

## **Ombudsman's statement concerning yesterday's incidents at "Harsnaqar" restaurant**

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On July 08, new incidents took place near "Harsnaqar" restaurant. According to alarm calls received to the Ombudsman's 116 hotline, violence was demonstrated towards the advocate Aram Veziryan. Moreover, the citizens were reporting that no legitimate force was applied by the Police towards the participants of the peaceful assembly. The Ombudsman's Rapid Reaction Group immediately left for the place of the incident. The case was taken into consideration, and all the facts of the case will be considered.

The tragic death of Vahe Avetyan and brutal violence in "Harsnaqar" restaurant continues inflaming the public. Many people consider it as a consequence of unacceptable traditions and culture of violence formed by certain individuals. This suasion induces some citizens to continue protests not only to the memory of the deceased doctor but also as a possible way to prevent future violence. We all expect that not only the guilty of this violence will be punished, but with the help of targeted activities and single-valued assessments of the public authorities and the society also the criminal mentality and culture will be eliminated in Armenia together with the full financial- muscular potential of its "powerful" individuals.

Deeply honoring the right of each citizen and various civic groups to express their positions and fight for their principles by peaceful means I call on the Police to support the realization of the constitutional rights of our citizens, even if peaceful assemblies cause some inconvenience for the public and private interests. Terms of assemblies of "peaceful nature" also apply to the behavior, which temporarily impedes or blocks the activity of third parties. In this sense, even temporary traffic hindering cannot serve as a basis for applying restrictions to hold assemblies. (European Court of Human Rights, *Eva Molnar v. Hungary*).

At the same time compulsory exploitation of actual and alleged rights using their own resources during assemblies is not protected by freedom of assembly, as peaceful assemblies exclude compulsory exploitation of the requirements presented by the participants of assemblies. Such activities can be qualified as self-willness and cause administrative or criminal liability. Especially it is impermissible to protect their own views by means of compulsory exploitation towards other persons or their property. The police should not only ensure the safety of citizens participating in the assembly, but also protect the private property from any non-legitimate attack. In this sense, the legitimate reason for prohibiting the participants of the protest to enter the restaurant "Harsnaqar"

should have been clearly explained to the participants of the peaceful assembly by offering another adequate public space nearby to conduct the meeting.

We once again strongly condemn any violence especially towards human rights activists, and ask the Police to ensure objective and public investigation of the case of violence applied towards Arman Veziryan.

Regarding the fact, that during peaceful assemblies defamatory or offensive labels or phrases are expressed towards certain individuals, in such circumstances the only legal way of protecting one's rights is to apply to court according to Civil Procedural regulations and request adequate compensation.

In conclusion, we call on all parties to maintain legality and legitimacy in all actions and avoid unnecessary escalation of the situation. While supporting civic activists in their fight for human rights protection we, at the same time, encourage to keep away from local and foreign organizations and individuals, who try to use each case of civil indignation for political or other purposes by using sincere motives of noble people for their personal reputation and other political purposes.

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