****

**OFFICE OF THE HUMAN RIGHTS DEFENDER**

**OF THE REPUBLIC OF ARMENIA**

**PUBLIC RELATIONS UNIT**

**Questions of the Defender to the Criminal Prosecution Body on Mher Yeghiazaryan’s (died in prison) Case and provided necessary data**

30.01.2019

Today, the Human Rights Defender Arman Tatoyan requested additional clarifications from and sent necessary information to the Investigative Committee, the Prosecutor’s Office and the Ministry of Justice within the framework of the investigation started upon the Defender’s own initiative right after Mr. Mher Yeghiazaryan’s arrest.

Yesterday, on January 29, for the purpose of receiving more accurate information and clarification, a special visit was again conducted at the assignment of the Defender. The medical records of Mr. Yeghiazaryan were examined, a private interview was held with his inmate with whom he had been in the medical unit of the penitentiary.

More specifically, the Defender requested additional explanations and asked addition questions on the issues regarding the investigation of Mr. Yeghiazaryan’s criminal case. It should be clarified why the question of changing the restraint measure of Mr. Yeghiazaryan's based on his health condition was not become a subject of discussion, whereas the Defender’s Office raised this issue back in December 2018 and presented to the criminal prosecution body information to his illnesses, as well as to his disability.

Whether that issue, after all, become a matter of discussion during the investigation, including from the point of changing Mr. Yeghiazaryan’s restraint measure considering his health condition.

Particularly, within the framework of the investigation of Mr. Yeghiazaryan's death case it is also important to identify the concrete steps of the competent body undertaken for ensuring adequate medical care and providing the necessary medical supervision both during and after his hunger strike. In this respect as well, the Defender sent specific questions to the Ministry of Justice, the Prosecutor's Office and the Investigative Committee.

We reiterate that it is unacceptable that so far no programme or strategy is adopted to prevent deaths of arrested persons, detainees, or convicts at the penitentiary institutions, though this has been repeatedly mentioned not only in the annual reports of the Human Right Defender, but also during official and non-official communications with relevant bodies. Given the importance of the issue, dedicated questions were addressed with regard to the preparation and outcome of the programme (strategy).

Immediate essential reform steps are required needed with regard to the legislation and practice on the prohibition of visits and telephone conversations of detainees. They are not consistent with our country's international commitments.

Last year the Human Rights Defender has developed and presented for the adoption a package of reforms with the relevant legislative draft and justification.

The Defender has taken into consideration the clarification of the Investigative Committee that a criminal case has been instituted on Mr. Yeghiazaryan's case. At the moment, questions were addressed to the Committee about all the measures taken within the criminal case.

It is necessary to ensure accountable investigation and maximum transparency within this case through providing public with periodic information on the criminal proceeding. The Defender will be strictly consistent whether these requirements are fulfilled by the state.

The Human Rights Defender will provide the investigative body with all information collected as a result of regular monitoring visits to Mr. Yeghiazaryan as required by the law.