

## **The Ombudsman Demands Restoring Peaceful Demonstrators Right to have a Single Tent in Mashtots Park**

During the last few days, members of the Human Rights Defenders Rapid Response Team visited Mashtots Park for several times with the aim to eliminate illegal obstacles demonstrated by some Police representatives for putting the tent in the park. Our intervention resulted in putting a single tent, which was dismantled by the Police in the late evening of March 14.

In 2011 already the Defender made a statement in the respect of putting a tent during Raffi Hovhannisyan's hunger-strike.

The main legal positions of that statement also refer to the Police activities of dismantling a tent of peaceful demonstrators in Mashtots park. Taking into account the below introduced justifications, I am announcing once again to the public and especially to the Police, that putting a tent as an action accompanying assemblies cannot be qualified as a violation of public order.

The cornerstone approach, prescribed by the European Court of Human Rights, is manifested in the necessity of ensuring sufficient opportunities for demonstrators for expression of their opinions in the respect of assurance of the right to freedom of assembly. In addition, the term of holding a temporary assembly should not prevent putting non-permanent constructions and tents.

The above mentioned conclusion is concluded from the content of the positive obligation of the State (defined by the European Convention on Human Rights) to apply practical preventive steps, to protect the life of a person under risk, from the corresponding positive obligations of the State to ensure the right to health as well as from the fact that there is no provision preventing from setting tents or other temporary constructions during assemblies in the legislation of Armenia.

Moreover, the assembly relations are regulated by the RA law on "Freedom of Assembly", which stipulates the provision which includes the obligation for the Police to support peaceful assemblies.

Based on the requirements of the RA Legislation and international norms, necessity to protect human rights and freedoms, as well as guided by fundamental principle of humanity, Human Rights Defender calls on the RA Police to allow the setting of a tent.

Human Rights Defender Staff

Staff of the Human Rights Defender  
of the Republic of Armenia

**Address:** 56A Pushkin str, Yerevan, Armenia

**Tel:** (37410) 53 88 42; (37477) 36 11 49

**Email:** [s\\_harutyunyan@ombuds.am](mailto:s_harutyunyan@ombuds.am)

[siranush.harutyunyan@yahoo.com](mailto:siranush.harutyunyan@yahoo.com)

**Website:** [www.pashtpan.am](http://www.pashtpan.am)

