



The South Caucasus Network of Human Rights Defenders

The South Caucasus Network of Human Rights Defenders unites 30 human rights NGOs in Armenia, Azerbaijan and Georgia. The Network seeks to facilitate creation of a safer and enabling environment for human rights defenders in the South Caucasus and to strengthen their voices in the region and internationally.

Letter of the *South Caucasus Network of Human Rights Defenders* addressed to Armenian Authorities concerning arbitrary detention of Arshaluys Hakobyan, member of Helsinki Association

11 June 2009

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

Arshaluys Hakobyan, the member of 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 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 Helsinki Association, visited the polling station No. 8/23 of 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 out 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 testimonies. A. Akobyan refused going there and told them that he would visit the Investigation Department only in the presence of official summons. Later, two policemen visited A. Akobyan at his place, went to the bedroom, woke him up and handed the 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 the police officers to leave his house. The police officers asked for reinforcement from the police and took him to the police station by force. A. Akobyan was subject of 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-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 chose the arrest as his preventive punishment.

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 to the requirements of the 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 thorough investigation in relation to allegations of mistreatment of Arshaluys Hakobyan by the Police Department of Kentron District;
4. Conform with 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 realisation 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 the respect for human rights and fundamental freedoms in accordance with international and regional human rights instruments ratified by Armenia;

Copies have been sent to:

Delegation of the European Commission to Armenia, Georgia and Azerbaijan

Creation of South Caucasus Network of Human Rights Defenders is supported by the European Union.

Network is coordinated by Human Rights Center (Georgia), Armenian Helsinki Association (Armenia) and Institute for Reporters Freedom and Safety (Azerbaijan).

Human Rights House Foundation (Oslo, Norway) is the international partner of the Network.

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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

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