

AMNESTY INTERNATIONAL PUBLIC STATEMENT

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Armenia: Authorities must observe principles of necessity and proportionality in responding to opposition demonstrations

Amnesty International is deeply concerned by reports that eight people, including one policeman, were killed during the dispersal of a demonstration in the capital Yerevan on 1 March. Over 130 others, in addition to a reported 58 police officers, were injured. Casualty figures for further clashes later that day have yet to be released. Amnesty International is calling on the Armenian authorities to ensure that the principles of necessity and proportionality are observed in all instances of the use of force by law enforcement officials. The organization is also calling for casualty figures and information regarding missing persons to be made public immediately, and for a prompt, impartial and independent enquiry into the use of force by law enforcement officials to be conducted without delay.

Amnesty International is concerned that police officers may have used excessive force to disperse the demonstrations on 1 March. Since the announcement of the results on 20 February supporters of losing candidate and former president Levon Ter-Petrosian staged constant protests in Freedom Square in the centre of Yerevan. Early in the morning of 1 March police used force to disperse the crowds after they reportedly refused police instructions to disperse. Police are reported as having been armed with truncheons, tear gas, stun guns and tracer bullets. Eight people, seven demonstrators and one policeman, reportedly died during the violence, while a reported 131 demonstrators and 58 policemen were also reported as injured. Among the injured, a reported 18 demonstrators and 16 policemen received bullet wounds.

Later that day large crowds assembled outside the French Embassy. Late in the afternoon the demonstration developed into violent clashes between protestors and police. There were widespread reports of the use of firearms; police also used stun guns and water cannon. Demonstrators used petrol bombs and stones to assault police and set fire to vehicles. There is no information available to date on numbers of casualties arising from these clashes. There have also been reports of demonstrators going missing and of house searches of high-ranking opposition members.

In response to these clashes President Robert Kocharian declared a state of emergency to last until 20 March. Levon Ter-Petrosian was reported to have been placed under house arrest, although the Armenian authorities denied this; a number of other opposition leadership figures were also reportedly detained on charges of illegally organizing rallies.

Although there are widespread reports of the use of violence by demonstrators against police at the demonstration outside the French Embassy, reports and eyewitness

accounts of the earlier demonstration in Freedom Square do not mention violence on the part of the demonstrators gathered there. There are also several eyewitness reports indicating that police assaulted protestors who were fleeing from the demonstration.

Amnesty International acknowledges the difficulties faced by law enforcement officers when policing violent demonstrations, and notes that the Armenian authorities have both a responsibility and an obligation under international law to provide for the safety and security of people and property. Large numbers of policemen reported as injured indicate that the Armenian police faced a very difficult situation on 1 March. However, the Armenian authorities also have an obligation to ensure that law enforcement officers act in accordance with international standards, particularly the principle that force may only be used by law enforcement officers when strictly necessary and to the extent required for the performance of their duty.

Amnesty International further urges politicians and those in authority not to implicitly or explicitly encourage violence.

Amnesty International is also concerned regarding possibilities for restrictions on the right to freedom of expression resulting from the broad wording of the restrictions imposed by President Kocharian's declaration of a state of emergency. The declaration restricts mass media publications on 'state and internal political issues' to limits established by the official information issued by state authorities. It also bans, without defining, 'political propaganda' published without official permission. A state of emergency does not offer state authorities an open hand in silencing the media. Any derogation of the right to freedom of expression must be provided for in law, observe the principles of necessity and proportionality and be justified by specific reasons.

Background

On 19 February Armenia held presidential elections to replace outgoing President Kocharian. According to official results issued by the Central Election Commission the election was won by Serge Sarkisian, Prime Minister and both a close associate of President Kocharian and his designated successor, with 52.9% of the vote. This result provided a narrow but sufficient margin to preclude a second round of voting. Presidential candidate and former president Levon Ter-Petrosian came second with 21.5% of the vote according to official figures.

The election observation mission organized by the Organization for Security and Co-operation in Europe (OSCE) assessed the election as 'mostly in line' with OSCE commitments, though it did note that one candidate was targeted with negative propaganda by broadcast media. The mission also reported that conduct of the count in 16% of polling stations was 'bad to very bad', and drew attention to a number of other serious shortcomings. There were widespread reports in domestic and international media of intimidation, ballot stuffing and problems with the count.

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