' professional work, and police actions.

In particular, the movement "Tavush for the Motherland" held an assembly on Baghramyan Avenue in Yerevan. The demonstration was announced peaceful by the organizer, Archbishop Bagrat Galstanyan. The assembly organizers announced a peaceful march, and that they have no intention of engaging in aggressive actions or riots³. They have also stated that there are provocateurs⁴ in the assembly them who are trying to escalate tensions with the police. This has been evidenced by live broadcasts and various videos published in the press.

³ Watch the live release of 168.am on their YouTube channel using the following link
<https://www.youtube.com/watch?v=bn9fdhd3Sww> : 2:43:58 minutes.

⁴ Watch the live release of 168.am on their YouTube channel using the following link
<https://www.youtube.com/watch?v=bn9fdhd3Sww>, 4:24:43-4:27:08 minutes [the leader of the movement declared that there were provocateurs among the participants of the assembly, and he also asked that they not throw bottles in the direction of the police]. Watch the live release of 24news am on their YouTube channel using the following link:
<https://www.youtube.com/watch?v=w0jt09cxMTs&t=19869s> . [5:20:00 minutes].



In the course of the assembly, the situation became tense when the protestors attempted to cross the police rows and move towards the Demirchyan Street – the “Demirchyan entrance of the Parliament”⁵.

It should be highlighted that before June 12, there were already cases of severe violence (openly amounting to torture), such as the incident of beating Mr. Ashot Simonyan, a deputy of the 'Armenia' faction of the RA National Assembly, by “red beret” police officers in front of the ARF office⁶.

⁵ See press release with the following link:

https://www.aravot.am/2024/06/13/1426521/?fbclid=IwZXh0bgNhZW0CMTEAAR3fan4gqI7Sok8nSSfnpNghVvWWAyaFPJqGCs-c-3oxy78cABEgO7Esb3U_aem_ZmFrZWR1bW15MTZieXRlcw

⁶ The information is available with the following link: <https://www.aravot.am/2024/05/27/1422015/>.



The background of these illegal actions of the police was also created by the statements made by the RA government. In particular, on June 12, as well as on and before that day, the Prime Minister of Armenia made several statements and encouraged Police. With his June 12th's⁷ and June 13th's⁸ statements sponsoring and encouraging police violations and crimes, the Head of Government openly showed that criminal prosecutions are initiated by his order, that he supports impunity.

⁷ Watch the live release of Parliament of Armenia on their YouTube channel using the following link: <https://www.youtube.com/watch?v=VzbGBvO6paI> . [1:29:26 – 1:29:40 minutes].

⁸ Watch the live release of Parliament of Armenia on their YouTube channel using the following link: <https://www.youtube.com/watch?v=kUzhp-Sa7Zk>

This means that democracy and the rule of law, human rights are simply destroyed in Armenia. This also means that the one responsible for the illegalities of the Police and other law enforcement bodies, the sponsor of impunity is the head of the Government, who is blindly protected by his political team.

A few quotes from the head of the Government statements.

"The police response was legitimate and professional, and in all similar cases, the police will act in the same manner" (National Assembly, 13.06.2024)⁹.

"(...) The police use force to maintain and restore public order, and they say, 'They don't judge the policeman?' Why should a person be judged for doing their job? A person can be judged for not doing their job.

(...) Whoever tries to punish the policeman for doing their job should be removed from the case; they undermine the backbone of the state" (National Assembly, 12.06.2024)¹⁰.

⁹ <https://www.youtube.com/watch?v=VzbGBvO6paI> . [1:29:26 – 1.:29:40 minutes]; <https://www.youtube.com/watch?v=kUzhp-Sa7Zk>.

¹⁰ Watch the live release of Parliament of Armenia on their YouTube channel using the following link: <https://www.youtube.com/watch?v=VzbGBvO6paI> . [1:29:26 – 1.:29:40 minutes].

Information from journalists and human rights defenders demonstrated that police officers failed to demonstrate the necessary minimum degree of tolerance and restraint before attempting to disperse a crowd that was neither violent nor posed a danger to public order. The disproportionate use of force against the demonstrators resulted in numerous injuries to people.

Journalists reported that as the crowd began to disperse on its own, police officers attacked the demonstrators with truncheons ¹¹, hitting them in the face and body, and continuing to beat and kick them even after they fell to the ground. During a live broadcast, journalist Ms. Meri Manukyan from 24news.am reported that the police threw bottles at the protesters, and the provocateurs threw them back at the police¹². Additionally, many journalists and camera operators reported to the fund that police were throwing bottles at the protesters, and provocateurs among the protesters were then throwing them back.

During discussions with several protesters, they described how police officers began to remove journalists and cameramen from nearby sections of the police lines. Subsequently, the police officers started throwing bottles at the protesters. The protesters noted that, realizing the situation was escalating, they raised their hands (as seen in videos) to demonstrate they had no intention of engaging in violence and did not throw any objects at the police¹³.

¹¹ Watch the live release of 24news am on their YouTube channel using the following link: <https://www.youtube.com/watch?v=w0jt09cxMTs&t=19869s> , [5:26:24 minutes: journalist Meri Manukyan from 24news.am reported that the police attacked the demonstrators with truncheons and started hitting them].

¹² Watch the live release of 24news am on their YouTube channel using the following link: <https://www.youtube.com/watch?v=w0jt09cxMTs&t=19869s> , [5:13:23 minutes].

¹³ Ibid.

Police officers throw grenades at protesters, journalists and cameramen



At the Baghramyan-Demirchyan intersection, cases of violence and the use of special measures by police against protest participants occurred in violation of RA legislation and international standards, resulting in disproportionately severe harm to people's health.

The Police also failed to fulfill their obligation to inform demonstrators about the use of special measures.

According to Paragraph 4 of Article 29 of the Republic of Armenia Law on Police, prior to using physical force, special measures, or firearms, a police officer must provide a warning about their impending use and allow sufficient time for compliance with lawful demands and cessation of any offense, unless an immediate threat to life or health necessitates their immediate use or such a warning is impracticable in the circumstances.

The guidelines regarding police warnings about the use of special measures during mass disorders suggest the following wording:



a) "This is the Police. Stop the mass disorder and leave the area! Otherwise, special means [specify the type] will be used!"

b) "This is the Police. Stop the mass disorder and leave the area! Otherwise, special means [specify the type] will be used! There will be no more warnings."

According to these guidelines, police warnings must be clear and communicated in the most efficient and understandable manner, such as through loudspeakers, amplification systems, posters, billboards, electronic screens, or similar methods. Reasonable time should be allowed between different warnings aimed at groups of people or the crowd to ensure adequate response. Video recording on electronic media of these warnings and responses by individuals or the crowd is also required under Part 1 of Paragraph 1 of Article 20 of the Republic of Armenia Law on Police.

However, the Police failed to fulfill its obligation to inform the protesters about the specific special measures to be used.

A video published on the YouTube channel of the news site 24news shows that the police did not comply with the requirements established by legislation and international standards.

Before using any special measures, the police are obligated to announce their intention by all available means, ensuring these announcements are accessible and audible to the protesters.

While the video shows two police officers making announcements via loudspeakers, it is unclear from the live broadcast whether they adequately informed about the use of special means¹⁴.



¹⁴ Watch the video release of 24news am on their YouTube channel using the following link:
<https://www.youtube.com/watch?v=DtT2yKb-u3A>

However, the Police failed to fulfill its obligation to inform the protesters about the specific special measures to be used. A video published on the YouTube channel of the news site 24news shows that the police did not comply with the requirements established by legislation and international standards. Before using any special measures, the police are obligated to announce their intention by all available means, ensuring these announcements are accessible and audible to the protesters. While the video shows two police officers making announcements via loudspeakers, it is unclear from the live broadcast whether they adequately informed about the use of special means¹⁵.

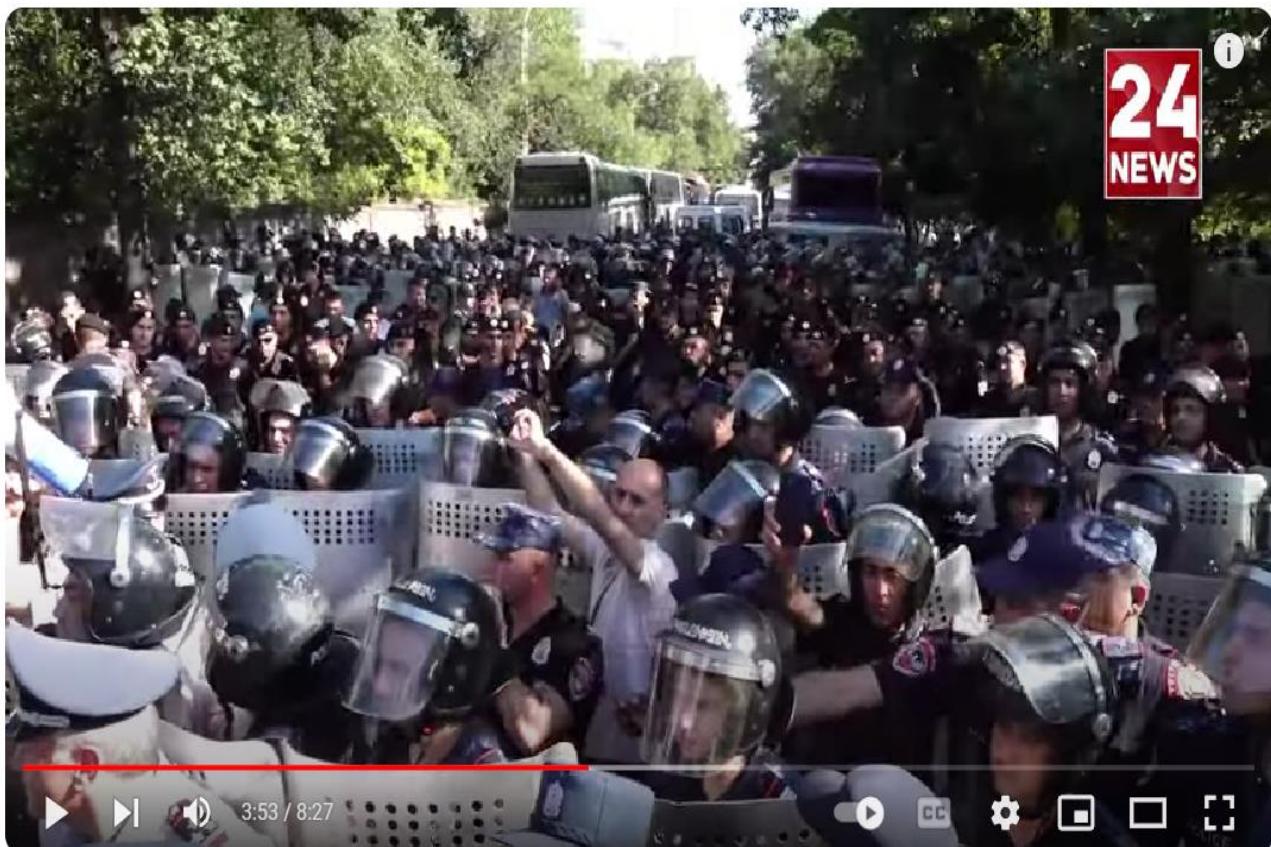
The findings from the monitoring of this and numerous other videos published in the media indicate that the police justified their use of special means by merely issuing an announcement over a loudspeaker and recording themselves on a phone. They failed to ensure that this information was accessible and announced in the prescribed manner through all possible means. According to the videos and subsequent reports from journalists to the foundation, it is apparent that all the police communicated was an instruction for women and children to leave the area¹⁶.

¹⁵ Watch the video release of 24news am on their YouTube channel using the following link:
<https://www.youtube.com/watch?v=DtT2yKb-u3A>

¹⁶ Watch the video release of 24news am on their YouTube channel using the following link:
<https://www.youtube.com/watch?v=DtT2yKb-u3A>

LEGAL REGULATIONS

The Annex to RA Police Chief's Order No. 2760-A dated October 11, 2011, defines guidelines for police officers involved in maintaining public order, detailing the use of physical force, special means, and weapons during mass disturbances. According to point 22 of these guidelines, police actions during the use of each special measure or tactical maneuver must be as targeted as possible, adhering to principles of legality and proportionality. In situations where there is a threat to people's lives and health, non-targeted special measures should only be used after attempting to use rubber bullet rounds (unless the level of crowd aggression is so severe that specific offenders cannot be identified).



Additionally, Republic of Armenia Minister of Health Order No. 09-N (dated April 20, 2012), which approves permissible standards for the application of special means against human beings, specifies that 'Fakel S' and 'Plamya M' must be applied at a minimum distance of 2.5 meters from individuals. This order, however, does not cover the conditions for the use of 'Svirel' shots and 'Zarya 3' grenades.

The Appendix to the Republic of Armenia Police Chief's Order 2760-A also approves the Guide on the conduct of riot police officers in protecting public order and outlines their use of physical force, special means, and weapons during mass disorders."

This version provides a clear and structured presentation of the regulations and guidelines relevant to the use of force and special means by the police during public disturbances in Armenia.

Paragraph 22 of the Guide stipulates that whenever special means or tactical techniques are employed, the actions of the Police must be highly targeted, adhering strictly to principles of legality and proportionality. In situations where human life and health are at risk, non-targeted special means should only be used after attempting to use rubber bullets, unless the crowd's aggression prevents the identification of specific offenders.



This provision indicates that non-targeted special means should only be considered when targeted methods are not feasible. However, in instances where targeted means were not fully explored, the Police immediately opted for non-targeted special means with broad impact areas. This action violates the procedures outlined in the Guide for the application of special means and is impermissible in terms of safeguarding the rights of peaceful participants in demonstrations.

The European Court of Human Rights has also addressed the legality of special means applications, emphasizing that while police actions may be authorized by national legislation, they must be sufficiently regulated to provide proportionate and effective safeguards against arbitrariness, considering the nature of the special measures used and the resulting harm¹⁷.

¹⁷ See Abdullah Yasa and Others v. Turkey, Complaint No. 44827/08, 16/07/13.

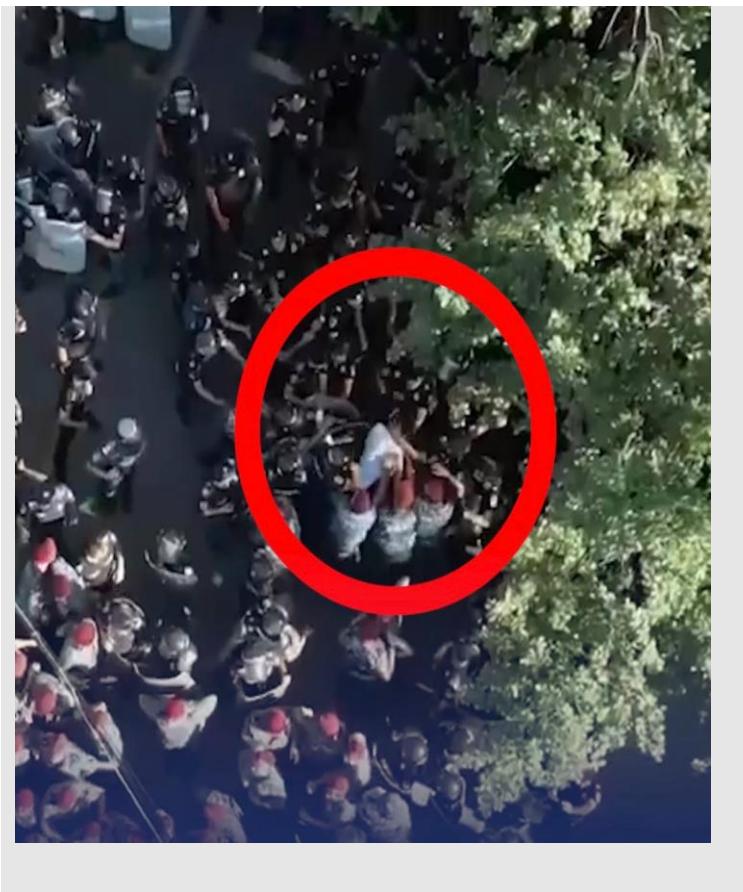
Based on various domestic and international legal regulations, it is evident that before employing special measures, the Police were obligated to provide continuous and accurate information, specifying the grounds for their use, and take necessary steps to minimize potential harm. According to information gathered from participants and journalists, there were provocateurs among the protest participants, a concern repeatedly raised by both demonstrators and journalists during the protest. However, the Police did not undertake necessary actions to identify and isolate these provocateurs.



MONITORING RESULTS

The Foundation's monitoring activities also revealed that 1-2 hours before the Police used special measures, only 1-2 announcements were made instructing women to vacate nearby areas, displaying discriminatory and illegal behavior towards other protest participants.

Information and photographs published in the media clearly indicate that protesters at the Baghramyan-Demirchyan intersection were dispersed without engaging in violent actions or resistance until the police-initiated violence and used special means. The monitoring detected, however, a number of provocateurs, and the police failed to identify and isolate them, despite numerous calls and warnings by the leaders of the assembly.

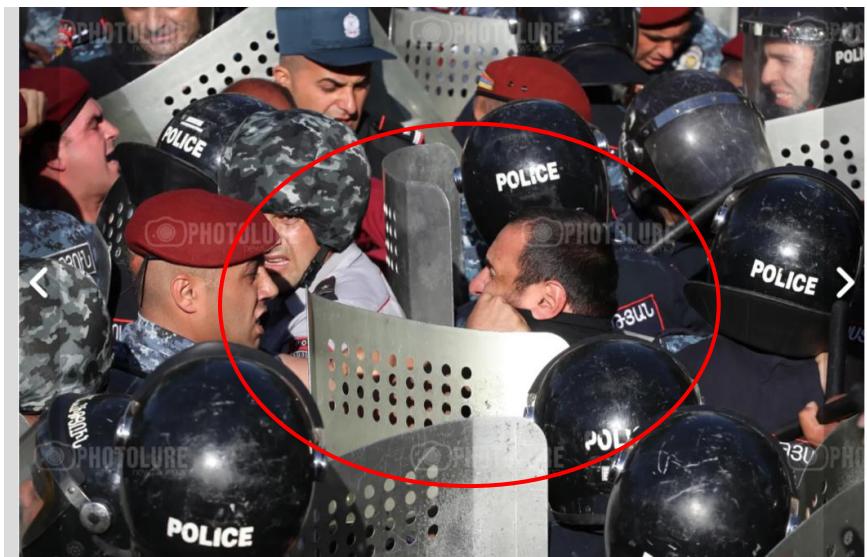


When the police used special measures, people initially scattered out of fear, then dispersed without showing any resistance. This account was reported by several human rights lawyers, including advocate **Mr. Ruben Melikyan**, who described the police actions as simply 'slaughtering' the protesters¹⁸.



When police officers used special means, people scattered and did not show any resistance

“Red beret” police officers forcibly drag people into the police rows



¹⁸ Watch the video posted on Ruben Melikyan Facebook page using the following link:
<https://www.facebook.com/share/v/nAvjmnkCnm9kSf6a/?mibextid=Le6z7H>,

From 5:24:00 to 5:34:01 minutes into the live broadcast video on the 24News.am YouTube channel, it shows police throwing a light grenade at dispersed protestors, despite the absence of gatherings or aggressive actions from the protestors.

Subsequently, “red beret” police officers emerged from police lines, engaged in violence against protestors, dragging them into police rows, and subjecting them to brutal beatings.



Unlawful behavior by the police against protest participants has been documented through both observations and complaints. Information about these incidents is regularly disseminated through mass media channels. Complaints and media reports have highlighted instances where police officers subjected assembly participants to degrading treatment, including violence, disproportionate use of force, torture, and causing disproportionate harm to health.



Similar police operations against protestors occurred in 2016, 2018, and 2021. These illegal actions persist in police operations, disregarding the requirements of domestic legislation and international standards regarding human rights."

This version maintains clarity and accuracy while presenting the information about police conduct during protests and highlighting the persistence of such issues over recent years.



CASES OF POLICE VIOLENCE

Numerous cases of illegal actions by “red beret” police officers have been reported, including the incident involving commentator-TV reporter and director of ABC media, Abraham Gasparyan, who was subjected to violence and degrading treatment by “red and black beret” police officers.

On June 13, 2024, several journalists appealed to the Center for Law and Justice “Tatoyan” Foundation, reporting that on the evening of June 12, 2024, between 5:30-6:00 p.m., at the Baghramyan-Demirchyan intersection in Yerevan, during a protest, RA police forces intentionally targeted and subjected TV commentator Abraham Gasparyan to violence¹⁹.



¹⁹ Watch the video release of ABC media on their YouTube channel using the following link:
<https://www.youtube.com/watch?v=5oe2OzHFFJw&t=724s>,

Eyewitness journalists, Abraham Gasparyan's wife, and Mr. Gasparyan himself informed the Fund that rows of "red beret" police officers briefly opened, after which up to 6 "red and black beret" officers pointed at Abraham and called for other officers to pull him in front of the cameras. According to information provided by him, after pulling Abraham into the police row, approximately 20 "red and black beret" officers attacked him, forcibly stripped him naked, leaving him only in his underwear. They then brutally beat him, striking both his body and his face, while saying: "You should die".



During a meeting with Mr. Abraham Gasparyan, it was revealed that he fainted due to the beatings inflicted upon him by police officers. Following this, police poured water on his face to clean the traces of blood and then proceeded to drag him, still without clothes and with his head soaked in blood, continuing the assault.

When Mr. Gasparyan lost consciousness, a police doctor approached and attempted to revive him by pouring water on his face to clean the blood. Subsequently, officers wearing red and black berets placed Mr. Gasparyan in a police 'Gazel' vehicle. He was only allowed to put on clothes after being placed inside the police car.

According to the information reported, after being brutally beaten and humiliated, with torn clothes, a bloody head, barefoot, and with his phone in the possession of an unknown officer, Mr. Gasparyan was transported to the Kanaker-Zeytun police station in a police car. Mr. Gasparyan mentioned that there was confusion as to why he was taken to the Kanaker-Zeytun station, which took about 1 hour and 10 minutes, despite the events occurring on Baghramyan Avenue. From a jurisdictional standpoint, he should have been taken to the Arabkir police station. It was also reported that Mr. Gasparyan bled throughout the journey from the protest area to the police to the police station.

Upon his release from the police department, it was further discovered that Abraham Gasparyan's gold chain and wallet had been stolen.

After his release, Abraham Gasparyan was transferred to the Izmiryan Medical Center, where he was hospitalized with diagnoses including concussions, lacerations, multiple soft tissue injuries, and rib fractures.



Due to the use of special measures by the police, numerous protesters sustained injuries of varying severity

According to the Foundation's monitoring activities, information published in the press, and complaints submitted by protesters, various degrees of injury to people's health have been documented²⁰.

One of the participants in the assembly suffered a wrist injury, leading to the amputation of one hand below the wrist and serious damage to the fingers of the other hand. According to Ms. Naira Sahakyan, the wife of the injured protester, several grenades exploded next to her husband, Mr. Esayi Karamyan, at the moment when the police used special measures²¹.

Mr. Esayi Karamyan believed that a piece of a grenade had landed near him, which he picked up to prevent others from stepping on it. According to Ms. Sahakyan, there was chaos at that moment, and her husband and others were in a state of panic.

Meanwhile, representatives of the political authorities made various public announcements alleging that the protester who injured his hand had intended to throw the grenade back at the police. It was during this announcement that the police used special measures and threw sound grenades in the direction of peaceful demonstrators²².

²⁰ Watch the video release of 24news am on their YouTube channel using the following link: <https://www.youtube.com/watch?v=vAT4khXfwvg> .

²¹ The information is available with the following link: <http://asekose.am/ru/post/incou-e-esayin-vercrel-nrnake-ostikanakan-nrnakic-cerqi-viravoroum-stacaci-kine-manramasner-e-nerkayacrel> .

²² Ibid.



Journalists and press organizations issued a statement that on June 12, due to the use of special measures by the police near the RA National Assembly, more than 10 journalists and cameramen performing their professional duties during the assembly were affected²³.



According to the latest information published in the press, as of 9:30 am on June 13, 2024, a total of 101 civilians and police officers sought medical assistance. Among them, 85 individuals were discharged after receiving the necessary medical care. The remaining 16 people sustained injuries of varying degrees, ranging from mild to moderate severity²⁴.

²³ Statement is available with the following link:

https://factor.am/783459.html?fbclid=IwZXh0bgNhZW0CMTEAAR2jZ52nBFG33NIwWoi2eQinoOTPnu7XAvfclqioyQLBg4qbVSteSnQIQ74_aem_ZmFrZWR1bW15MTZieXRlcw .

²⁴ Information is available with the following link: <https://www.tert.am/am/news/2024/06/13/med/4139057> .



A "red beret" police officer grabs the boy's hair and pulls it with his fist²⁵.



²⁵ Available with the following link:

<https://www.facebook.com/share/v/SHvv61CetmC9VTKv/?mibextid=WC7FNe> .

During the violent actions carried out by the Police, police representatives tore the cassock (clerical attire) of cleric Ter Samvel Vardapet Mkhitaryan while taking him into custody.





Evidence of the special measures used by the police, including photographs, has also been published on various news websites.

