

Press Release

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Commissioner Hammarberg calls on the Armenian government to lift emergency measures, ensure media freedom and initiate an impartial investigation into recent violent acts

Strasbourg 18.03.2008 - "The State of Emergency should be lifted in Armenia and an independent, impartial and transparent inquiry initiated to clarify what actually happened during the confrontations in Yerevan between the police and opposition demonstrators on 1 March", said Council of Europe Commissioner on Human Rights Thomas Hammarberg after a three-day visit to Armenia.

He held discussions with the President, the Prime Minister and President-elect, the Foreign Minister, the Minister of Justice, the Prosecutor General and the Head of Police. He also met the President of the National Assembly, representatives of political parties including those in opposition and had a separate meeting with former President and presidential candidate Ter-Petrosian.

Commissioner Hammarberg visited places of detention and interviewed persons recently arrested. Furthermore, he visited hospitals and met policemen and civilians who had been injured during the violence on 1 March. He also met with the National Human Rights Defender (ombudsman), defence lawyers, representatives of the media, non-governmental organisations as well as foreign diplomats and representatives of international and regional organizations in Yerevan.

"The censorship which was introduced with the state of emergency has contributed to rumours and anxiety among the population about what was happening, at a time when measures to rebuild trust should have been promoted. The fact that some pro-government media tended to demonise the opposition while opposition papers were out of circulation did not contribute to a constructive atmosphere", said Thomas Hammarberg. He suggested that all limitations on the media and freedom of expression now be lifted.

"Seven civilians and one policeman were killed and many others were injured. There is a need to clarify what actually happened and what provoked the outbreak of violence. The two sides describe the events very differently and it is important, also in a human rights perspective, to establish the basic facts. This can only be done through a comprehensive inquiry which is independent, impartial and transparent and perceived as credible by the whole population."

"Such an investigation should also aim at drawing lessons and giving recommendations on how similar situations should be handled in future. For instance, it seems clear that the Armenian police needs more training in acceptable riot control measures, serious mistakes were made."

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A political organisation set up in 1949, the Council of Europe works to promote democracy and human rights continent-wide. It also develops common responses to social, cultural and legal challenges in its 47 member states.

“The establishment of an inquiry of this kind will not be easy in the present polarised climate in Armenia. The international community has expressed its willingness to offer participation or other assistance to such a comprehensive investigation into the 1 March events in order to contribute experience, professionalism and credibility”.

“Demonstrators who committed violent acts should be held accountable, as should policemen who used excessive force. However, the arrests and prosecutions should not target people for having merely been present at the demonstrations or expressed anti-government opinions. The Commissioner also calls for the release of all apprehended children under 18 years in this connection.

It appears that some articles of the Criminal Code are interpreted broadly by the prosecutors, banning in practice all strong criticism and agitation against the government. This is not consistent with the European Convention for the Protection of Human Rights and Fundamental Freedoms.”

Commissioner Hammarberg also stressed the importance of preventing any improper treatment of those arrested. There were cases after 1 March when the detainees had difficulties to contact family members and to have access to a lawyer. Also, the registration of their arrest was not done in accordance with national rules in some instances.

The Commissioner was also told about cases of ill-treatment during arrests and in a few cases during transport to the police station. He welcomes the decision of the Prosecutor General to investigate ex officio all acts of violence committed by police forces against demonstrators and passing civilians on 1 March. The Commissioner underlines the absolute importance of ensuring respect for agreed safeguards against torture and ill-treatment as well as the procedural rights of the accused.

The Commissioner welcomed the statement by the President that the current human rights restrictions would be gradually reviewed and lifted. He stressed the importance of now bringing the state of emergency to an end.