

Statement against detention of Arshaluys Hakobyan, member of Helsinki Association

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To: President of the Republic of Armenia Serj Sargsyan

Address: 26 Baghramyan Avenue, Yerevan, Republic of Armenia
Administration of the President of Armenia
Head – Hasmik Pterosyan
Tel/fax +374 10 525 - 392
Email: hasmik@president.am

Minister of Justice of the Republic of Armenia Gevorg Danielyan

Address: 41/a Halabyan street, Yerevan 0079
E-Mail` info@moj.am
Press service: + (374 10) 38-01-55
Secretariat: + (374 10) 31-90-96

Prosecution General of the Republic of Armenia Agvan Hovsepyan

Address: 5 V. Sargsyan, 0010 Yerevan, Republic of Armenia
Tel/Fax: +37410 511- 650
mail: info@genpro.am

From: South Caucasus Network of Human Rights Defenders ¹

Information about the case of the unlawful detention of Arshaluys Hakobyan

The secretariat of the South Caucasus Network of Human Rights Defenders [the “Network”] received information concerning the detention of Arshaluys Hakobyan, from its member organization and coordinator in Armenia – “Armenian Helsinki Association.” The Network condemns the unlawful detention and asks for an immediately release of the election observer Hakobuan.

Arshaluys Hakobyan, a member of the Helsinki Association, the press photographer of the official web site of the organization (www.hahr.am) was arrested on 5 June, 2009. On 31 May, 2009 he participated at the elections of the Mayor of Yerevan as an observer representing the

¹ South Caucasus Network of Human Rights Defenders is a network of 30 well established impartial and independent non-governmental organizations from the region of South Caucasus, aiming at supporting the human rights defenders in Armenia, Azerbaijan and Georgia.

Helsinki Association. An accusation was brought against him according to Article 316, part 1 of the Criminal Code of Armenia (*Showing Resistance against the Law Enforcement Bodies*).

On 31 May, 2009 A. Akobyan, together with the group of observers representing the Helsinki Association, visited the polling station No. 8/23 of the Malatia-Sebastia District, Yerevan. The members and the head of the local election commission prohibited them to carry out the monitoring process. The observer group was taken from the polling station, and the door was locked. Afterwards, they were warned about physical punishment.

Regarding the above mentioned incident A. Akobyan made a statement addressed to the Special Investigation Department of the Office of Prosecution General of Armenia.

In the morning of 5 June, 2008 he was called and asked to visit the Investigation Department in order to give testimony. A. Akobyan refused to go there and told them that he would visit the Investigation Department only pursuant to an official summons. Later, two policemen visited A. Akobyan at his place, went to the bedroom, woke him up and handed a summons to him. There was nothing written about the person who called A. Akobyan to visit the Investigation Department, neither was there anything about the criminal case. The paper was not signed and the status of A. Akobyan was not mentioned on the summons.

A. Akobyan refused to sign the paper and stated that the paper was an illegal one. The Police officers forced him to sign the “summons”. After a long “pressure” A. Akobyan signed the “summons” in a wrong place as he did not wear his contact lens at that moment (A. Akobyan has poor eyesight). The police officers were indignant with him and continued exerting pressure on A. Hakobyan. He demanded that the police officers leave his house. The police officers asked for reinforcement from the police and took him to the police station by force. A. Akobyan was subjected to beatings and inhuman treatment in the Police Department of Kentron District, Yerevan. Afterwards Police put handcuffs on A. Hakobyan and took him to the Investigation Department of Kentron District. A criminal charge was brought against A. Hakobyan according to Article 316, part. 1 of the Criminal Code of Armenia in the Investigation Department of Kentron District. After being questioned in the Investigation Department, A. Akobyan was taken to the pre-trial detention cell.

On 6 June in the evening the Court of the First Instance of Kentron and Nork-Marash districts, Yerevan decided to grant the motion of investigators and apply the arrest as a preventive measure.

Actions Required by the South Caucasus Network of Human Rights Defenders

The South Caucasus Network of Human Rights Defenders calls upon to the Armenian Authorities to:

1. Immediately release Arshaluys Hakobyan from detention, since his detention directly contradicts the requirements of Article 5 of the European Convention to which the Armenia is a party and well established case law of the European Court.

2. Guarantee in all circumstances the physical and psychological integrity of Arshaluys Hakobyan while in detention;
3. Carry out an investigation of the allegations of mistreatment of Arshaluys Hakobyan by the Police Department of Kentron District;
4. Conform all of its conduct to the provisions of the UN Declaration on Human Rights Defenders, adopted by the General Assembly on December 9, 1998, especially its Article 1, which states that “everyone has the right, individually and in association with others, to promote and to strive for the protection and realization of human rights and fundamental freedoms at the national and international levels”, as well as Article 12.2, which provides that “the State shall take all necessary measures to ensure the protection by the competent authorities of everyone, individually and in association with others, against any violence, threats, retaliation, *de facto* or *de jure* adverse discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise of the rights referred to in the present Declaration”;
5. More generally, ensure in all circumstances respect for human rights and fundamental freedoms in accordance with international and regional human rights instruments ratified by Armenia;

Sincerely

South Caucasus Network of Human Rights Defenders

Copies have been sent to:

Delegations of the European Commission to Armenia, Georgia and Azerbaijan

Office of the Commissioner for Human Rights in the Council of Europe

UN Special Rapporteur on the Situation of Human Rights Defenders

The OSCE/ODIHR, Human Rights Focal Point, Warsaw