

350 Fifth Avenue
New York, NY 10118-3299
Tel: 212-290-4700
Fax: 212-736-1300; 917-591-3452

September 5, 2013

Mr. Vahram G. Shahinyan
Head of the Special Investigation Service
Republic of Armenia

HUMAN
RIGHTS
WATCH

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5, Vazgen Sargsyan Street
Yerevan, Armenia
0010

Sent via email: press@investigatory.am

Dear Mr. Shahinyan,

I am writing to express concern about the alleged beating of a protestor who was arrested in connection with the break-up of a peaceful demonstration in central Yerevan on August 24, 2013. We would like to request information about any steps taken to investigate these allegations and to urge the authorities to hold accountable law enforcement officers responsible for the beating.

As you are aware, on August 24, 2013, between 50 and 60 people – local residents and civic activists – demonstrated in a neighborhood of Yerevan to protest the construction of a high-rise apartment building. When protesters blocked the main thoroughfare, which is adjacent to the construction site, police detained at least 26 participants of the protest.

One of the detained protesters, Argishti Kiviryan, 36, told Human Rights Watch that police beat him in the police car as he was transported to the station. He said that he was made to lie down on the back seat, with one policeman pinning his head down and beating him on the head. At one point, he said, he could not breathe.

Kiviryan told Human Rights Watch that when they arrived at the Arabkir district police station, his nose was bleeding and he felt so sick that he could not walk up the precinct's stairs. He said that police left him, guarded, on the sidewalk. Kiviryan called his lawyer, who came a few minutes later and, upon seeing his bloody nose and multiple bruises, immediately demanded that he be taken to a hospital. Although police initially refused, when the lawyer, Luisine Sahakyan, got a nearby doctor to examine her client, police allowed Kiviryan to go to the hospital. Sahakyan told Human Rights Watch, that the doctor could not stabilize Kiviryan's blood pressure, and he vomited on the way to the hospital.

Kiviryan stabilized in the hospital and he was discharged after midnight. Doctors recommended that he take five days of bed rest.

On August 24 Sahakyan and Kiviryan filed an explanatory statement with the local police, and two days later they filed a complaint with the Special Investigative Service requesting a criminal investigation into the beating and requesting a forensic examination for Kiviryan.

The exam was conducted only four days later, on August 29. Sahakyan told Human Rights Watch that by then most of Kiviryan's bruises faded, and the hospital records stated that he did not suffer any serious injuries.

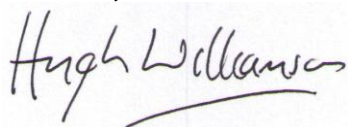
According to Sahakyan, instead of investigating the police behavior, the Special Investigative Service launched a criminal case against her client for using violence against the authorities (article 316.1 of the Criminal Code), alleging that Kiviryan bit an officer, which Kiviryan strongly denies. Kiviryan told Human Rights Watch that the authorities have twice called him for questioning but postponed the interrogation for various reasons.

Armenia is a party to both the European Convention on Human Rights and the International Covenant on Civil and Political Rights and has strict obligations to refrain in all circumstances from engaging in prohibited ill-treatment. The government also has a duty to investigate all allegations of mistreatment and remedy violations.

Human Rights Watch believes that it is very important that given the credible allegations of ill-treatment in this case, and Armenia's obligations to do so, that a prompt and thorough investigation into the allegations be conducted and that those responsible for any ill-treatment be held fully accountable.

We are looking forward to receiving information about the progress the investigation has made. Thank you for your attention to this important matter.

Sincerely,

A handwritten signature in dark ink, reading "Hugh Williamson". The signature is fluid and cursive, with a long horizontal stroke at the end.

Hugh Williamson
Director
Europe and Central Asia Division
Human Rights Watch