

Ombudsman's alerts citizens not to be misled by law enforcement bodies

The Human Rights Defender has received dozens of alarms from people whose relatives were “invited” by law enforcement bodies to relevant police departments and/or sub-department for a conversation and were unable to leave the place for hours. In many cases with the intervention of the Ombudsman's Rapid Reaction Group the “invited” citizens were released from the abovementioned places.

It should be noted, that based on the Article 15 of the RA law on “Operative Crime Detection Activities”, by which the law enforcement officers are led when inviting a person to the police department or sub-department, envisages that the reason for inquiry or invitation to the department is to obtain information on the circumstances which are subject to clarification during the operative crime detection activities. Thus, no obligation is stipulated for individuals.

From this Article it is concluded that inviting individuals to departments or sub-departments by law enforcement officials is not an order/requirement stipulated by law, rather it is of volunteer nature. Hence, an individual in case of any invitation from law enforcement bodies has the right not to show up at the police department and sub-department, moreover he is not obliged to be there against his will. Thus, when receiving an invitation from law enforcement bodies, an individual can show up solely based on his/her will.

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