**Radio Liberty enquiry**

**9.08.2016**

1. How would you assess use of special means by the police upon demonstrators in Sari Tagh on 29th of July late evening?

2. Does it correspond to international standards?

3. The OSCE Office has also been involved in elaboration of guidelines on application of special measures, police training. Does the incident / occurrence correspond to the norms accepted by you?

Policing in a democratic society includes safeguarding the exercise of democratic activities. Police must respect and protect the rights of freedom of speech, freedom of expression, association, and movement, freedom from arbitrary arrest, detention and exile, and impartiality in the administration of the law. According to the *OSCE Guidebook on Democratic Policing* (<http://www.osce.org/spmu/23804>), law enforcement officials must avoid the use of force or, where this is not possible, limit its use to the minimum, including in the event of unlawful but non-violent assemblies. In case more force is used than necessary in the circumstances, law enforcement officers should face civil or criminal liability, as well as disciplinary action. The relevant law enforcement personnel should also be held liable for failing to intervene where such intervention may have prevented other officers from using excessive force. See in particular, article 182, of the *Guidelines on Freedom of Assembly*, produced by OSCE/ODIHR jointly with the Council of Europe’s Venice Commission, <http://www.osce.org/odihr/73405>. Specifically relevant, too, is the OSCE’s *Human Rights Handbook on Policing Assemblies*, <http://www.osce.org/odihr/226981?download=true>.

The OSCE Office in Yerevan looks forward to the results of the investigation initiated by law enforcement on the events in Sari Tagh. An effective, professional and accountable security sector, without discrimination and with full respect for human rights and the rule of law is the cornerstone of peace and sustainable development. It is extremely important that all allegations of excessive use of force or unjustified or indiscriminate arrests are impartially, thoroughly and promptly investigated and those responsible held accountable.

In general, OSCE good practice is that police forces, other law enforcement agencies and prison services are subject to independent oversight systems, with transparent internal discipline and public complaint procedures. The OSCE Office in Yerevan is currently working with civil society, the office of the Human Rights Defender, the National Assembly and government security sector bodies to strengthen independent systems of monitoring and oversight

Where media are concerned, the OSCE through its Representative on Freedom of the Media, has long emphasized the importance of the safety and security of journalists and the responsibility of law enforcement officials not to prevent or obstruct the work of journalists during demonstrations. See, for example, the *OSCE Safety of Journalists Guidebook* (<http://www.osce.org/fom/85777?download=true>)and the statement by Ms. Dunja Mijatovic urging protection for journalists reporting on civil unrest in Armenia. (<http://www.osce.org/node/257336>). Wilful attempts to confiscate, damage or break journalists’ equipment in an attempt to silence reporting is a criminal offence and those responsible should be held accountable under the law.

The mandate of the OSCE Office in Yerevan includes assistance to Armenian authorities and civil society in the implementation of OSCE commitments. In this context, the Office has facilitated several exchanges between police and civil society on approaches to public order management and arranged sharing best practices in conducting negotiations in crisis situations. The Office stands ready to continue working with Armenian authorities and civil society in these areas.