

Defender's assessment of the RA Police activities in 2011

Shortcomings and problems identified

- In some cases, investigation and preliminary investigation bodies subjected people to cruel, inhuman, as well as humiliating treatment for obtaining testimony.
- In many cases a person has been unreasonably “invited” to a police department, kept there against his/her will, factually being deprived of liberty without having an appropriate status foreseen by the RA Criminal Procedural Code.
- There were often cases when a person suspected of a crime was brought to the police department (without any status) and kept there more than 3 hours violating the requirements of the Article 131.1 of the RA Criminal Procedural Code.
- In many cases reports on crimes were not followed up in the order foreseen by the Criminal Procedural Code, and they were “attached to a series”.
- In some cases, a person's passport was taken from him/her by police officers without legal grounds and kept as a guarantee.
- In many cases, people, having physical injuries as a result of a crime, were not given a forensic examination official document or were provided with them after unduly delays and sometimes very untimely.
- There are many cases, when terms, defined by the Article 180 of the RA Criminal Procedural Code for consideration of reports about crimes, were violated.
- Sometimes criminal cases were not initiated in case of contradictions in explanations given during preparations of materials, which would enable the investigation body to carry out face to face interrogations to ensure objectivity, fullness and comprehensiveness of the case.
- In some cases, the terms of keeping detainees in Detention facilities were violated.
- During investigation and preliminary investigation people were sometimes invited to interrogation with violations of the requirements of the Article 205 of the RA Criminal Procedural Code.
- In some cases, people brought to police departments, were deprived of the right of having a defender.
- There were complaints that under the pretext of identifying the wanted person, police officers had entered one's apartment and conducted a search without a corresponding court decision.
- The Passport and Visa Department and territorial departments often unreasonably denied the citizens of Armenia in providing them with passports, due to not being registered.

Positive developments

- In the two last months of 2011 the police response to reports about cases of violence and violations carried out by its officers has changed, and the Ombudsman's mediation in 2011 regarding a similar complaint was positively processed. Due to a citizen A.A.'s report, the investigator S. Sedrakyan had derogated and insulted him, as well as had violated a number of criminal procedural norms. According to the official investigation, the investigator S. Sedrakyan was dismissed from his position by the order of the Chief of Police.
- The process of revealing violations of traffic rules has been improved by placing camera and photo devices.
- The RA Police has developed the concepts of introduction of observation systems in the crowded areas of Yerevan and concept of the rapid reaction center of Yerevan department, as well as their technical tasks and financial estimates.
- The RA draft Law “About Making Amendments and Additions” to the RA Law “About Confirming the RA Police Disciplinary Code” was approved, which aims to improve the legal protection level of the police officers, to establish a permanent Commission carrying investigation with respect to police officers.

- In November 2011, the Chief of the Police of Armenia signed the order N3327 “About implementation of trainings for police officers subject to appointment in Municipal Police Departments established in Yerevan Territorial Police Departments”, which aims to promote the establishment of a district (municipal) police model.

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The list of the identified positive developments, gaps and shortcomings is not exhaustive.

The introduced Chapter (17) of the HRD Annual Report 2011 is available in full at http://pashtpan.am/pages/downloadPdf/file_id/554.

The HRD Annual Report 2011 was developed based on the complaints received by the Staff of the Human Rights Defender, legislation analysis, trustworthy and non-disclaimed publications in press, reports of the international and local organizations as well as information received during the interviews with field specialists and human rights defenders.