

**Updated** *as of 25.09.08*

## ANNEX II

### SELECT CASES OF POLITICAL PERSECUTION

<b>Mr. Sasun Mikaelyan</b>	<b>CC RA 300/1, 225/3, 235/ 1 and 2.</b>	<b>MP, Hrazdan City Mayor</b>
<b>Mr. Hakob Hakobyan</b>	<b>CC RA 300/1, 225/3</b>	<b>MP, President of a Civil-Political Organisation</b>
<b>Mr. Myasnik Malkhasyam</b>	<b>CC RA 300/1, 225/3, 38, 316/2</b>	<b>MP, Vice President of the Erkrpah Union</b>
<b>Mr. Aleksander Arzumanyan</b>	<b>CC RA 300/1, 225/3</b>	<b>Former Foreign Minister, Head of Levon Ter-Petrosyan's Electoral Staff, Proxy</b>
<b>Mr. Shant Harutyunyan</b>	<b>CC RA 300/1, 225/3</b>	<b>Citizen of RA</b>
<b>Mr. Grigor Voskerchyan</b>	<b>CC RA 300/1, 225/3</b>	<b>ANM Member, Coordinator of Levon Ter-Petrosyan's Abovyan Marz Electoral Staff, Proxy</b>
<b>Mr. Suren Sirunyan</b>	<b>CC RA 300/1, 225/3</b>	<b>ANM Party member, Proxy of Levon Ter-Petrosyan</b>
<b>Mr. Nikol Pashinyan</b>	<b>CC RA 300/1, 225/3</b>	<b>Editor in Chief of "Haykakan Zhamanak" daily newspaper, Founder member of "Alternative" Civil Movement then the Leader of Impeachment political bloc, member of Levon Ter-Petrosyan's Electoral Staff, Proxy</b>
<b>Mr. Khachatur Sukiasyan</b>	<b>CC RA 300/1, 225/3</b>	<b>MP, Prominent businessman</b>

#### Cases No: 1-9

On September 4 the Special Investigation Service of the RA announced that "it completed the preliminary investigation on 7 accused within the criminal case, initiated on the facts of committing premeditated actions intended to seizing of state power by force, of provocation and organization of mass disorders accompanied with murder in Yerevan".

According to the accusation:

1. “The preliminary investigation found out and grounded that after the failure of Levon Ter-Petrosyan at the elections for the President of the RA of February 19 2008, Myasnik Malkhasyan, Sasoun Mikaelyan, Hakob Hakobyan, Aleksandr Arzumanyan, Shant Harutyunyan, Grigor Voskerchyan, Souren Sirunyan, Nikol Pashinyan, Khachatur Sukiasyan, Hamlet Hovhannisyan, Virab Manoukyan and others, ascertaining that they could not come to power with the procedure prescribed by the Constitution of the RA, with direct purpose and premeditation to seize the state power, coming to agreement each of them in correspondence with their roles, organized and directly realized premeditated actions intended to upheaval of the constitutional order of the RA by destabilizing of the state internal political situation and destruction of the state system and to seizing of power by force”.

**Numerous reports and researches accomplished by various national and international organizations, including the Final Report on Elections of the ODIHR, as well as video materials have proved that Presidential Elections 2008 in Armenia were conducted with such grave and flagrant violations as:**

**Unequal treatment of candidates**

**Biased Press coverage**

**Extensive use of Administrative resource in the favor of Prime Minister Serzh Sargsyan**

**Manipulations with voters' lists aimed at the artificial increase of the number of voters**

**Intimidation of voters**

**Buying of votes**

**Multiple voting**

**Ballot box stuffing**

**Violence against opposition Proxies and members of Electoral Commissions at polling stations.**

**Falsification of voting protocols.**

**All these well documented facts prove that the only ones that came to power illegally, in other words “seize the state power” are the current authorities of Armenia.**

**Arrests and detention of culprits were conducted with numerous violations.**

**Some of them were subjected to violence and humiliation during the arrest and in the detention.**

**All printed and recorded materials prove that the above mentioned persons were always declaring their devotion to the legality. During all rallies all their speeches were based on the principle of “change of power solely through free and fair elections”, in other words in accordance with the procedure prescribed by the Constitution of the RA.**

**All formulations and definitions in the case are vague and rather political than legal.**

2. “The above mentioned people, as a display of readiness of using force against the representatives of authorities, by different means, using personal and official influence on their surrounding, forcing them, giving them groundless promises, also by money recruited a crowd, organized with violation of the

order prescribed by law and from February 20 2008 held mass public events, during which by provocative speeches, slogans and instigating aggression provoked the crowd to actions directed to seizing of power by force. In order to bring the criminal intention to its end, as a means of seizing the power by force, members of group with an intention of organization of mass disorders in Yerevan, as personally so by the people, who expressed willingness to cooperate with them, formed groups of people ready to commit acts of violence and distributed them illegally procured firearms, armament, explosive materials and devices, and different devices adopted to causing of bodily injuries”.

**The peaceful nature of protest Rallies conducted by Levon Ter-Petrosyan and other leaders of opposition is well known to international community and was appreciated by many international officials.**

**All rallies were conducted in accordance with national and international legal framework applicable to such mass events and within the existing pattern of national protest movements.**

**Allegations regarding the intention to seize the power by force are declarative, politically motivated and directed by State Officials, and are based largely on the testimonies of law enforcement agents, and very few citizens who were forced by authorities by different means of intimidation to give such testimonies.**

**All proves demonstrate that opposition has never used force against authorities.**

3. “Early in the morning on March 1 2008, while the officials of the police of the RA checking the operative information on illegal turnover of firearms, armament, explosive materials and devices and other devices adopted for causing of bodily injuries tried to find and confiscate them on the Azatutyun Square, by the instruction of the organizers, a part of crowd using devices adopted for causing bodily injuries resisted the police officers, who are representatives of authorities, using against them force dangerous for life and health, by the way, Myasnik Malkhasyan himself led the actions of the crowd, that resisted the police officers, calling them not to yield and to close their enter to the Square”.

**All video materials recorder by different people, representatives of Mass Media as well as by police itself, also all testimonies of witnesses including those who were just passing by definitely dismiss these allegations and prove the following:**

- ✱ **Police has attacked sleeping demonstrators without any announcement, which would make clear their intentions.**
- ✱ **The use of force was excessive and was directed against all demonstrators present there.**
- ✱ **According to witnesses other than the Police, Myasnik Malkhasyan as well as other leaders present there was trying to calm the people and avoid any possible escalation.**
- ✱ **Firearms, armament, explosive materials and other devices found at the Opera Square were not attributed to any of demonstrators, no finger prints were identified.**
- ✱ **Furthermore, during the presentation of found armaments to the State TV Station right after the attack, at the Opera Square, police was touching guns without any precaution needed in the case of fingerprint analysis.**

- ✳ **All accusations are based solely on the testimonies of Police.**
- ✳ **No any investigation has been so far initiated regarding the cases of brutality of Police.**

4. “Then, the participants of mass disorders, led and instructed by Aleksandr Arzumanyan, Nikol Pashinyan and their above mentioned accomplices, passed and premeditatedly damaging and crippling personal and public transport, building barricades, took positions at the adjacent territory of Myasnikyan’s monument, where they provoked, organized and directly led mass disorders, called the participants of mass disorders to arm themselves with devices, adopted for causing bodily injuries and use violence against police officers, to ignore their legal demands, per recruited persons involved other people, to the most aggressive part of the crowd distributed armament, metal devices, adopted for causing damages and arson”.
5. “In a result of this, on 2008 March 1-2, on the adjacent to Miasnikyan’s monument and Yerevan City Hall territory, on Gr. Lusavorich, Mashtots, Leo, Paronyan streets were held mass disorders with using firearms, armament, explosive materials and devices, during which took place an armed resistance against the police officers, who are representatives of authorities, to members of police armed forces, were killed 10 persons, 187 members of police armed forces and police officers and 32 civil persons got different degree bodily injuries, in a result of pogrom, premeditated destruction, damage and robbery”.

**All video and photo materials dismiss all above-mentioned allegations.**

- ✳ **No opposition member or any participant of demonstrations was caught with arms.**
- ✳ **No opposition leader was caught while distributing arms.**
- ✳ **No opposition member or any participant of demonstrations was observed using any arms.**
- ✳ **No evidences or proves concerning the calls of opposition leaders to resort to violence or to any other illegal acts.**

**All accusations are based solely on the basis of the testimonies given by Police and other law enforcement agents.**

**The hypocrisy of Armenian authorities is obvious in regard of 10 victims and there families, So far relatives of killed are not recognized by Armenia Judiciary as Legal successors of victims, thus no appropriate criminal investigations are initiated.**

**All testimonies of people, brutally beaten by state enforcement agents are disregarded, no criminal investigations are initiated.**

6. By the way, the participants of mass disorders, by regular armed attack against the police officers, tried by Gr. Lusavorich, then Paronyan streets to move to Proshyan street, where are situated the residences of the President’s Staff and by the Proshyan street to Baghramyan street, where is situated the National Assembly. Armed attacks and mass disorders were stopped only after declaring the state of emergency and its prevention by the enforcement agencies.

**All video materials recorder by different people, often by those who just reside in the close neighborhood, which became available immediately after the events clearly dismiss all official allegations and prove that regular armed attack was executed by State armed forces. No organized movement in the direction of Baghramayn Street was observed.**

**Forces were deployed in Yerevan and started offensive actions, including shootings against people before the declaration of the state of emergency. Furthermore, state of emergency was declared much later than the situation on the streets was calmed.**

7. The preliminary investigation obtained proves that Miasnik Malkhasyn, Sasoun Mikaelyan, Hakob Hakobyan, Aleksandr Arzoumanyanyan, Shant Harutiunyan, Grigor Voskerchyan, Souren Sirunyan committed concrete criminally persecuted actions and on the grounds of obtained proofs H. Hakobyan, Al. Arzoumanyanyan, Sh. Harutyunyan, G. Voskerchyan, S. Sirunyan are brought accusations under the RA CC Article 225, part 3, and Article 300, part 1, M. Malkhasyan under the RA CC Article 225, part 3, Article 300, part 1 and Articles 38-316, part 2, Sasoun Mikaelyan under the RA CC Article 225, part 3, Article 300, part 1, Article 235, parts 1 and 2.

**Proves and testimonies other than from the Police were obtained through the interrogations which were conducted with blatant violations of all possible Human Rights and legal norms:**

- \* **8-15 hours of interrogations over night,**
- \* **intimidation and violence,**
- \* **denial of the right to legal advice,**
- \* **intimidation of relatives, firing them from their jobs,**
- \* **all interrogations were conducted in the manner if the person would be a suspect.**
- \* **in all cases citizens were informed about their legal status only after the interrogations.**

8. The accused Nikol Pashinyan, Khachatur Soukiasyan, Hamlet Hovhannisyan, Virab Manoukyan are under search and are taken search and operation measures to find out them. Also the preliminary investigation in a direction of finding out of other persons involved in the crime and legal treatment of their actions is in process.

### **Case No 1: Mr. Sasun MIKAELYAN**

**Member of the National Assembly of Armenia, Hrazdan City Mayor. Was Decorated with different state Orders and Medals, has received numerous honours.**

#### **1. Personal data:**

Date of Birth	07.11.1957
Place of Birth	Village of Atarbekyan, Hrazdan Region.
1978-1983	Worked in Construction Firms in Rostov, Chelyabinsk, Kurgan Cities of Russia
1983-1987	Employed at the Hrazdan City Construction System

1988	Founded and Headed “Sasun” <i>Yerkrapah</i> (Land Keepers) unit
1996	President of Kotayq Region <i>Yerkrapah</i> (Land Keepers) Group
1996-1999	Mayor of Hrazdan City
1998	Graduated from “Grigor Magistros” University, BS in Economics
Since 1995	Member of the National Assembly of Armenia, Member of the Standing Committee on Legal Issues of NA, member of political fraction called “Armenia.”, non partisan
2004	Graduated from Agricultural Academy of Armenia, MS in Economics

**2. Date of arrest: 12.03.2008**

**3. Legal status of the prisoner:**

Culprit, placed in pre-trial detention.

**4. Offences for which the person has been detained:**

*Article 225. Mass disorder. Part 3*

*Article 235. Illegal procurement, transportation or carrying of weapons, ammunition, explosives or explosive devices. Part 1 and 2*

*Article 300. Usurping state power. Part 1*

**5. Length of the sentence:**

The preliminary investigation was completed on September 4, the case is forwarded to the court.

**6. Reasons advanced for which the person concerned could be regarded as a political prisoner:**

The fact that National Assembly member, Major of a City, person respected within Erkrpah Union, explicitly joined the opposition, was making speeches at LTP rallies, was criticizing Armenian authorities and publicly questioning the official results of Presidential elections was endangering the integrity of Governmental structures, especially the NA and military circles.

Video tapes which recorded all development during the all day and the evening of March 1 show that at the moment of tension Mr. Mikaelyan together with others was trying to calm down protesters at the Myasnikyan Square and thus to avoid any possible clashes with enforcement troops.

During the all period of pre-trial detention Mr. Hakobyan has never been tried, no proves of his guilt were presented.

The very arrest of Mr.Mikaelyan was unlawful, since at the time of arrest, he, as the Member of the National Assembly, was enjoying immunity, which was revoked by the Parliament only on March 6.

All motions of defence lawyers concerning the alteration of the restraint measure were rejected by the court without substantively grounded formal and legal reasons.

## **Case No 2: Mr. Hakob HAKOBYAN**

**Member of National Assembly, non-partisan. Lieutenant-Colonel, was decorated with different State Orders and Medals, has received numerous other Honours, President of Yerkrpah Union of Yerevan**

### **1. Personal data:**

Date of Birth	1957
Place of birth	Yerevan.
1973-1982	Industrial Worker at “Anush” Factory
1982-1990	Deputy Manager of “Malatia” Hospital
1990-1995	Director of Agricultural Market No 4, Yerevan
1995-1999	Director of bread-baking plant No 6, Yerevan
1999	Graduated from the Armenian Agricultural Academy
1999-present	Member of National Assembly,
1999-2003	Deputy Chair of the NA Standing Committee on Defence, National Security and Internal Affairs

### **2. Date of arrest: 01.03.2008**

### **3. Legal status of the prisoner:**

Culprit, placed in pre-trial detention.

### **4. Offences for which the person has been charged:**

***Article 225. Mass disorder. Part 3***

## ***Article 300. Usurping state power. Part 1***

### **5. Length of the sentence:**

Has not yet been tried.

### **6. Reasons advanced for which the person concerned could be regarded as a political prisoner:**

The fact that National Assembly member, well known businessmen and a person respected and accepted within Erkrpah Union, explicitly joined the opposition, was making speeches at Levon Ter-Petrosyan's rallies, was criticizing Armenian authorities and publicly questioning the official results of Presidential elections was endangering the integrity of Governmental structures, especially the NA and military circles.

Video tapes which recorded all development during the all day and the evening of March 1 show that at the moment of tension Hakob Hakobyan together with others was trying to calm down protesters at the Myasnikyan Square and thus to avoid any possible clashes with enforcement troops.

During the all period of pre-trial detention Mr. Hakobyan has never been tried, no proves of his guilt were presented.

The very arrest of Mr. Hakobyan was unlawful, since at the time of arrest, he, as the Member of the National Assembly, was enjoying immunity, which was revoked by the Parliament only on March 6.

All motions of defence lawyers concerning the alteration of the restraint measure were rejected by the court without substantively grounded formal and legal reasons.

### **Case No 3: Mr. Myasnik MALKHASYAN**

**Member of National Assembly of Armenia, Deputy Chairman of YVU, Awarded the medals of "Vazgen Sargsyan -Commander-in-chief," "Yerkrapah," "Military Service," "Marshal Baghramyan," and "Artsakh." May 14, 2000 together with 12 other deputies he left the "Unity" party as a result of disagreements regarding the assassinations on October 27 in the Armenian parliament, and established the new political fraction called "Armenia." Member of the Inter-parliamentary Commission on CIS Countries. Deputy of the European Parliamentary Congress.**

#### **1. Personal data:**

Date of Birth	15.02.1961
Place of Birth	Village of Tetujur, Aparan Region.



1986	Graduated from Yerevan State University's department of Physics.
1985-1987	Studied and graduated from Yerevan State University's department of International Relations as a specialist of international relations.
1987-1990	Worked as a physics teacher, later being appointed as the director of the school in the Village of Chknagh where he also served as a deputy in the Village Council.
1988	Active participant of the Karabakh Movement
1990	Founded and became the leader of the <i>Yerkrapah</i> (Land Keepers) Group.
1990	Elected as a deputy for the regional Council of Aparan City
1990	Elected chairman of the Standing Committee Health, Youth and Social Issues of Aparan as well as a member of the Regional Council
1995	Member of the National Assembly of Armenia, and a member of the Standing Committee of Defence, Internal Affairs and National Security and Chairman of the Defence Commission
1997	Head of the Department of Social Protection of Military Servants of the Defence Ministry of Armenia
1999	Re-elected as a member of the National Assembly of Armenia.

## **2. Date of arrest: 03.03.08**

## **3. Legal status of the prisoner:**

Culprit, placed in pre-trial detention.

## **4. Offences for which the person has been detained:**

*Article 225. Mass disorder. Part 3*

*Article 300. Usurping state power. Part 1*

*Article 316. Violence against a representative of authorities. Part 2*

*Articles 380 (316/2). Types of accomplices.*

## **5. Length of the sentence:**

Has not yet been tried.

## 6. Reasons advanced for which the person concerned could be regarded as a political prisoner:

The fact that National Assembly member, founder and the leader of the *Yerkrapah* (Land Keepers) Union, person respected and accepted within Erkrpah Union, explicitly joined the opposition, was making speeches at Levon Ter-Petrosyan's rallies, was criticizing Armenian authorities and publicly questioning the official results of Presidential elections was endangering the integrity of Governmental structures, especially the NA and military circles.

Video tapes which recorded all development during the all day and the evening of March 1 show that at the moment of tension Malkhasyan together with others was trying to calm down protesters at the Myasnikyan Square and thus to avoid any possible clashes with enforcement troops.

The very arrest of Mr. Malkhasyan was unlawful, since at the time of arrest, he, as the Member of the National Assembly, was enjoying immunity, which was revoked by the Parliament only on March 6.

During the all period of pre-trial detention Mr. Malkhasyan has never been tried, no proves of his guilt were presented.

All motions of defence lawyers concerning the alteration of the restraint measure were rejected by the court without substantively grounded formal and legal reasons.

### **Case No 4: Mr. Alexander ARZOUMANYAN**

**Former Minister of Foreign Affairs and former Armenian Ambassador to the UN. During Presidential Elections 2008 Head of Central Electoral Headquarters of Levon Ter-Petrosyan. Founding member of the Turkish-Armenian Reconciliation Commission (TARC, an independent group of prominent Armenians and Turks).**

#### **1. Personal data:**

Date of Birth	24.12.1959
Place of Birth	Yerevan, Armenia

1992-1993	Armenia's first ambassador to the United States
1992-1996	Armenia's first ambassador to the United Nations
1996-1998	Minister of foreign affairs, until his resignation, with President Levon Ter-Petrosyan
2000-2002	Chairman of the All Armenian National Movement
1999	Board member of <i>Armat</i> political NGO.
2006	Founded the Civil Disobedience Movement.

Arzoumanyany holds a BS from People's Friendship University in Moscow and an MS in Mathematics from Yerevan State University. He was working as a theoretical mathematician when he became involved in the independence movement in the late 1980s. He ran the information centre of the Armenian National Movement, and published the Movement's newspaper and other samizdat literature until Armenia became independent in 1991.

**2. Date of arrest: 10.03.08**

**3. Legal status of the prisoner:**

Culprit, placed in pre-trial detention.

**4. Offences for which the person has been detained:**

*Article 190. Legitimizing (legalizing) illegally obtained income. Dropped*

*Article 225. Mass disorder. Part 3*

*Article 300. Usurping state power. Part 1*

**5. Length of the sentence:**

Has not yet been tried.

**6. Reasons advanced for which the person concerned could be regarded as a political prisoner:**

As former minister of Foreign Affairs, Mr. Arzumanyan is widely known person not only in Armenia but also in wide diplomatic circles. His professional skills and institutional knowledge were highly important for the opposition movement. He is also well known for his faithfulness to the national movement.

Repressions against Mr. Arzoumanyany has started in back in 2006 and were related to his political activities, particularly with the Civil Disobedience Movement, which was founded by him. On May 7, 2007 the authorities brought fraudulent criminal charges against Alexander Arzoumanyany, accusing him of money-laundering, according to which he has been detained. Many members of Armenian civil society consider the actions of the authorities as political persecution and Alexander Arzoumanyany as a political prisoner. Arzumanyan was released after about six months; however, the criminal case remained pending and was reopened in March 2008, regardless the fact that during about one year no evidences of his guilt were obtained by investigating service.

During all period of pre-trial detention Mr. Arzumanyan has never been tried.

All motions of defence lawyers concerning the alteration of the restraint measure were rejected by the court without substantively grounded formal and legal reasons.

### **Cases No 5: Mr. Shant HARUTYUNYAN**

#### **1. Personal data:**

Date of Birth            03.02.1965  
Place of Birth           Yerevan, Armenia

#### **2. Date of arrest: 10.04.08**

#### **3. Legal status of the prisoner:**

Culprit, placed in pre-trial detention.

#### **4. Offences for which the person has been detained:**

*Article 225. Mass disorder. Part 3*

*Article 300. Usurping state power. Part 1*

#### **5. Length of the sentence:**

Has not yet been tried.

#### **6. Reasons advanced for which the person concerned could be regarded as a political prisoner:**

Mr. Shant Harutyunyan is not the member of ANM or any other of opposition forces. He has not been involved in pre-electoral or electoral processes. Thus it is hardly to believe that he might be involved in any of incriminated crimes.

After the rigged elections, he, as the son of parents who were oppressed during Soviet time who has experienced personally all beauty of totalitarian regime and as the conscious citizen of Armenia, had no other choice than to join hundreds of thousands other citizens and raise his voice against authorities.

He has attracted the attention of Armenian authorities only because on March 1 during the spontaneous rally at Myasnikyan Square he hold speech and tried to console and calm the crowd.

During the all period of pre-trial detention Mr. Harutyunyan has never been tried

**Case No 6: Dr. Grigor VOSKERCHYAN**

**During presidential elections 2008, Grigor Voskerchyan was the coordinator of Levon Ter-Petrosyan’s campaign offices in Abovyan Region, Marz of Kotayk.**

**1. Personal data:**

Date of Birth            1956  
Place of Birth            Syria

In 1965 Voskerchyans family repatriated from Syria to Armenia, and settled in Abovyan city, where he graduated from secondary school. He became a student at the Department of Physics, Yerevan State University, and later got a MS degree of a coordinating engineer at the department of Microprocessor Systems at Yerevan Polytechnic Institute. Worked at the lamp-making factory of Yerevan and then at the department of physics and chemistry of the National Academy of Sciences made researches on the issue of self-extending synthesis in high temperatures.

Grigor Voskerchyan was an active participant of the National Movement in 1988. He is a member of All Armenian National Movement Party.

He has worked at several governmental offices.

1990	Elected as a delegate to the ANM Political Bureau of Abovyan City.
1991	President of executive committee of Political Bureau in Abovyan,
1996-1999	Mayor of Abovyan City.
1995-1999	Member National Assembly of Armenia (Parliament).
1997-1998	Special representative of Armenia at the regional congress of the Council of Europe.

In 1998 He founded the Union of Communities of Armenia and became the president of that institution. During his presidency almost all the village and city communities of RA, joined that union.

In 2006 he was one of the founders and an active member of “AylIntranq”(Alternative) Political Initiative

**2. Date of arrest: 02.03.2008**

**3. Legal status of the prisoner:**

Culprit, placed in pre-trial detention

**4. Offences for which the person has been detained:**

*Article 225. Mass disorder. Part 3*

*Article 300. Usurping state power. Part 1* (added later)

**5. Length of the sentence:**

Has not yet been tried.

**6. Reasons advanced for which the person concerned could be regarded as a political prisoner:**

Mr. Vockerchyan was nominated as the coordinator of Levon Ter-Petrosyan's campaign offices in Abovyan Region, Marz of Kotayk, unanimously by all parties and organizations which supported the candidacy of the ex-president. This fact explicitly proves that he enjoys respect and full confidence of a very large number of people as well as of political figures representing opposition.

During the all period of elections 15 Proxies of LTP as well as 5 members of regional electoral commission representing opposition have been constantly intimidated. All these cases were registered and reported to EOM. On 13.02.08 in his report No 013 addressed to the regional prosecutor has reported about the large scale electoral bribes in the favor of Serzh Sargsyan in several villages of the region. The same day he informed about that heads of electoral commission in precincts No 27 and 28.

On February 19 only in Abovyan City 20 Proxies, 6 members of electoral commissions and 8 observers were assaulted and intimidated. 16 cases were reported to Police and Prosecutor General. 6 cases from those reported were including information about criminal offences. In 3 cases from those 16 the organizer of violence was reported the same person. 3 assaulted Proxies, Erjanik Abgaryan, Gurgen Eghiazarjan and Larisa Torosyan, on the same day gave a press conference and informed about their cases. In general, in his capacity of the coordinator and proxy Mr. Voskerchyan filed about 40 complaints from which the only one was taken into consideration and later in June dropped. It is important to notice that in the Kotayk Marz, according to CeC official figures, the average turnout on the elections day was about 86%, in 19 precincts it was between 95% and 102%.

In order to obtain evidences of culpability of Mr. Voskerchyan Police has interrogated about 140 persons who have had any relation to the conduct of Elections but not the deadly events of March 1. This proves that the 1<sup>st</sup> of March events are only a cover, real intention is to isolate those oppositionists who were involved in electoral processes.

These interrogations were conducted with blatant violations of all possible Human Rights and legal norms:

- 8-15 hours of interrogations over night,
- intimidation and violence,
- denial of the right to legal advice,
- intimidation of relatives,
- all interrogations were conducted in the manner if the person would be a suspect.
- in all cases citizens were informed about their legal status only after the interrogations.

All these facts prove that Voskerchyan is persecuted for his activities during Elections.

Regardless all efforts of accusing side, so far no proves or any evidences of Voskerchyan's guilt were presented.

All motions of defence lawyers concerning the alteration of the restraint measure were rejected by the court without substantively grounded formal and legal reasons.

### **Cases No 7: Mr.Suren SIRUNYAN**

**Proxy of Levon Ter-Petrosyan during Presidential elections, former Chief of Guards of Mr. Vano Siradeghyan, former Minister of Interior and close ally of than President Levon Ter-Petrosyan.**

#### **1. Personal data:**

Date of Birth	14.08.1963
Place of Birth	Yerevan, Armenia

#### **2. Date of arrest: 10.03.08**

#### **3. Legal status of the prisoner:**

Culprit, placed in pre-trial detention.

#### **4. Offences for which the person has been detained:**

*Article 225. Mass disorder. Part 3*

*Article 300. Usurping state power. Part 1*

#### **5. Length of the sentence:**

Has not yet been tried.

#### **6. Reasons advanced for which the person concerned could be regarded as a political prisoner:**

Mr. Sirunyan was active participant of electoral processes, was the Proxy of Levon Ter-Petrosyan during the elections and in this capacity has witnessed numerous violations. He was also an active participant of protest rallies organized by opposition forces.

During the all period of pre-trial detention Mr. Sirunyan has never been tried.

### **Cases No 8: Mr. Nikol PASHINYAN**

**Editor in Chief of "Haykakan Zhamanak" newspaper, prominent journalist known and recognised as dedicated fighter for democratic values and freedoms. Founding member and the Leader of Impeachment opposition bloc. During 2008 Elections member of Levon Ter-Petrosyan's Electoral Staff, Proxy**

#### **1. Personal data:**

Date of Birth            01.06.1975  
Place of Birth           Ijevan, Armenia

1999 - present        Editor in Chief of "Haykakan Zhamanak" newspaper  
1998-1999            Founder and Editor in Chief of "Oragir" newspaper  
1995-1997            Editor of "MSE" supplement of "Molorak" newspaper  
1994-1997            Correspondent of "Lragir", "Lragir-Or", "Molorak" newspapers  
1993-1994            Correspondent of "Dprutyun" newspaper  
1991-1995            Study in Yerevan State University, Philology Department, Section of Journalism  
Numerous Publications in "Avangard", "Hayastan", "Haykakan Zhamanak" weeklies and newspaperes, etc.



Married, three children.

**2. Date of arrest: ---**

**3. Legal status of the prisoner:**

Culprit, under search.

**4. Offences for which the person has been detained:**

*Article 225. Mass disorder. Part 3*

*Article 300. Usurping state power. Part 1*

**5. Length of the sentence:**

Has not yet been tried.

**6. Reasons advanced for which the person concerned could be regarded as a political prisoner:**

Since the beginning 1998 Nikol Pashinyan, then Editor in Chief of “Oragir” independent newspaper, talented journalist well known for his sharp vision and objectiveness, actively involved in political life of Armenia and raised his voice against unlawfulness, rapidly growing acts of state sponsored violence in Armenia, suppression of such human rights as the right to freedom of opinion and speech, right to free access to information, right to life after all. All these years Authorities, sometimes with the help of criminal elements has been responding to his publications in “Oragir” and other newspapers with such clearly politically motivated steps as initiating criminal investigations against him, violence against journalists working in his news papers, burning of the car\* of the editor, attack on the editorial office and theft of computers and other office equipment. No one of all these crimes was properly investigated, non of offenders was identified and arrested by police.

Regardless all efforts, all pressure Authorities were unable to make him keep silent. Instead of one suppressed newspaper, Pashinyan was opening another, thus currently one of the most popular “Haykakan Zhamanak” independent newspaper has replaced “Oragir”.

In 2006 Pshinyan, together with a group of like minded people, has started “Aylentranq” (Alternative) civil initiative which in 2007 has transformed in “Impeachment” political bloc and made its input in the process of the formation of national movement and the raise of civil consciousness.

In May 2007, after Parliamentary Elections which were easily falsified by authorities and silently accepted by the public because of the total atmosphere of apathy and hopelessness, Nikol Pashinyan with the words “We can no longer bear the chaos reigning in the country,” has started a demonstrative hunger strike on the Opera Square.

His growing popularity and his ability to lead people together with his definite devotion to the principals of democracy and the rule of law made him dangerous to Authorities.

During 2008 Presidential Elections Pashinyan unequivocally joined the team of Levon Ter-Petrosyan. All video and audio materials of rallies and particularly of March 1 events prove that all his actions were aimed at the calming people and avoiding any possible violence.

All these facts prove that all charges against Nikol Pashinyan are purely politically motivated.

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\* NATIONAL PRESS CLUB QUALIFIED MONDAY EXPLOSION OF NIKOL PASHINYAN'S CAR AS ACT AGAINST PRESS FREEDOM

YEREVAN, NOVEMBER 23, 2004. ARMINFO. National Press Club qualifies the Monday explosion of the car of Aykakan Zhamanak chief editor Nikol Pashinyan as a terrorist act against press freedom in Armenia.

NPC says that if earlier such acts were aimed against journalists' cameras now applied is an explosive. The lives of journalists are in danger. NPC demands that the government punish the organizers of the crime. "It's time to come to one's senses and to restore legality in Armenia otherwise the wheel of violation may turn in some unpredictable direction."

To remind, Pashinyan's car exploded Monday evening and his staff are suspecting Armenian businessman Gagik Tsarukyan who has recently been a target of their pens.

**Case No 9: Khachatur SUKIASYAN**

**Member of National Assembly, Independent, Member of Standing Committee on Economic Affairs, Prominent Businessman**

Date of Birth	15.09.1961
Place of Birth	Yerevan.
1985	Graduated from the Yerevan Polytechnic Institute in He is an engineer-system technician. Corresponding Member of the International Informatics Academy.

1978-1989	Worked first as a worker, later metalworker, then field head and eventually director of Sirius Factory.
1991	Director of Van Factory.
1992-1994	Head of the Economic Relations General Department in the RA Ministry of Industry and also advisor to the Minister.
1995-1999	President of SIL Concern Ltd.
Since 1999	Member of the NA, member of the NA Standing Committee on Financial-Credit, Budgetary and Economic Affairs.

**2. Date of arrest: ---**

**3. Legal status of the prisoner:**

Culprit, under search

**4. Offences for which the person has been detained:**

*Article 225. Mass disorder. Part 3*

*Article 300. Usurping state power. Part 1*

**5. Length of the sentence:**

Has not yet been tried.

**6. Reasons advanced for which the person concerned could be regarded as a victim of political persecution:**

Mr, Khachatur Sukiasyan is a prominent Armenian businessman who cooperates successfully with such financial institutions as the EBRD as well as many international brands and firms. The very fact that he, without any difficulty and dispute, has been elected as the member of the National Assembly three times shows that he is recognized by people as a trusted and reliable political personality.

Politically motivated economic repressions against Mr. Sukiasyan has started immediately after he accepted the invitation of the first President of Armenia Levon Ter-Petrosyan to participate at the reception on the occasion of the Day of Independence organized by opposition on September 21, 2007. His unequivocal support to the candidacy of Levon Ter-Petrosyan was considered by Authorities as a dangerous example for other representatives of business elite who might follow him and support the opposition.

- On September 24 a group of Tax Service inspectors, accompanied by a group of policemen, which is illegal, marched into the “Yerevan Mull” company for the inspection of its registers of activity subjects. No violations were found and an appropriate protocol was signed. Nevertheless the inspectors have

announced that they are suspending the inspection, which was entirely illegal after the signing of the protocol. Few days after Tax Service inspectors, again accompanied by a group of policemen, have again visited the said company and filled a new, illegal protocol containing false record of violations. As a result the functioning of the Mull was paralyzed, all complaints of the company remain unanswered till now.

- On October 18 a group of Tax Service inspectors, traditionally accompanied by 25 policemen, in the same offensive manner entered the “Pizza di Roma” LTD for an extra audit in regard of the fulfillment by the company of its Taxation obligations, which constitutes the violation of the relevant legislation. With the use of psychological pressure and physical violence Authorities have extracted some false testimonies against the administration of the company and arrested its Director, Mr. Gevorg Safaryan and a waitress, Ms. Anush Ghavalyan .
- Starting from October 10 State Tax Service has organised a chain of illegal, extra inspections on different subjects at the “Bjni” factory of mineral water. On the basis of the initial protocol of inspection the factory was penalized for an amount which exceeds the market price of the factory. It should be underlined that all previous inspections of the factory have never revealed any violations.
- The State Customs Service in its turn has unlawfully applied market prices to the goods imported to Armenia by “Sport-time” LTD, and obliged the company to pay excessive Custom taxes.
- Similar illegal procedures were launched against “Trans-service”, “Pares Armenia”, “Narek” companies and “ARMECONOMBANK” as well as other enterprises which are fully or partially owned by Khachatur Sukiasyan or the members of his family.

No proves of his guilt were presented.

<b>Mr. Ararat Zourabyan</b>	<b>CC RA 300/1, 225/3</b>	<b>Leader of ANM Party, Member of Levon Ter-Petrosyan’s Electoral Staff, Proxy</b>
<b>Mr. Mr. Karapet Rubinyan</b>	<b>CC RA 300/1, 225/3</b>	<b>Former Vice Speaker of Parliament, Deputy Head of Levon Ter-Petrosyan’s Shengavit Community Electoral Staff, Proxy</b>
<b>Mr. Gurgen Eghiazaryan</b>	<b>CC RA 300/1, 225/3</b>	<b>Former Deputy Head of National Security Service, Levon Ter-Petrosyan’s Proxy</b>

### **Case No 10: Mr. Ararat ZOURABYAN**

**Board Member of Presidential election 2008 Central Electoral Headquarters of Levon Ter-Petrosyan, President of Board of Armenian National Movement Party. During his presidency the ANM was integrated into international and regional liberal structures. The Youth Union of the All Armenian Movement received the status of Observer in International Foundation of Liberal Youth (INFRLY) and collaborated closely with European Liberal Youth (LYMEC).**

## 1. Personal data:

Date of Birth	1963
Place of birth	Yerevan.
1986	Graduated from the Armenian Agricultural Institute
1986	Worked in the State Statistical Administration as an Economist
1988	Participated in the self-defense battles of Armenia and Karabagh, One of founders of the <i>Yerkrapah</i> volunteer troop of the Spandaryan region.
1992	Worked in the United States, founded <i>Sharzhum</i> (Movement) newspaper.
1994-1995	Deputy commander of Internal Forces of the Ministry of Internal Affairs.
1995-1996	Director of <i>Haymamul</i> (ArmMedia) agency.
1995	Elected board member of the All Armenian National Movement
1996-2000	Vice president of the All Armenian Movement Board
1996 -1999	Chief of Yerevan Centre Community. Contributed to the founding and development of Local Self- Governance Institute.
1997-1998	Representative of Armenia in the Congress of Regional and Local Authorities of the Council of Europe.
2002- Present	President of the Board of the All Armenian National Movement.

## 2. Date of arrest: 10.03.08

## 3. Legal status of the prisoner:

Culprit, on 29.07.08 released unther the written cognizance not to leave his place of residence.

## 4. Offences for which the person has been detained:

***Article 225. Mass disorder. Part 3***

***Article 300. Usurping state power. Part 1***

According to the accusation Mr Ararat Zurabyan, after the defeat during the Presidential elections of candidate for Presidency Mr. Levon Ter-Petrosyan, has involved in the group of the allies of the latter and together with them came to an agreement to usurp the power in the RA through the violation of Constitutional order, and to this end, together with them has committed active actions, including; participation in discrediting of the pre electoral and the elections processes, questioning of the legitimacy of elections in the eyes of international community, planting non confidence within the large circles of the society in regard of the

results of the elections, creation of the illusion of public discontent and rebellion and for this purpose organization and conduct of large scale public events aimed at the destabilization of the internal political situation. During that period of time, together with a number of other persons, who were supporting Mr. Levon Ter-Petrosyan to achieve the above-mentioned goal, has provoked and organized mass disorder, that took place in Yerevan during the period of time between 1<sup>st</sup> and 2<sup>nd</sup> of March 2008, and which was accompanied by mass violence, pogroms, arson, destruction of, damage to and evident robbery of state, public and private property, armed resistance to the representative of the authorities with the use of fire-arms, explosives or other different objects fitted as arms, killings.

**5. Length of the sentence:**

Has not yet been tried.

**6. Reasons advanced for which the person concerned could be regarded as a political prisoner:**

During the all period of pre-trial detention Mr. Zurabyan has never been tried, no proves of his guilt were presented.

All motions of defence lawyers concerning the alteration of the restraint measure were rejected by the court without substantively grounded formal and legal reasons.

**Case No 11 : Mr. Karapet RUBINYAN**

**Deputy Chief of Levon Ter-Petrosyan Shengavit District Campaign Headquarters, former Deputy Speaker of NA, former Chief of Supervisory Service of the Administration of the President of RA, Proxy**

**1. Personal data:**

Date of Birth	14.09.1957
Place of Birth	Yerevan
1974-1979	Studied and Graduated from Yerevan Polytechnic University, MS in Engineering 1979-1991 Worked in “Hayhastotc” Scientific Production Union as an Engineer, then as an senior engineer. Then he transferred to “Tranzistor” Scientific Production Union were he worked as first grade engineer-constructor, head of division and then as the head of Calculating Information Department.
Since 1988	Active participant of Karabakh Movement and then the Armenian National Movement.
1991-1999	Member of ANM Board
1990	Elected to Supreme Soviet of Armenia, member of Standing Committee on Local Self Governance
1990-1995	Has served at different responsible posts

1995	Elected to the National Assembly of Armenia and then elected as the Vice Speaker of the NA
1997	In his capacity of the Head of Armenian delegation to the Black Sea Region Economic Cooperation Inter-parliamentary Union was elected as the Vice President of the Inter-parliamentary Assembly
February 1998	Resigned from Vice Speakers position, became the member of the NA Standing Committee of Financial, Budgetary and Economic Issues. The same days quitted the Bureau of the ANM because of his principal disagreements with the President of the ANM Bureau.
1998 December	Elected as the head of Shengavit District ANM
1999	Together with a group of like minded persons has founded “European Way” Civic Organisation, and was elected as its Chair.

## **2. Date of arrest: 03.03.2008.**

## **3. Legal status of the accused:**

Culprit, written cognizance not to leave his place of residence.

## **4. Offences for which the person has been detained:**

*Article 225. Mass disorder. Part 3*

*Article 300. Usurping state power. Part 1*

According to the accusation Mr. Karapet Rubinyan, after the defeat during the Presidential elections of candidate for Presidency Mr. Levon Ter-Petrosyan, has involved in the group of the allies of the latter and together with them came to an agreement to usurp the power in the RA through the violation of Constitutional order, and to this end, together with them has committed active actions, including; participation in discrediting of the pre electoral and the elections processes, questioning of the legitimacy of elections in the eyes of international community, planting non confidence within the large circles of the society in regard of the results of the elections, creation of the illusion of public discontent and rebellion and for this purpose organization and conduct of large scale public events aimed at the destabilization of the internal political situation. During that period of time, together with a number of other persons, who were supporting Mr. Levon Ter-Petrosyan to achieve the above-mentioned goal, has provoked and organized mass disorder, that took place in Yerevan during the period of time between 1<sup>st</sup> and 2<sup>nd</sup> of March 2008, and which was accompanied by mass violence, pogroms, arson, destruction of, damage to and evident robbery of state, public and private property, armed resistance to the representative of the authorities with the use of fire-arms, explosives or other different objects fitted as arms, killings.

## **5. Length of the sentence:**

Has not yet been tried.

## **6. Reasons advanced for which the person concerned could be regarded as a victim of political persecution:**

Mr. Rubinyan is a well known and largely respected political figure with strong organizational skills. He is also known for his principal position in regard of any unlawfulness.

In his capacity of the Deputy Chief of Levon Ter-Petrosyan's Shengavit District Campaign Headquarters and Proxy on the Elections day Mr. Rubinyan has witnessed and duly reported to the CeC, Prosecutor's Office about all irregularities that took place. All his complaints remained unanswered; no proper steps were taken by law enforcement bodies to stop ongoing violations.

On March 3 place of residence of Mr. Rubinyan was searched by the representatives of Special Investigation Unit of NSS. According to the official record of the search "illegal items were not found." On the same day he was arrested and in two days, on March 5 investigator Nadiryan involved him as a culprit and immediately requested district Court for a sanction to place him in pre-trial detention, which was given to him on the next day.

On March 12, by the order of the same investigator Mr. Rubinyan was denied any contacts with outside world including close relatives.

Although the accusing side was insisting that they already have in their disposal all necessary materials and proves of the guilt of Mr. Rubinyan, after one month of detention, on April 4 the investigator has initiated economic persecution of enterprises suspected in the support of opposition and ordered to State Tax Department to conduct extra schedule audit in five different firms where Mr. Rubinyan allegedly have shares, and probably might used his shadow incomes from the said firms for organization and conduct of large scale public events aimed at the destabilization of the internal political situation. The said audit so far didn't reveal any wrongdoings.

After several motions to change the restraint measure, on May 12 Mr. Rubinyan was released under the written cognizance not to leave his place of residence.

During 71 days in pre-trial detention Rubinyan has never been tried, no proves of his guilt were presented.

## **Case No 12 : Mr. Gurgen EGHI AZARYAN**

**Member of the National Assembly of Armenia, member of the Standing Committee on Defence, National Security and Internal Affairs of NA. Member of "Unity" faction. Non-partisan. Levon Ter-Petrosyan's Proxy**

### **1. Personal data:**

Date of Birth	29.09.1948
Place of Birth	Yerevan



1973	Graduated from the Yerevan State University, Faculty of Economy, MS in Economy
1973-1974	Served in the Soviet Army
1975-1994	Entered Ministry of Interior of Armenia, has served as Criminal Intelligence Supervisor, Head of Criminal Intelligence Division, Head of 7th and Criminal Intelligence Departments of the Ministry of Interior
1988-1990	Studied and Graduated from USSR Academy of the Ministry of Internal Affairs, Diploma with Honours, MS in Law
1994-1995	Deputy Head of National Security Service of Armenia
Since 1999	Member of National Assembly, active participant of Law drafting processes

Reserve Colonel of National Security Service

## **2. Date of arrest: 09.03.08**

## **3. Legal status of the prisoner:**

Culprit, on 21.07.08 released under written cognizance not to leave his place of residence.

## **4. Offences for which the person has been detained:**

*Article 225. Mass disorder. Part 3*

*Article 300. Usurping state power. Part 1*

According to the accusation Mr. Gurgen Eghiazaryan, after the defeat during the Presidential elections of candidate for Presidency Mr. Levon Ter-Petrosyan, has involved in the group of the allies of the latter and together with them came to an agreement to usurp the power in the RA through the violation of Constitutional order, and to this end, together with them has committed active actions, including; participation in discrediting of the pre electoral and the elections processes, questioning of the legitimacy of elections in the eyes of international community, planting non confidence within the large circles of the society in regard of the results of the elections, creation of the illusion of public discontent and rebellion and for this purpose organization and conduct of large scale public events aimed at the destabilization of the internal political situation. During that period of time, together with a number of other persons, who were supporting Mr. Levon Ter-Petrosyan to achieve the above-mentioned goal, has provoked and organized mass disorder, that took place in Yerevan during the period of time between 1<sup>st</sup> and 2<sup>nd</sup> of March 2008, and which was accompanied by mass violence, pogroms, arson, destruction of, damage to and evident robbery of state, public and private property, armed resistance to the representative of the authorities with the use of fire-arms, explosives or other different objects fitted as arms, killings.

## **5. Length of the sentence:**

Has not yet been tried.

## **6. Reasons advanced for which the person concerned could be regarded as a political prisoner:**

During last 5-6 years and especially since 2007 Parliamentary Elections Mr. Eghiazaryan was constantly and sharply criticizing Armenian authorities. After his critical article in a newspaper authorities attempted to neutralize him by initiating a legal persecution.

At the day of last presidential elections Mr. Eghiazaryan with another Levon Ter-Petrosyan Proxy, Mr. Erjanik Abgaryan, was assaulted and kidnapped by S. Sargsyan partisans while performing his duties as a Proxy.

Twice on February 26 and once on March 3 his apartment and weekend house were searched by Police. According to the official records of conducted searches “illegal items were not found.”

On February 26, after the search, at about 07:00 a.m. he was taken to the Abovyan City Police Department, where he was kept, without any explanations till 18:00 p.m., for 3.40 hours he was placed in a cell where the temperature was 5-10 C. Afterwards he was transferred in handcuffs to the NSS and later, at 21:30 was released, again without any explanations

On March 5 he was arrested, on the same day investigator involved him as a culprit and immediately requested the district Court for a sanction to place Eghiazaryan in pre-trial detention, which was given to him immediately.

During the all period of pre-trial detention Mr. Eghiazaryan has never been tried, no proves of his guilt were presented.

All motions of defence lawyers concerning the alteration of the restraint measure were rejected by the court without substantively grounded formal and legal reasons.

<b>Mr. Harutyun Uroutyan</b>	<b>CC RA 149/2, 112/2/2</b>	<b>Armenian National Movement (ANM) Party Member, Maralik City, Levon Ter-Petrosyan's Pre-electoral Staff Coordinator, Proxy</b>
<b>Mr. Petros Makeyan</b>	<b>CC RA 149/2</b>	<b>Leader of “Democratic Motherland” Party, Levon Ter-Petrosyan's Proxy</b>
<b>Mr. Ashot Zaqaryan</b>	<b>CC RA 149/2</b>	<b>Chief of Shirak Marz Union Yerkrpah (Land Keepers), Yerevan, Levon Ter-Petrosyan's Proxy</b>
<b>Mr. Shota Saghatelyan</b>	<b>CC RA 149/2</b>	<b>Member of Republic Party, Levon Ter-Petrosyan's Proxy</b>
<b>Mr. Samvel Gevorgyan</b>	<b>CC RA 149</b>	<b>ANM Party Member. During the Presidential Elections 2008 - Levon Ter-Petrosyan's Proxy and Plenipotentiary Representative of his Electoral Staff in the Gegharkunik Marz</b>

### **Case N 13: Harutyun UROUTYAN**

**ANM Party Member, during the Presidential Elections 2008 - Levon Ter-Petrosyan's Pre-electoral Staff Coordinator in Maralik City, Proxy**

## 1. Personal data:

Date of Birth	02.08.1956
Place of Birth	Maralik village, Ani Marz (region).
1975-1977	Service in the Soviet Army
1981	Vocational School of Light Industry in Leninakan city Worked as a farmer on a collective farm in Maralik and later in a cotton factory
1994-1996	Served as the Head of “Maralik” Agricultural Company
1996-2000	Head of the “Nor Ani” (New Ani) generic-seed processing company Served as the commander of the “Chavush” volunteer detachment and actively participated in the defense of Yeraskhavan Village, Noyemberyan City, Armenia, for which he was awarded various State Orders and Medals. Member of the regional council of Ani Marz. Upon his own initiative organized the renovation of the Saint Mother of God Church in the village of Maralik
2005	Elected to the community administration of Maralik City Deputy Head of the Ani regional division of the Volunteer Union of Yerkrpah.
Since 1991	Member of the All Armenian Movement

## 2. Date of arrest: 19.02.08.

## 3. Legal status of the prisoner:

Convict, serves the sentence in Prison. Appeals against the sentence.

## 4. Offences for which the person has been convicted:

*Article 149. Hindrance to implementation of the right to elect, to the work of election commissions or to the implementation of the authority of the person participating in elections. ( See Appendix I )*

## 5. Length of the sentence:

Sentenced to 6 years of imprisonment.

## 6. Reasons advanced for which the person concerned could be regarded as a political prisoner:

Harutiun Urutian, who was coordinating Levon Ter-Petrosyan's campaign offices in Maralik City, north-western Shirak marz, during the Armenian Presidential Elections, was among more than 100 opposition leaders and members arrested following the February 19 election. He was charged with assaulting Mr. Suren Avetisyan, a proxy of Serzh Sargsyan, at 36/34 precinct and thereby obstructing the work of the election commission on the Election Day.

Mr. Urutyan denies all charges and testifies that on February 16 their staff received Voting lists were they found 196 extra voters from Gyumri City registered as locals. On the Elections day, at about 11:30 he and two other proxies, registered as in 36/34 precinct got an alarm from the said precinct, that those voters from Gyumri City have been transferred to Maralik City for multiple voting. To check the situation Mr. Urutyan went to the said precinct where he saw large crowd of locals around the polling station angry with the fact of bringing extra voters from neighbouring City and a group of 50-60 persons from Gyumri. He took from them 10 passports which were marked with similar adhesive tapes on the back side and requested those persons to leave the precinct. He also asked other proxies present there to be more attentive to such violations. On his way out from the precinct Mr. Urutyan met the "victim", Mr. Suren Avetisyan.

During the electoral campaign Mr. Suren Avetisyan, previously condemned for electoral fraud, has been campaigning for candidate Sargsyan in Maralik City, and for this purpose City Authorities granted him a working space in Municipality building. During that period Avetisyan and his colleagues were also intensively using Administrative power for influencing the results of the upcoming elections. At that time this fact was brought to their attention by Mr. Urutyan.

According to Urutian he told Mr. Suren Avetisyan, that they shouldn't violate law and bring voters for multiple voting from other places. Avetisyan offensively responded to Urutyans' words. At that moment someone pushed them from the back side and they both fall down. After they stood up, Urutyan advised people around to be calm in order to avoid any negative developments and left the precinct area. 4 hours later about 20 policemen came to Levon Ter-Petrosyan's electoral office and arrested him for heavily assaulting Mr. Avetisyan.

Thus: Mr. Urutyan has witnessed and registered the following violations of electoral legislation:

- Use of Administrative resource, municipality space, for electoral campaign of Mr. Sargsyan, then Prime Minister of RA and a candidate for presidency.
- Inconsistent behaviour of Serzh Sarkisyan campaigners during the pre-electoral period
- He also registered deliberate intent to falsify elections through manipulations with voting lists.
- At the Elections day he and his colleagues witnessed and tried to impede the multiple voting.

Mr. Urutyan was firstly sentenced to 7 years of imprisonment. He dismissed all charges as politically motivated and appealed against the verdict. Regardless all facts presented by the defence lawyer, Tamara Yayloyan, who insisted during court hearings in Yerevan that Mr. Urutyan is innocent and must be acquitted, the Court of Appeals only agreed to shorten the ruling by one year, upholding the charges brought against the oppositionist.

Against Mr. Urutyan were testifying solely three local police officers and a driver from the local police station, who, nevertheless told that they have not seen Mr. Urutyan beating Mr. Avetisyan.

- During the pre-trial detention and court hearings all motions put forward by defence lawyers were rejected by the Judge, while all motions of the accusation were satisfied.

- During interrogations as well as the courts hearings were tried only witnesses of the accusing side.

## **Case N 14: Petros MAKEYAN, Shota SAGHATELYAN, Ashot ZAKARYAN**

### **Petros Makeyan.**

**During the 2008 Armenian presidential elections was the coordinator of Levon Ter-Petrosyan’ regional campaign offices, Proxy, Leader of “Democratic Motherland” Party**

#### **1. Personal data:**

Date of Birth	1954
Place of Birth	Panik village, Shirak Marz
1971-1975	Attended the Physics-Mathematics department of the Gyumri Pedagogical Institute
1988	Graduated from the Irkutsk (Russia) Institute of Economics
1989	As an active participant of the Karabakh Movement
1990-1996	Elected as the member and then the Head of the Artik Regional Council
1995	Elected the member of Parliament at the first convocation of the National Assembly of Armenia
1992-1993	During the blockade provided the urban population of Yerevan and Gyumri with bread which was sent to the cities by evening trains
1996-1997	Appointed as Deputy Governor of the Shirak Marz
June 1998	Elected as a Chairman of the Ad Hoc Committee of the Republic of Armenia’s National Assembly to study the efficiency of utilizing loans, credits, grants, and humanitarian assistance from foreign states
March 1998	One of the founders of the Democratic Fatherland Party
April 2000	Elected chairman of the Democratic Fatherland Party
2001	Attempt was made upon his life, which has not been investigated. Sentenced to administrative detention the same year through illegal arrest and night trial
2006	Member of the <i>Aylentrank</i> (Alternative) public-political initiative

#### **2. Date of arrest: 25.02.08**

### **Major Ashot Zakaryan**

**During the Armenian Presidential Elections 2008 Zakaryan was Levon Ter-Petrosyan’ Proxy, Chief of Shirak Marz Volunteer Union of Yerkrpah.**

### 1. Personal data:

Date of Birth	1966
Place of Birth	Gyumri City (former Leninakan)
1985	Graduated from Leninakan Technical High School
1985-1987	Served in Soviet Army
1988-1990	Participated in Liberation Movement
1993	Nominated as Deputy Head of Service Division in the MoD Regional Headquarters
1993-1995	Study in the High School of Gendarmerie of the MoD of France
Since 1995	Service in the Gyumri Division of MoD

### 2. Date of arrest: 25.02.08

#### Mr. Shota Saghatelyan

**During the Armenian Presidential Elections 2008 Saghatelyan was the head of one of Levon Ter-Petrosyan's pre-election campaign headquarters in Gyumri City, Proxy, Member of Republic Party**

### 1. Personal data:

Date of birth	5 January 1947
Place of birth	Dzorakap village of Shirak marz
1971-1973	Service in the Soviet Army.
1972	Graduated from Leninakan Building Technical School
1972-1989	Worked at managerial positions at "Lenshin" (Leninakan Building) Trust Fund. For his highest professional performance he was involved in the group of Armenian building specialists and participated in the reconstruction works of Lazarian Armenian Lyceum located in Moscow.
1989-1991	Worked as a Head of Supply Department at "Uralsibshin" enterprise.

### 2. Date of arrest: 26.02.08

### 3. Legal status of these prisoners:

On June 13 2008 the Court of First Instance of Shirak Marz sentenced Ashot Zakaryan, Petros Makeyan and Shota Saghatelyan to 28 months, 3 years and 28 months in prison respectively. The Court decided to put Shota Saghatelyan on probation for two years, and set him free from the courtroom in accordance with Article 70 of the Criminal Code of Armenia. Ashot Zakaryan and Petros Makeyan are serving their sentences in Prison.

They appeal against the sentence.

#### **4. Offences for which these persons have been convicted:**

*Article 149. Hindrance to implementation of the right to elect, to the work of election commissions or to the implementation of the authority of the person participating in elections.*

#### **5. Reasons advanced for which these persons concerned could be regarded as political prisoners:**

During the Presidential Elections all above mentioned convicted persons were Levon Ter-Petrosyan Proxies. On the Elections day they got information from 34/06 electoral precinct of Gyumri City about the box staffing by the supporters of Serzh Sargsyan, multiple voting and other violations. According to the record which was presented during the trial by the defence, Mr. Makeyan has tried to stop the ongoing violations and has demanded Mr. Ara Movsisyan, Serzh Sargsyan' Proxy, who wasn't registered at the said precinct but nevertheless was interfering in the conduct of the Elections there, to give explanations regarding the situation. In response Mr. Movsisyan has provoked quarrel which served as a ground for the accusation.

Accusation was based on the testimony of 9 members of precinct Electoral Commission and Mr. Ara Movsisyan, Serzh Sargsyan's Proxy.

- Criminal pursuit was initiated on the basis of an anonym report, whose authors remained unknown.
- During the court hearings 8 witnesses renounced all their testimonies given during the pre-trial investigation, which, according to them, were extracted under the pressure of Authorities and the accusing side. One of them even apologized for false testimony in written.
- All 8 witnesses have insisted that the Court shall make its ruling based on their testimonies given during the court hearings.
- Two other witnesses, Mr. Ara Movsisyan and Mr. Vahan Gasparyan, didn't show up during the court hearings.
- Furthermore, during the court hearings the Judge announced that these two witnesses are not in the country and that one of them Mr. Ara Movsisyan has left Armenia for Europe. As a prove Judge has presented a reference from "Baghavia" flight.
- The defence lawyer has found Mr. Vahan Gasparyan, and thus has proved that the Judge and the accusing side were not factually correct in their statements and have committed a false report which is punishable by Law.
- The motion of the defence lawyer concerning the need to postpone hearings and invite the said witnesses as well as to hear witnesses of the defense was rejected by the Judge, which is qualified as hindering the witness of testifying and is punishable by Law.
- Regardless all these facts, the Judge has taken as a basis for the verdict the testimonies that were given by witnesses during the pre-trial investigation and declared that the guilt was proven.

- During the pre-trial detention and court hearings motions put forward by defence lawyers were rejected by the Judge, while all motions of the accusation were satisfied.
- The final court hearing was conducted and the sentence was pronounced behind closed doors, without participation of the representatives of the Press and civil society.
- It should be mentioned that the actions of the defence lawyer, Mr. Hovik Arsenyan hypocritically were qualified as an intimidation of the witness and a query, as a measure of pressure against the defence lawyer, was initiated by the Office of the Prosecutor.

## **Case No 15: Samvel GEVORGYAN**

**ANM Party Member, during the Presidential Elections 2008 - Levon Ter-Petrossian Proxy and Plenipotentiary Representative of the General Electoral Staff of Levon Ter-Petrosyan in the Gegharquniq Marz, Journalist**

### **1. Personal data:**

Date of Birth	02.10.1948
Place of Birth	Zalinja Village, Talin Marz
1966-1971	Studied and graduated from Yerevan State University, faculty of Philology
1971-1972	Teacher in a village school
1973	Chief of Division in Ashtarak regional newspaper
1973-1984	Editor, State Radio and Television Committee
1984-1989	Head of division then Editor-in-Chief, State Radio and Television Committee
1989-1990	Editor-in-Chief of “Hayq” newspaper
1990-1991	Member of Supreme Soviet
1991-1993	President of State Radio and Television Committee
1993-1995	Advisor to President of RA on internal issues
1995-1998	Member of National Assembly, Chairman of the Standing Committee on Defence, National Security and Internal Affairs
Since 1998	Creative work, journalism
Since 1973	Member of the Union of Journalists of Armenia, laureate of State Prize for Journalism

### **2. Date of arrest: 10.06.08.**

### **3. Legal status of the accused:**



Culprit, on 13.06.08 released under written cognizance not to leave his place of residence.

**4. Offences for which the person is accused:**

*Article 149. Hindrance to implementation of the right to elect, to the work of election commissions or to the implementation of the authority of the person participating in elections, Para II / 3.*

**5. Length of the sentence:**

Has not yet been tried

**6. Reasons advanced for which the person concerned could be regarded as a victim of political persecution:**

Mr Samvel Gevorgyan is a well known and largely respected journalist and opposition member with strong organizational skills.

On February 19, during the Presidential Elections, in the Vardadzor Village, Martuni, Mr. Gevorgyan, in his capacity of the Proxy and the representative of Levon Ter-Petrosyan was present and involved in the following incident: the head of the village community and his son attacked Proxies of Levon Ter-Petrosyan when they protested against the flagrant violation of the Electoral legislation, particularly the conduct of open voting in the presence of more than 40 voters.

The representative of the Human Rights division of the OSCE Mission in Armenia, who was observing and was recording the conduct of Elections as well as the attack against the Levon Ter-Petrosyan Proxies was also brutally assaulted by the representatives of local Administration who were supporting the candidature of Serzh Sargsyan, his camera was taken away.

Mr. Gevorgyan immediately reported to the Chief of regional Police, Mr. Vardanyan, about the ongoing violence against them. He also has informed about the said developments the Central Electoral Staff of Levon Ter-Petrosyan.

The same evening a criminal proceeding was initiated against Mr. Samvel Gevorgyan, he was involved as a culprit and declared wanted by the Police regardless the fact that he didn't even try to hide and till his "capture" has been in Yerevan, in his residence.

So far he has not been tried, no proves of his guilt were presented.

Mr. Aram Karapetyan	CC RA 333	President of "Nor Zhamanakner" opposition Party
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**Case No 16: Dr. Aram KARAPETYAN**

## **Founder and the President of “Nor Zhamanakner” Party**

### **1. Personal data:**

Date of Birth 01.02.1964  
Place of Birth Yerevan

1987-1992 Doctor of Physics and Mathematics, Doctor of Political Sciences, Aram Karapetyan has been working as scientist, then senior scientist-researcher in the Institute of Radio physics and Electronics by the National Academy of Science of Armenia. He was also elected as the President of Trade Union of the said institute.

1992-1996 Founding member and active participant of the “Armenia-Russia cooperation Fund”, which was promoting Armenian interests in Russian Economic and Political environments. He was working in the Russian Duma, Security Council of the Duma. He also headed the South Caucasus Division of the Security Council of Duma. Privately he was involved in Russian Banking business.

2002 Founded “Herankar” (Perspective) Centre of Strategic Initiatives.

### **2. Date of arrest: 24.02.2008**

### **3. Legal status of the prisoner:**

Culprit

### **4. Offences for which the person has been detained:**

*Article 333. False crime reporting.*

### **5. Length of the sentence:**

Has not yet been tried.

### **6. Reasons advanced for which the person concerned could be regarded as the victim of political persecution:**

Mr Karapetyan is the Founder and the President of “Nor Zhamanakner” party, which has joined the opposition movement in Armenia before the Parliamentary Elections of 2007. He is also well known representative Armenian Community in Moscow, Russia.

During 2008 Elections he tried to put forward his candidacy but the CEC refused to register him as a Candidate for Presidency on the ground of citizenship. Afterwards he has joined Levon Ter-Petrosyan.

In the course of his public appearances Mr. Karapetyan has made a number of accusations against President Kocharyan and then candidate for presidency, Prime Minister Sargsyan. He implicitly blamed President Robert Kocharyan and Prime Minister Serzh Sargsyan for the October 1999 assassinations in Armenia's parliament.

Karapetyan was arrested on February 24 on charges of "false denunciation" stemming from the distribution of DVDs featuring his questions to then President Robert Kocharyan and his incoming successor, Serzh Sargsyan. He challenged them to publicly explain whether they planned a controversial land swap with Azerbaijan in September 1999 and whether then Prime Minister Vazgen Sargsyan and Parliament Speaker Karen Demirchyan, who were assassinated shortly afterwards, opposed it.

Karapetyan has been kept in the pre trial detention for more than three months. During this period of time the case didn't move from the starting point: no interrogations, no proves of his guilt were presented. All motions of defence lawyers concerning the alteration of the restraint measure were rejected by the court without any substantive reasons.

In the beginning of June his health condition has become worse. Remaining in custody became dangerous for his life. Dr. Armen Gasparyan, a cardiologist who examined Aram Karapetyan in prison, said during a press conference that the leader of the opposition party is suffering and will risk heaving a heart attack or stroke unless he is "immediately" hospitalized.

A spokesman for a Justice Ministry department managing Armenia's prisons insisted, however, that Karapetyan's heart troubles are not grave and that he can receive medical treatment in the NSS's basement jail. The department has nonetheless decided to form a special commission of its own medics and independent doctors that will look into Gasparyan's claims. It is worth mentioning that Armen Gasparyan, who worked at a cardiology clinic of the Armenian Medical University which is located in Erebuni Hospital premises, after his news conference was told by hospital director that he will not be allowed to enter the sprawling building anymore because of visiting Karapetyan and identifying himself as an Erebuni doctor.

Karapetyan was hospitalized only after another doctor who examined him in jail, warned that the opposition leader will risk suffering a heart attack or stroke unless he receives urgent medical treatment. Karapetyan's hospitalization failed to satisfy his supporters. In a statement, Nor Zhamanakner said it distrusts the doctors treating the party leader and wants him to be examined by "independent" doctors.

Under public pressure Mr. Karapetyan was released and allowed to leave the country for treatment. According to the Armenian authorities, the preliminary inquiry concerning Mr. Karapetyan penal case has been suspended until he recovers. He is expected to return to Yerevan in two months.

Mr. Gagik Jhangiryan	CC RA 316/1	Deputy Prosecutor, Military Prosecutor of the RA
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## **Case No 17: Dr. Gagik JHANGIRYAN**

**Deputy Prosecutor General, Military Prosecutor of Armenia, Doctor of Law, RA First Grade State Counsellor of Justice**

### **1. Personal data:**

Date of Birth            16.04.1955  
Place of Birth            Ararat City

1977                      Graduated from Yerevan State University, Faculty of Law  
1977-1991               Senior Assistant then Senior Scientist, Institute of Philosophy and Law of the National Academy of Science  
1991-1997               Head of Department, then First Deputy Minister of Justice  
1997-2008               Military Prosecutor, Deputy General Prosecutor of RA

### **2. Date of arrest: 23.02.08.**

### **3. Legal status:**

Culprit, placed in pre-trial detention.

### **4. Offences for which the person has been detained:**

*Article 316. Violence against a representative of authorities.*

### **5. Length of the sentence:**

Court hearings started on September 1st.

### **6. Reasons advanced for which these persons concerned could be regarded as a political prisoner:**

Mr. Gagik Jhangiryan is a well known and influential person especially in the Judiciary and Military Circles. Apparently his support of the opposition as well as his professional skills and institutional knowledge were considered by Authorities as highly dangerous.

Mr. Gagik Jahangirian was arrested along with his brother Vartan Jahangiryan and two other companions on Saturday 23.02.08 just hours after being sacked by President Robert Kocharian. A car carrying the two men was ambushed and violently stopped by about 40 masked men in black, without any insignia, just outside Yerevan. The police said they were carrying illegal arms.” Vartan Jahangiryan was shot and seriously wounded by a police officer during the arrest in still unclear circumstances. The police say the shooting was accidental. Vartan Jahangiryan is accused of putting up resistance to law-enforcers. Here we must underline that Vartan Jhangiryan have very serious illness of spine, recently has undergone a special treatment, at the time of arrest was in medical corset and moved with difficulty, often only with the help of others.

The sacking of Gagik Jhangiryan came the day after the former chief military prosecutor delivered a speech at a Ter-Petrosyan rally in Yerevan in which he called the official results of the February 19 presidential election fraudulent and said the ex-president is the rightful winner of the vote. During his speech he also mentioned that there are new evidences in the case of October 1999 assassinations in Armenia’s parliament, when 8 prominent politicians including Karen Demirchyan, Speaker of the National Assembly and Vazgen Sargsyan, Prime Minister, were killed, which can spread light on the real cause of that tragic events. It must be mentioned that any reference to that assassination is very painful and disturbing for those who are in power now in Armenia.

After the arrest Jahangirian was visited in custody by Ms. Zaruhi Postanjian, a well-known lawyer and parliament deputy affiliated with the opposition Zharangutyun party, speaking to RFE/RL, condemned the case against the former prosecutor as “political persecution.”

After four months investigators of the criminal case in connection with the mass disturbances of March 1-2 have dropped the charge of ‘illegal arms possession’ against former Deputy Prosecutor-General Gagik Jahangirian, but on June 13 added to his indictment a graver charge of ‘usurpation of power’ that also includes putting up resistance to law-enforcement officers. Jahangirian’s lawyers express their perplexity over the circumstance that it took the investigation body four months to admit that the gun carried by Jahangirian was in fact legal. They say this decision is one more evidence that Gagik Jahangirian is “being a victim of political persecution for having a speech at an opposition rally.”

Later, on On August 13 charges in accordance with this Article 300 were dripped by the accusing side.

The hysterically prompt arrest of Jhangiryan was done with numerous violations of Criminal Procedural and Criminal Codes, other Laws of RA and principles of Human Rights Law:

Thus, for example:

- His dismissal from his post of Deputy General Prosecutor and stripping of his Rank of the First Grade State Counselor of Justice immediately after his public speech at opposition meeting was done with violation of appropriate laws and procedures, and currently is being contested in the Administrative Court.
- Jhangiryan brothers were taken into custody on the basis of oral order of the chiefs of 6th drpartment and special forces of the Ministry of Interior.
- Arresting officers didn’t announce their identity and didn’t explain the reason of the arrest, which apparently arose after the arrest and the search of Jhangiryan’s car.

- The use of arms by police during the arrest was obviously disproportionate, since there wasn't any resistance: Mr. Vartan Jhangiryan due to his health was even unable to resist, such charge against Gagik Jhangiryan has appeared much later,
- Furthermore, Jhangiryan brothers were severely beaten as soon as they were brought to the Police, they received numerous injuries, but regardless the demand of Gagik Jhangiryan, forensic medical examination has not been conducted and the fact of beating was not registered
- Charges, which were afterwards announced as a basis for the arrest, were from the very beginning and obviously ungrounded, since Mr. Jhangiryan lawfully possess arms and those who gave an order to charge him for the illegal possession of arms, as well as those who executed that order were perfectly well aware of that fact
- Charges were officially presented to Jhangiryan brothers with the violation of time deadline envisaged by Law for four hours.
- By dropping those charges which were announced as the reason of Gagik Jhangiryan detention, Law enforcement authorities confirmed there wrongdoing.
- Jhangiryans were arrested without the required order.
- Vartan Jhangiryan is facing charges under CC RA Article 316, Violence against a representative of authorities, while it is proved that at the moment of the arrest he was unable to move without help.
- Vartan Jhangiryan was left bleeding without medical assistance for about two hours after he was brought to Police which is a clear example of inhuman treatment aimed at exerting pressure on suspects, particularly on Gagik Jhangiryan.
- During the all period of pre-trial detention Mr. Gagik Jhangiryan has never been tried, no proves of his guilt were presented.
- Accusation accordance to the Article 316 is based solely on the testimony of the Police.
- All motions of defence lawyers concerning the alteration of the restraint measure were rejected by the court without substantively grounded formal and legal reasons.

All these and many other facts prove that the arrest Mr.Gagik Jhangiryan was commissioned by Authorities and is politically motivated. Vartan Jhangiryan simply appeared to be in the wrong place at the wrong time.

<b>Mr. Hovhannes Harutyunyan</b>	<b>CC RA 235/1</b>	<b>Chief of Arabkir District Union of Yerkrpah (Land Keepers), Yerevan, Levon Ter-Petrosyan's Proxy</b>
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### **Case No 18: Hovhannes HARUTYUNYAN**

**During the 2008 Presidential Elections Harutyunyan was Levon Ter-Petrosyan's proxy in Arabkir Community of Yerevan.**

#### **1.Personal data:**

Date of Birth            1955  
Place of Birth            Yerevan

1975-1977	Served in Soviet Army
1983	Graduated from Technological High School of Nalchik
1992	Served as the first commander in chief of the RA Military Police.
1993	Appointed deputy head of the National Security Counter-Intelligence Department
Since 1993	Member of the Volunteer Union of Yerkrpah (Land Keepers)
1994	By the decree of the first president of Armenia received the rank of Lieutenant Colonel
Since 1997	The head of Arabkir Volunteer Union of Yerkrpah (Land Keepers)
1998-2002	Served as the first deputy of the RA Military Commissariat, one of the founders of Armenian Military Police
2000	Received the rank of Colonel

**2. Date of arrest: 26.02.2008.**

**3. Legal status of the prisoner:**

Convict, serves the sentence in Prison. Appeals against the sentence.

**4. Offences for which the person has been convicted:**

*Article 235. Illegal procurement, transportation or carrying of weapons, ammunition, explosives or explosive devices. Para I*

**5. Length of the sentence:**

On 28.03.08 sentenced to 1.6 years of imprisonment.

**6. Reasons advanced for which the person concerned could be regarded as a political prisoner:**

Hovannes Harutyunyan, a Ter-Petrosian proxy in Yerevan's Arabkir district, was actively participating in pre-electoral campaign. He is a well known and respected person in Law enforcement and Military circles. He was sentenced to 18 months in prison for keeping cartridges at home.

Political persecutions against Mr. Harutyunyan started yet in 2007, when he declared his support to the candidature of LTP. Since then he was several times invited to Police for a "talk". Afterwards representatives of the Police, in a "friendly" manner have requested him to give them his gun for a couple of days, Harutyunyan has refused them. Thus Law enforcement bodies were well aware that Mr. Harutyunyan legally possesses fire and hunting arms and, consequently, possesses also appropriate bullets, but only after the contested elections they have taken decision to search his residence.

Accusation is based on the results of the search during which in the apartment of Mr. Harutyunyan police has found 30 bullets of 7.62 calibre and 20 years old 11 bullets of a smaller calibre.

In fact during the search Mr. Harutyunyan has voluntarily presented to the Police all possessed arms and ammunition, an action which according to the CC RA Article 235 is exempting a person from criminal liability.

The search was conducted with the violation of required procedure: found bullets were not wrapped up, sealed and signed. According to witnesses Policemen just put some bullets in their pockets.

7.62 calibre bullets fit Harutyunyan's hunting gun and were purchased by the accused from the specialised store for his hunting rifle registered with the police. During the hearings procurer, while attempting to prove illegal procurement of ammunition, made a perplexing statement that "those bullets were bought in the specialised hunting shop, but not from that shop".

Motions of defence lawyers during the court hearings, including the appeal to interrogate the fire arms expert and other witnesses were rejected by the Judge, who qualified that motion as "a waste of time".

<b>Mr. Husik Baghdasaryan</b>	<b>CC RA 235/5</b>	<b>Member of "Republic" Party, Captain, member of «Yerkrapah» Union, decorated with state Medals and other awards, during 2008 Presidential Elections Proxy of Levon Ter-Petrosyan</b>
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### **Case N 19: Husik BAGHDASARYAN**

**Member of "Republic" Party, Captain, member of «Yerkrapah» Union, decorated with state Medals and other awards, during 2008 Presidential Elections Proxy of Levon Ter-Petrosyan.**

#### **1. Personal data:**

Date of Birth            1960  
Place of Birth            Masis Marz, Armenia

#### **2. Date of arrest: 26.02.2008**

#### **3. Legal status of the prisoner:**

Convict, serves the sentence in Prison.



#### **4. Offences for which the person has been convicted:**

*Article 235 Illegal procurement, transportation or carrying of weapons, ammunition, explosives or explosive devices. Para 5*

#### **5. Length of the sentence:**

On 22.05.08 was sentenced to 2 years of imprisonment, appeals against the sentence in the court of Cassation.

#### **6. Reasons advanced for which this person concerned could be regarded as a political prisoner:**

On February 26 Police searched the apartment of Mr. Baghdasaryan. During the search Mr. Baghdasaryan, who is the member of Hunters Union of Armenia and has legal right to possess hunting arms and ammunition, has voluntarily presented to the Police his arms, which were purchased from the specialized Hunting shop. The regular Police check of his arms was conducted on February 16, during which no any even minor violations were registered, no protocols were filled. Somehow this time the same arms, more precisely 16 bullets, were considered by Police as illegal. Mr. Baghdasaryan was immediately arrested and involved as a culprit regardless the absence of the results of expertise of the said bullets.

During the court hearings it has appeared that the conclusion of the expertise of the bullets, done by the Police specialized department after the arrest and official accusation of Mr. Baghdasaryan, which proved that those 16 bullets which were previously qualified as hunting bullets in reality are fighting bullets, the document which has served as a basis and the only prove of the offence for the accusations can not be checked since the expert has thrown away all 16 cartridge cases. Thus the expert has destroyed the only material proves of the accusation. In his expert opinion the said expert has also avoided to mention the methodology of the conducted expertise.

Beside that the defence lawyer of Mr. Baghdasaryan has established that persons who have searched the apartment of the culprit have not been entitled to conduct the search, thus all alleged proves were obtained illegally and can not serve as proves.

The pre-trial investigations as well as court hearings were conducted on the basis of disregarding or deliberately rejecting all proves which were in the favour of the detainee, all motions put forward by defence lawyer were rejected by Judges meanwhile all motions of accusing side were fully satisfied. Judge has also disregarded the personal merits of Mr. Baghdasaryan.

<b>Mr. David Matevosyan</b>	<b>CC RA 316/1</b>	<b>Levon Ter-Petrosyan's Central Electoral Staff member, Proxy</b>
<b>Mr. Vardges Hayotsyan</b>	<b>CC RA 316/1</b>	<b>ANM Party Bureau Executive Secretary, Coordinator of Levon Ter-Petrosyan's Regional Electoral Offices, Proxy</b>
<b>Mr. Levik Khachatryan</b>	<b>CC RA 316/1</b>	<b>ANM Party Bureau Member, , Coordinator of Levon Ter-Petrosyan's Regional Electoral Offices, Proxy</b>

Mr. Ashot Manukyan	CC RA 225/1, 225/2, 316/2	President of Lori Region AAM Party Council, Chief of Levon Ter-Petrosyan's Regional Electoral Staff, Proxy
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## **Case No 20: Mr. David MATEVOSYAN**

**During Presidential election 2008 Mr. Matevosyan was the Member of Central Electoral Staff of Levon Ter-Petrosyan, Proxy**

### **1. Personal data:**

Date of Birth            1960  
Place of birth            Yerevan.

In 1991 Davit Matevosyan was appointed the head of the regional office of the Ministry of Internal Affairs /police/ with additional privileges of forming the local military forces and management of the defense of his region.

His work was highly appreciated by the people, and at the parliamentary elections of 1995 Davit was elected deputy with overwhelming majority of votes. At the National Assembly he actively engaged in the legislative sphere. Due to his efforts many economic problems found their solutions: in the law about collective farms and in the law about the budget. As a result of changes offered by Davit in the sphere of education, the problem of teachers' additional pays working in border provinces or mountainous regions was settled.

In February 1996, he was appointed Vice-Governor of Syunik Marz, which is the second largest territorial division in Armenia.

Within 1999-2000 he was in charge of "Hayantar" the governmental office accountable for the whole forestry of the country. Here he offered many legislative improvements and some of them were passed by the National Assembly, and are still effectively functioning. He is held in high respect among ecologists, and during his officiating an important dialogue began with several international ecological organizations.

Finally, being disappointed with the regime ruled by Serge Sargsyan and Robert Kocharyan, police lieutenant-colonel Davit Matevosyan voluntarily left his governmental job and began his struggle for democracy and freedom as a citizen, and since 2006 also as politician, returned to active political life.

### **2. Date of arrest: 01.03.08**

### **3. Legal status of the prisoner:**

Convict, serves the sentence in Prison. Appeals against the sentence.

## **Offences for which the person has been convicted:**

### ***Article 316. Violence against a representative of authorities. Part 1***

#### **5. Length of the sentence:**

On 17.06.08 sentenced to 3 years of imprisonment

#### **6. Reasons advanced for which the person concerned could be regarded as a political prisoner:**

Davit Matevosyan is one of the leaders of the national movement that began in the autumn of 2007. He's also a member of the 2008 presidential election campaign managing group of Levon Ter-Petrosyan, the first president of RA, and plays a leading role in his political team. He is known as balanced and reasonable person.

Acts of violence and illegal coercion to Davit started in 2006, when he began actively politicizing and expressed himself against the policy implemented by the government. He was one of the founders of civil and political initiative "AylIntranq" /"Alternative"/ and a member of coordinating committee. In 2007. He was a deputy candidate in the oppositional "Impeachment" block during the parliamentary elections

On May 9, 2007 on Nalbandian street, Yerevan, violence was implemented against the peaceful rally of the opposition near the building of Service of National Security. As a result Davit Matevosyan was brutally beaten and kidnapped by the police. Davit was set free only due to the demonstrators, who bravely kept on standing near the building and demanded the release of the kidnapped activists. No one took responsibility for this clash.

On October 23, 2007, Matevosyan, along with a group of activists, was detained at about 3 p.m. and illegally kept in the police department of Kentron, Yerevan till 3 a.m. of the next day. That day Davit's 18-year-old son was detained with him.

During 2008 Presidential Elections period the police has kidnapped **his son and his under-age daughter** from the street **several times** and kept illegally in order to gather information about their father's activities.

In the morning on March 1, 2008, after an hour of violent attack on the peaceful demonstrators on the Liberty Square, Yerevan representatives of Law enforcement agencies detained and brought Matevosyan to the police department of Qanaqer-Zeitun, where he was illegally kept for 2 days.

The investigation was carried out with serious violations of law. Matevosyan's lawyer has proclaimed for several times about these violations, but his complaints have been constantly ignored. Even the ombudsman of RA Armen Harutyunyan initially has not been allowed to visit the arrested activist, the fact that has been mentioned in his official report. Davit Matevosyan has been subjected to psychological pressure to give false evidence. He was also subjected to violence.

The motions of the defence lawyer were particularly relating to the following:

- Mr. Matevosyan was arrested by two investigators, who are not entitled to arrest.
- He was stopped and arrested without any explanations, without the arrest order.
- Accusation was based solely on the contradicting testimonies of two investigation officers who have arrested him.
- During pre-trial investigation and the court hearings they were constantly mixing such details of the arrest as the time, the place of the arrest, the nature of the assault and how the accused has assaulted them.
- No witnesses from defence side were accepted and tried.
- The court has disregarded the fact that during the court hearings two investigation officers didn't recognise themselves as victims according to the Article 316 and sentenced Mr. Matevosyan to 3 years of imprisonment.

Matevosyan was seriously operated last November, and his health situation is worrying. The Ministry of Health and the office of the Red Cross in Yerevan had initially refused the request to keep his and other detainee's and prisoner's health under constant medical observation.

## **Case No 21: Mr. Vardges HAYOTSYAN**

**During Presidential election 2008 Mr Hayotsyan was the Regional Coordinator of Levon Ter-Petrossyan Campaign Headquarters, Proxy**

### **1. Personal data:**

Date of Birth: 1946  
Place of Birth: Yerevan

Specialization- construction and engineering

1963-1967	Worked at an electro-techniques factory.
1969-1970	Worked at the <i>Nairi</i> factory.
1970-1991	Worked at the <i>Haykomunnakhagits</i> institute.
1988	Participated in the self-defence movements of Armenia and Karabakh. Was one of the founders of the "Yerkrapah" volunteer detachment in the Spandaryan district.
1990-1994	Served as an elected member of the Spandaryan district council and the head of the Armenian Nationwide Movement (ANM).
1991	Elected as the deputy-speaker of the Spandaryan district ANM council.
1992-1993	Served as the elected speaker of the Spandaryan district ANM council.
1991-1995	Head of the ANM staff.
Since 1994	Member of the ANM administration.

1995-1999	Member of the National Assembly, <i>Hanrapetutyun (Republic)</i> political fraction. Member of the NA Committee of Defence, National Security and Internal Affairs as well as the head of the subcommittee of National Security
1997-1998	Head of the Yerevan city municipality Architecture, City Building and Ground Maintenance administration
1999	Head of the Yerevan <i>Kentron</i> Community and Multi-Apartment Building section.
2007	Elected as the Executive Secretary of the ANM administration and appointed as the Chief of the ANM staff.

**2. Date of arrest: 01.03.2008.**

**3. Legal status of the prisoner:**

Convict, suspended sentence with probation period for 2 years, appeals against the sentence.

**4. Offences for which the person has been convicted:**

*Article 316. Violence against a representative of authorities. Para I*

**5. Length of the sentence:**

On 03.09.08 sentenced to 1,5 years of imprisonment.

**6. Reasons advanced for which the person concerned could be regarded as a political prisoner:**

Accusation is based solely on the vague testimonies of police officers.

All motions of defence lawyers concerning the alteration of the restraint measure, involvement of witnesses, reliability of proves, were rejected by the court without substantively grounded formal and legal reasons. All motions of the accusing side were fully satisfied.

### **Case No 22: Levik KHACHATRYAN**

**ANM Board Member. During Presidential Elections 2008 Khachatryan was the Regional Coordinator of Campaign Headquarters of Levon Ter-Petrosyan, Proxy**

**1. Personal data:**

Date of Birth	1958
Place of Birth	Village of Kasakh
1975-1980	Studied and graduated from Automation department of the Institute of Agriculture
1980-1981	Worked in the village of Kasakh as a chief engineer
1981	Worked as a leading engineer at “Redmetal,” in the reconstruction laboratory
1984	Took the post-graduate course in “Armenian Agricultural Automation” at the Scientific-Industrial Union, within a very short time he made many scientific discoveries and received Author’s Certificates for four of these discoveries. Published dozens of scientific articles and prepared a thesis, which he had to postpone.
Since 1988	Participant of the All Armenian Movement and is currently a member of the council of the All Armenian Movement party.
1991	Worked at the <i>Hayagrospasarkum</i> Company as deputy director general and a year later became Director General
1994-1995	Armenia’s Minister of Trade.
1995-1999	Vice Speaker of the National Assembly and the member of the Foreign Relations Committee.

**He has several health problems, has undergone serious surgery on his heart and needs constant medical care.**

**2. Date of arrest: 01.03.2008**

**3. Legal status of the prisoner:**

Convict, suspended sentence for 2 years, appeals against the sentence.

**4. Offences for which the person has been convicted:**

*Article 316. Violence against a representative of authorities. Para I*

**5. Length of the sentence:**

1.6 years of imprisonment.

**6. Reasons advanced for which the person concerned could be regarded as a political prisoner:**

Firstly:

Mr. Khachatryan was arrested on March 1 at about 7:30 a.m., the protocol of his arrest was filled on March 2 at 05:00 a.m., the Court ruled to apply detention as a restraint measure on March 4 at about 20:00. Thus the 72 hour time limit established by the Article 129/2 of the CPC and envisaged for the involvement of a person as a culprit and defining of applicable restraint measure was violated for about 12 hours.

Secondly:

Mr. Khachatryan has several severe health problems, has undergone serious surgery on his heart and needs constant professional medical care. His regular medical check-up was scheduled for March 4 which he missed since was placed under arrest. Two motions on the alteration of the restraint measure in the view of his health condition were rejected by the Court on March 19 with the motivation of “groundless reasoning of the motion”.

Mr. Khachatryan has informed several times in written his relatives as well as the chief of the detention centre about the deterioration of his health condition and his sufferings. The latter has responded him in a written form that all necessary steps are taken, his health is under ambulatory control and he receives needed medicaments, which was not corresponding to the reality.

All these actions constitute such flagrant violation of HR as torture and inhuman treatment.

Finally:

Under such conditions and in the face of possible irreversible consequences, Mr. Khachatryan, has agreed to be tried in accordance with the rapid trial procedure which envisage the recognition of the guilt by the culprit and exclude the obligation of the accusing side to prove the guilt of the accused.

**Case No 23: Ashot MANUKYAN**

**During 2008 presidential elections Manukyan was the Head of Levon Ter-Petrosyan’s Campaign office in Vanadzor City, Proxy.  
Board member of ANM, head of the Lori regional branch.**

**1. Personal data:**

Date of Birth:	1947
Place of Birth:	Vanadzor City
1967	Graduated from the Construction collage of Vanadzor
In the 1990s	Has held positions in the municipal and regional governments.
1991	Worked as the first deputy of the Vanadzor municipal council
1996	Head of the Transportation and Road Construction department at the regional government

2003	Worked at the Abelyan theatre of Vanadzor as chief of the performance section.
2004	Was fired for his political affiliation
2007	Reinstated. However, he was fired again in November of the same year under pressure from the regional government.

**2. Date of arrest: 01.03.2008**

**3. Legal status of the prisoner:**

Culprit, placed in pre-trial detention.

**4. Offences for which the person has been detained:**

*Article 316. Violence against a representative of authorities. Para 1*

*Article 225 Mass disorder. Para 1*

*On 29.08.2008 accusing side added accusaation in accordance with Article 225: Mass disorder. Para 2*

**5. Length of the sentence:**

Has not yet been tried.

**6. Reasons advanced for which the person concerned could be regarded as a political prisoner:**

Manukyan is a prominent figure with leadership skills, and these opinions prove that he is widely respected and accepted by very various circles of the society as well as by the representatives of different political forces.

During Parliamentary elections in 1996, Robert Kocharyan, then the President of NKR, said the following about Ashot Manoukyan “I have known Ashot Manoukyan since the first days of the Karabakh movement. His innate abilities were given to the development of the Armenian state.”

Ex-Defence Minister of Armenia Vazgen Sarkisyan said, “Ashot Manoukyan is one of the unusual personalities, who linked the development of the state and the solution of the Artsakh issue with the establishment of the Armenian National Army. He devoted himself to the self-defence movement and to the establishment of the army. Due to the dedication of such individuals, the borders of our country are protected.”



The first president of Armenia, Levon Ter-Petrossian, said warm words about Ashot Manoukyan during the last pre-election marathon. Perhaps this assessment was the reason for the authorities to open a case against him.

Manukyan is being held at the Sovetashen pre-trial detention center in Yerevan. While he reportedly has access to a lawyer, authorities have refused to allow any form of contact with family members for about one month.

Accusation is based on the testimonies of police officers as well as Rouben Voskanyan and Stepan Sargsyan.

- Rouben Voskanyan was also arrested in the connection with the March 1 events and charged with Articles 225 Prim and 316 Part I. In pre-trial detention Mr. Voskanyan was subjected to violence and torture. Finally he has agreed to testify against Mr. Manukyan and to be tried in accordance with the rapid trial procedure which envisage the recognition of the guilt by the culprit and exclude the obligation of the accusing side to prove the guilt of the accused. As a result Mr. Voskanyan was sentenced to 1.5 year of probation and 200000 ARM Drams penny.

- Stepan Sargsyan was also arrested in the connection with the March 1 events and sentenced in accordance with Article 316 Part I for 3.6 years of imprisonment and currently serves his sentence in the prison regardless the fact that he is officially declared by the court as mentally incompetent. His case was also mentioned in the report of Armen Harutyunyan, Ombudsman.

Thus these two testimonies can not have the power of prove.

All motions of defence lawyers concerning the alteration of the restraint measure were rejected by the court without substantively grounded formal and legal reasons.

<b>Mr. Vardges Gaspari</b>	<b>CC RA 316/1</b>	<b>Member of «Alternative» Political Initiative, during 2008 Presidential Elections – Proxy of Levon Ter-Petrosyan</b>
<b>Mr. Samvel Harutyunyan</b>	<b>CC RA 316/1</b>	<b>Partisan of the opposition movement</b>
<b>Mr. Qristophore Elazyan</b>	<b>CC RA 225</b>	<b>Partisan of the opposition movement, former Policeman. Has refused to give false testimony against the representatives of opposition.</b>
<b>Mr. Melik Grigoryan</b>	<b>CC RA 316/1</b>	<b>Personal driver of Mr. Hakob Hakobyan, arrested MP who has supported the opposition movement.</b>
<b>Mr. Arman Shahinyan</b>	<b>CC RA 316/1</b>	<b>Personal driver of Mr. Myasnik Malkhasyan, arrested MP who has supported the opposition movement. Partisan of opposition movement.</b>

**Cases N 24-28: Vardges GASPARI, Samvel HARUTYUNYAN, Qristophore ELAZYAN, Melik GRIGORYAN, Arman SHAHINYAN**

## **Vardges Gaspari**

**Member of «Alternative» Political Initiative, during 2008 Presidential Elections – Proxy of Levon Ter-Petrosyan**

### **1. Personal data:**

Date of Birth            01.04.1957  
Place of Birth            Tehran, Iran

### **2. Date of arrest: 02.03.2008**

### **3. Legal status of the prisoner:**

Culprit, placed in pre-trial detention

### **4. Offences for which the person has been convicted:**

*Article 316. Violence against a representative of authorities. Para 1*

### **5. Length of the sentence:**

Court hearings are in progress

## **Samvel Harutyunyan**

**Partisan of the opposition movement**

### **1. Personal data:**

Date of Birth            08.10.1961  
Place of Birth            Yeravan, Armenia

### **2. Date of arrest: 01.03.2008**

### **3. Legal status of the prisoner:**

Convict, on 03.07.2008 was sentenced to 1 year of imprisonment

**4. Offences for which the person has been convicted:**

*Article*

**5. Length of the sentence:**

One year, suspended sentence

**Oristophore Elazyan**

**Partisan of the opposition movement, former Policeman. Has refused to give false testimony against the representatives of opposition.**

**1. Personal data:**

Date of Birth	25.09.1976
Place of Birth	Yerevan, Armenia

**2. Date of arrest: 03.03.2008**

**3. Legal status of the prisoner:**

Convict, serves the sentence in the Prison, appeals against the sentence

**4. Offences for which the person has been convicted:**

*Article 225: Mass disorder. Para 2*

**5. Length of the sentence:**

On 29.08.08 was sentenced to 4 years of imprisonment.

**Melik Grigoryan**

**Personal driver of Mr. Hakob Hakobyan, arrested MP who has supported the opposition movement.**

**1. Personal data:**

Date of Birth            01.04.1960  
Place of Birth           Yerevan, Armenia

**2. Date of arrest: 03.03.2008**

**3. Legal status of the prisoner:**

Convict, serves the sentence in the Prison, appeals against the sentence

**4. Offences for which the person has been convicted:**

*Article 316 Violence against a representative of authorities. Para 1*

**5. Length of the sentence:**

Sentenced to 6 months of imprisonment.

**Arman Shahinyan**

**Personal driver of Mr. Myasnik Malkhasyan, arrested MP who has supported the opposition movement. Partisan of opposition movement.**

**1. Personal data:**

Date of Birth            1970  
Place of Birth           Yerevan, Armenia

**2. Date of arrest: 02.03.2008**

**3. Legal status of the prisoner:**

Culprit, placed in pre-trial detention

#### **4. Offences for which the person has been convicted:**

*Article 316 Violence against a representative of authorities. Para 1*

#### **5. Length of the sentence:**

Has not yet been tried

#### **6. Reasons advanced for which these persons concerned could be regarded as political prisoners:**

The materials of all cases as well as testimonies of eye witnesses and numerous recorded materials show that arrests of these persons were executed with grave violations of relevant laws and procedures, without legally founded grounds, in some cases by forces which are not entitled to arrest, with the excessive use of force.

In all cases official accusations were presented with considerable violation of legally defined 72 hour time limit. For the period of time between the arrest and presenting of official accusations all accused were refused any contacts with their relatives and lawyers. Even more, in some cases Police was hiding arrested persons and lying to their relatives that they are not in their custody. Contacts with relatives were allowed only after the visit of AGO Group.

Some suspects were severely beaten and tortured by Police during the arrest and after, as a result some suspects were heavily injured. In all such cases forensic medical examinations were conducted with the delay up to two weeks. The results of examinations were fully disregarded by appropriate bodies or are still unknown.

All cases are fabricated on the basis of contradicting and vague testimonies given solely by Police. In many cases during court hearings victims and involved witnesses have changed, entirely or partially renounced their testimonies given during the pre-trial investigation.

Regardless the fact that in the majority of cases offences for which persons were arrested do not require pre-trial detention, all suspects were kept in pre-trial detention for a considerable period of time on the ground of not substantiated suspicions of the accusing side, all motions of defence lawyers concerning the alteration of restraint measure were rejected by Judges.

In many cases during pre-trial detention investigating authorities were exerting psychological pressure on suspects, sometimes through their relatives in order to extract needed confessions and testimonies.

The pre-trial investigations as well as court hearings were conducted on the basis of disregarding or deliberately rejecting all proves which were in the favour of the detainees, all motions put forward by defence lawyers were rejected by Judges meanwhile all motions of accusing side were fully satisfied.

Court hearings were conducted with grave violation of Procedural Code and in contradiction with ECHR and European case law, in a manner, which obstructed the defence lawyers to perform their duties properly and to the benefit of suspects.

During the majority of court hearings Judges continuously obstruct the work of the representatives of mass media.

Mr. Mkrtich Abrahamyan	CC RA 225/2	Member of Levon Ter-Petrosyan's Electoral Staff in Armavir Marz, Proxy
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### **Case No 29: Mr. Mkrtich ABRAHAMYAN**

#### **1. Personal data:**

Date of Birth:	01.01.1971
Place of Birth:	Janfida Village, Armavir Marz
1978	Graduated from School
1999-1991	Served in Army
Since 1991	Workes in the agricultural sector

#### **2. Date of arrest: 11.03.2008**

#### **3. Legal status of the prisoner:**

Convict, serves the sentence in Prison. Appeals against the sentence.

#### **4. Offences for which the person has been convicted:**

*Article 225. Mass disorder. Para 2*

#### **5. Length of the sentence:**

3.6 years of imprisonment

#### **6. Reasons advanced for which the person concerned could be regarded as a political prisoner:**

In his capacity of the member of Levon Ter-Petrosyan's Electoral Staff, Mr. Abrahamyan, together with the Head of the said Staff has been monitoring the conduct of Presidential Elections in Armavir Marz. During the monitoring they have witnessed numerous violations, including ballot box stuffing, intimidation of voters, which were properly reported to the Central Electoral Staff of Levon Ter-Petrosyan. In the Hoktember Village they recorded the replacement of the Ballot Box before the vote count by the supporters of Serzh Sargsyan. Mr. Abrahamyan has filled a formal complaint to the CEC on this violation.

- Mr. Abrahamyan was arrested on 11.03.08 but the official decision concerning his detention was issued only on the next day.
- During that one day illegal detention Mr. Abrahamyan was severely beaten and tortured.
- The investigators, with the violation of the required procedure, has provided Mr. Abrahamyan with a Public defender who has convinced the suspect to sign the avowal of guilt which was written by the Police. This fact shows that the Public Defender was executing the orders of the Police.
- The accusation was based solely on the basis of testimonies given by contradicting and not proved testimonies of Policemen.
- During the Court hearings it appeared that the person who has arrested, interrogated, took the explanations from the suspect, gave the suspect the avowal of guilt for signature and was acting as the main witness was the same Police Officer, Lieutenant Hrant Sedrakyan.

Mr. Aram Bareghamyan	CC RA 112/2/2, 316/2	Head of Levon Ter-Petrosyan's Hrazdan City Electoral Headquarters, Proxy
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### **Case No 30: Mr. Aram BAREGHAMYAN**

**Head of the All Armenian National Movement Party in Hrazdan Marz.**

#### **1. Personal data:**

Date of Birth	14.08.1963
Place of Birth	Lernanist Village, Hrazdan Marz
1986	Graduated from the Radio-Technical department of Yerevan Polytechnic Institute.
1986-1992	Worked at <i>Hrazdanmeqena</i> Production Complex as an engineer
1990-present	Member of the All Armenian National Movement Hrazdan Regional Council
1995	Elected as the head of the same council
Since 2000	Share-holder of <i>Kentron</i> Ltd.
Currently is employed as an accountant at <i>Lernabekor</i> Ltd.	

#### **2. Date of arrest: 09.03.2008.**

#### **3. Legal status of the prisoner:**

Convict, serves the sentence in Prison. Appeals against the sentence.

#### **4. Incriminated offences:**

*Article 112. Infliction of willful heavy damage to health. Para II/2.*

*Article 316. Violence against a representative of authorities. Para II*

#### **5. Length of the sentence:**

On 17.07.08 sentenced to 6 years of imprisonment.

#### **6. Reasons advanced for which the person concerned could be regarded as a political prisoner:**

In his capacity of the Head of Levon Ter-Petrosyan's Hrazdan City Electoral Headquarters as well as his Proxy, Aram Bareghamtan has been receiving during the Elections all complaints that were filed by opposition Proxies.

During the Election Mr. Bareghamyan has made a number of official announcements concerning the ongoing violations. In response to his demand to observe the Law, the Mayor of the Hrazdan City, who was acting in the favour of Serzh Sargsyan, declared that after the Elections Mr. Bareghamyan will appear behind the bars.

On 1 March 2008, in the course of morning violent crackdown of the Police at the Opera Square, Mr. Bareghamyan was brutally beaten by Police. This fact was recorded by forensic doctors at the Hospital. Nevertheless the court didn't take into consideration this fact and rejected the motion of the defence to recognize Mr. Bareghamyan as the victim of criminal offence.

Mr. Bareghamyan was also assaulted during the pre-trial detention.

Accusation was based solely on the contradicting testimonies of two police officer. One of them was qualified as the victim another as a witness.

During the Court hearings the both Police officers gave vague and contradicting testimonies concerning the following:

- Place where offence has taken place
- Time when offence has occurred
- Type of injuries received by the victim
- Gravity of injuries



- The very fact of the presence of the culprit at the Opera Square at the time when the offence, according to the testimonies given by the both policemen, was allegedly committed has been dismissed by the defense on the basis of the record done in the Hospital.

Thus, in fact the guilt of the culprit has not been proved.

All motions of defence lawyers were rejected by the court without substantively grounded reasons while the motions of the accusation were satisfied.

<b>Mr. Smbat Ayvazyan</b>	<b>CC RA 235/4, 316/1</b>	<b>“Republic” party Bureau member, Former Tax and Customs Minister, Levon Ter-Petrosyan’s Proxy</b>
<b>Mr. David Arakelyan</b>	<b>CC RA 316/1</b>	<b>Chief of Yerevan Central Community Staff of Levon Ter-Petrosyan’s, Proxy</b>
<b>Mr. Tigran Baghdasaryan</b>	<b>CC RA 316/1</b>	<b>ANM Party Member, Levon Ter-Petrosyan’s Proxy</b>
<b>Mr. Masis Ayvazyan</b>	<b>CC RA 316/1</b>	<b>ANM Party Vice President, Coordinator of Levon Ter-Petrosyan’s Regional Electoral Offices</b>
<b>Mr. Hovhannes Ghazaryan</b>	<b>CC RA 316/1</b>	<b>ANM Party Member, Coordinator of Levon Ter-Petrosyan’s Armavir Marz Electoral Staff</b>

### **Case No 31: Mr. Smbat AYVAZYAN**

**Member of the Political Bureau of “Republic” party, Former Tax and Customs Minister, Levon Ter-Petrosyan’s Proxy**

#### **1. Personal data:**

Date of Birth            10.03.1959  
Place of Birth            Yerevan

1980                      Graduated from Yerevan Institute of Economics, MS in Economics  
1980-1982              Service in the Soviet Army.  
1982-1988              Worked as Economist in different structures.  
1991                      Prosecutor of Shahumyan Region of Naghorno Karabagh  
1992                      Was first Commandant of Qashatagh District. Head of Emergency Service of Karmir Region of Armenia, Operative Staff member of the Sevan Lake Region and coordinator of Military issues. Head of “Tigran Mets” self defence organization  
1994-1998              Director of “Sapphire” factory  
1998                      Head of Tax Department of Armenia  
1999-2000              Minister of State Incomes of Armenia  
1990-1995              Member of National Assembly. Member of the Standing Committee on Defence and Internal Affairs.  
1995-1999              Member of National Assembly, member of “Hanraprtutiu” (Republic) fraction, member, and then Head of Yerkrpah parliamentary unit.  
2003-2007              Re-elected to the NA and the Standing Committee. Member of Political Bureau of “Hanrapetutyun” Party.

**2. Date of arrest: 24.02.2008.**

**3. Legal status of the prisoner:**

Culprit, placed in pre-trial detention.

**4. Incriminated offences:**

*Article 316. Violence against a representative of authorities. Para I*

*Article 235. Illegal procurement, transportation or carrying of weapons, ammunition, explosives or explosive devices. Para IV*

**5. Length of the sentence:**

Court hearings started on 22.07.2008.

**6. Reasons advanced for which the person concerned could be regarded as a political prisoner:**

Mr. Ayvazyan is the Member of Political Bureau of "Hanrapetutyun" Party, which has supported the candidacy of Levon Ter-Petrosyan during the 2008 Presidential elections. He also was nominated as Proxy of the said candidate during the Elections.

On 24.02.08 near Yerevan's Liberty Square, where tens of thousands of Ter-Petrossian supporters have been demonstrating against the official vote results for over a week, his car was stopped by a group of Policemen and he was arrested. During the arrest and the search Police found a gun and motivated his arrest by illegal carrying of arms. Regardless the fact that in two hours it became clear that the gun was legal, Ayvazyan was kept in detention about 10 hours without registration of the fact that he was taken into custody and kept at the Police. At about 11:00 p.m., again without any official records, he was transferred in handcuffs to another Police station and tested for drugs. This was another failed attempt to incriminate him a crime.

Ayvazian was officially charged only late Tuesday, 26.02.08, with resisting Police by pushing a Police officer in chest on the way back from the drug test, within the premises of the police station. It must be mentioned that at that time Ayvazyan was in handcuffs. Although the forensic medical examination of the said officer defeated that accusation, Mr. Ayvazyan has not been released from custody.

Initial accusation was based solely on the testimony of three police officers.

Later during the search conducted in his apartment, police has found a truncheon, which was qualified by the investigators as illegal arms and ammunition. The truncheon was purchased by Smbat Ayvazyan, who is the member of the Hunting Society of Armenia, in the specialised hunting shop. This was used by the accusing side to charge him additionally in accordance with the Article 235 Part 4.

All motions of defence lawyers concerning the alteration of the restraint measure were rejected by the court without substantively grounded formal and legal reasons.

### **Case No 32: Mr. David ARAKELYAN**

**During Presidential election 2008 Mr. Arakelyan was the Chief of Yerevan Centre Community Electoral Staff of Levon Ter-Petrosyan, Proxy**

#### **1. Personal data:**

Date of Birth	1964
Place of birth	Yerevan.
1992	Graduated from the Armenian State Polytechnic Institute
1985-1995	Worked in the Yerevan Construction Project Institute as an engineer-constructor
1991	Elected as a member of Spandarian District Council, Yerevan
1995-1996	Served as the Deputy Head of “Haymamul” press agency
1996-1997	Deputy Head of Subway Police Division of the Ministry of Internal Affairs.
1997-2002	Deputy Mayor of Kentron Community, Yerevan
2002	Elected as the President of the All Armenian National Movement regional Unit of Kentron Community, Yerevan, member of All Armenian Movement Board

#### **2. Date of arrest: 01.03.2008.**

#### **3. Legal status of the prisoner:**

Convict, suspended sentence, appeals against the sentence.

#### **4. Offences for which the person has been detained:**

*Article 316. Violence against a representative of authorities. Para 1*

## **5. Length of the sentence:**

On 11.06.08 sentenced to 1.5 year of imprisonment.

## **6. Reasons advanced for which the person concerned could be regarded as a political prisoner:**

In his capacity of the Chief of Yerevan Central Community Electoral Staff of LTP and a Proxy, David Arakelyan has been receiving during the Elections all complaints that were filed by opposition Proxies, Electoral Commission members and observers.

In his presence police officers have expelled from the precinct 9/24 the proxy of Levon Ter-Petrosyan Ms. Donara Matevosyan, who was trying to stop the hindrance to the free implementation of the citizen's right to elect. Mr. Arakelyan, who came to the precinct upon the receipt of information about ongoing violations, was unable to prevent the obvious abuse of power by Police.

He also has witnessed how in the result of the recount of votes at the precinct 9/31, which resulted in decrease of votes in favor of S. Sargsyan from 700 to 315, and increase of the number of votes in favor of LTP from 320 to 400, were revealed those responsible for that fraud, but who, nevertheless didn't carry any responsibility for their actions.

In the course of arrest Mr. Arakelyan was severely beaten in the Police Vehicle by policemen. They were using truncheons and kicking him by feet so strong and targeted, that it was evident that they were instructed to maximally harm him. Even after more than two months there was a notable blue under his left eye. No forensic medical examination was done on time, David Arakelyan has not been recognized as a victim of violence thus no a single policeman was charged for the violence.

Accusation is based only on the testimony of police officers who have arrested Mr. Matevosyan and heavily assaulted him physically.

During the pre-trial detention and court hearings motions put forward by defence lawyers were rejected by the Judge, while all motions of the accusation were satisfied.

## **Case No 33: Tigran BAGHDASARYAN**

**During the presidential elections 2008 Tigran Baghdasaryan has actively supported Levon Ter-Petrosyan's candidacy, and was the Head of a regional campaign office of Arabkir community in Yerevan. He was also participating in electoral process as a proxy.**

### **1. Personal data:**

Date of Birth            1952

Place of Birth            Yerevan

Tigran Baghdasaryan was an activist of the National Movement in 1988, and a member of All Armenian National Movement party. He also actively participated at self-defensive battles of Tavush. Tigran is also famous as a successful artist, and received many awards at several art exhibitions. His masterpieces are exposed in many galleries and private collections in USA, Italy, Russia, and Greece etc. Tigran Baghdasaryan was the director of the Gallery of Yerevan city History and then the manager of Shoghakat exhibition hall of Armenian Apostolic Church.

**2. Date of arrest: 01.03.08**

**3. Legal status of the prisoner:**

On 12.05.08 was released on bail. In July was convicted.

**4. Offences for which the person has been detained:**

*Article 316. Violence against a representative of authorities. Para 1*

**5. Length of the sentence:**

Sentenced to fine in the amount of 350 000 AMD. Appeals against the sentence.

**6. Reasons advanced for which the person concerned could be regarded as a victim of political persecution:**

On the March 1, 2008, at about 08:00 a.m, Tigran Baghdasaryan was arrested, together with several other persons, near Liberty Square. He was physically abused, wounded by masked policemen in the Police vehicle after the arrest. Policemen hit his forehead with a rubber baton. As his wife Irina tells, on March 8 their house was searched, no illegal items were found. And when she asked why her husband had not been examined by a forensic doctor, (she was already informed that her husband was beaten), the investigator answered that everything would be done only when needed. No examination was done.

Furthermore the official accusation was put forward with the violation of 72 hours time limit.

Baghdasaryan was initially charged with CC Articles 225/2 and 316/2. Later policemen have changed their testimonies, which question the overall credibility of their testimonies. As a result Baghdasryan now is facing trial for the breach of Article 316/1. If he would be charged with this article from the very beginning he shouldn't be taken into custody.

The materials of the case show that the pre trial investigation as well as court hearings were conducted on the basis of questioning or even rejecting all proves which were in the favour of the detainee, meanwhile all accusing proves were fully accepted.

Court hearings are conducted with grave violation of Procedural Code and in contradiction with ECHR and European case law, in a manner, which obstructs the defence lawyer to perform her duties properly and to the benefit of the suspect.

Particularly:

- Mr. Baghdasaryan was present at the first hearings with handcuffs,
- Investigating body didn't present accusation materials to the defence for their proper study before the hearings, which made impossible for the defence to intervene on the substance of the case.
- The court didn't allow defence to protest against such misconduct of prosecutor.
- The court has violated the presumption of innocence by its decision to keep Mr. Baghdasaryan in the custody on the basis of the suspicion that "if freed **he will continue his criminal activities**".
- The court didn't allow the defence to present its proves which would dismiss the allegations made by investigation body,
- Accusation is based solely on the testimony of four police officers.

### **Case No 34-35: Masis AYVAZYAN, Hovhannes GHAZARYAN**

#### **Mr. Masis Ayvazyan**

**Member of the ANM Board. During the 2008 Presidential Elections Head of Levon Ter-Petrosyan's Campaign office in Aragatsonti Marz. Lieutenant Colonel of Police Forces**

#### **1. Personal data:**

Date of Birth            26.05.1956  
Place of Birth           Alaverdi City

1977	Graduated from the Yerevan Institute of Physical Culture
1979-1980	Worked in the Yerevan Watch Factory
1981-1982	Worked in the republican Sport-Committee's scientific division
1992-1992	Senior Coach and later Deputy Head of the division
1992-1997	Head of the General Department of Human Recourses, Ministry of Internal Affairs,

1997-1998	Head of the Apartment Services Department, Yerevan Municipality
1998-2000	Chief of staff of the All Armenian National Movement
2000-2002	Chief of Staff of the Yerevan Centre Community Council

**2. Date of arrest: 01.03.2008**

**3. Legal status of the prisoner:**

Convict, suspended sentence, appeals against the sentence.

**4. Offences for which the person has been convicted:**

*Article 316. Violence against a representative of authorities. Para 1*

**5. Length of the sentence:**

On 11.06.08 was sentenced to 1.6 year of imprisonment.

**Mr. Hovhannes GHAZARYAN**

**During 2008 Presidential Elections was the coordinator of the Pre-Electoral Staffs of Levon Ter-Petrosyan in Armavir Marz. ANM Bureau Member**

**1. Personal data:**

Date of Birth	1959
Place of Birth	Yerevan
1976	Graduated from secondary school
1977-1979	Service in the Soviet Army
1976-1977, 1979-1980	Worker at the Ur
1980-1983	Worked at the Yerevan Jewellery Factory
1983-1987	Studied and graduated from Yerevan State Institute of Physical Culture
1987-1992	Worked as Methodist at the State Committee of Physical Culture

1992-1994	Director General of Armenian Forestry manufacture
1994-1996	Deputy Minister of National Security
1998-2002	Advisor to the Head of Yerevan Centre Community Council

## **2. Date of arrest: 01.03.08**

## **3. Legal status of the prisoner:**

Convict, suspended sentence, appeals against the sentence.

## **4. Offences for which the person has been convicted:**

*Article 316. Violence against a representative of authorities. Para 1*

## **5. Length of the sentence:**

On 11.06.08 was sentenced to 1.5 year of imprisonment

## **6. Reasons advanced for which the persons concerned could be regarded as the victims of political persecution:**

The materials of the case show that the pre trial investigation as well as court hearings of Mr. Ayvazyan and Mr. Ghazaryan were conducted on the basis of questioning or even rejecting all proves which were in the favour of the detainees, meanwhile all accusing proves were fully accepted.

They were arrested on the basis of the breach of CC Articles 225/2 and 316/2. Later policemen have changed their testimonies, which question the overall credibility of their testimonies. As a result Mr. Ayvazyan and Mr. Ghazaryan were kept in pre-trial detention for more than 3 months and subsequently convicted for the breach of Article 316/1.

Their apartments were searched by Police, no illegal items were found.

Investigation and the Court hearings were conducted by the Judge in very biased and similar manner.

Particularly:

- The court didn't allow the defence to present proves which would dismiss the allegations made by investigation body.
- All motions of defence lawyers concerning the alteration of the restraint measure were rejected by the court without substantively grounded formal and legal reasons.



- The court ignored all motions of defence lawyers concerning the lawfulness of the arrest, reliability of contradicting testimonies, and necessity of hearing witnesses other than those announced by the accusation.
- Judgment is based only on the testimony of police officers who have arrested them.

Mr. Vardan Ghavalbabunts	CC RA 225/2	Levon Ter-Petrosyan's Malatia Sebastia Electoral Staff member, Proxy
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### **Case No 36: Mr. Vardan GHAVALBABUNTS**

**During presidential elections 2008, was Levon Ter-Petrosyan's Yerevan Malatia Sebastia Community Electoral Staff member, Proxy**

#### **1. Personal data:**

Date of Birth	22.08.1972
Place of Birth	Yerevan
1992-1994	Driver in the Ministry of Interior, Capitan
1994-2004	Taxi driver
Since 2004	Driver in Mother See of Holly Etchmiadzin

#### **2. Date of arrest: 16.03.2008**

#### **3. Legal status of the prisoner:**

Convict, serves the sentence in Prison. Appeals against the sentence.

#### **4. Offences for which the person has been detained:**

*Article 225. Mass disorder. Para II*

#### **5. Length of the sentence:**

Sentenced to 4 years of imprisonment.

## **6. Reasons advanced for which the person concerned could be regarded as a political prisoner:**

Vardan Ghavalbabunts was the driver of Mr. Vano Siradeghyan, the former Minister of Interior and a close ally of Levon Ter-Petrosyan. Vano Siradeghyan was accused in grave crimes which have never been proved. The accusation of Mr. Ghavalbabunts explicitly makes reference to this episode of his biography as to the constituent element of an offence. This presumption clearly indicates that the case against Mr. Ghavalbabunts is nothing but political persecution.

- According to the accusation the other component of his crime is the fact that on March 1 he was seen on the Myasnikyan Square beside some leaders of the opposition.
- Accusation is based only on the questionable testimony of the victim, a police officer, who allegedly has recognized the culprit.
- The court disregarded proves presented by the defence, which would dismiss the allegations made by investigation body.
- The Court has rejected motions of the defence, but satisfied all motions of the accusation.

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## **Appendix I**

### **Criminal Code of Armenia**

#### *Article 38. Types of accomplices.*

1. The organizer, the abettor and the helper are considered the accomplices to the perpetrator.
2. The perpetrator is the person who immediately committed the crime or immediately participated in its committal with other persons (accomplices), as well as the one who committed the crime through the use of persons not subject to legal criminal liability or the persons who committed a crime through negligence.
3. The organizer is the person who arranged or directed the committal of the crime, as well as, the one who created an organized group for committal of crime or criminal association or directed the latter.
4. The abettor is the person who abetted another person to the committal of crime through persuasion, financial incentive, threat or other means.

5. The helper is the person who assisted to the crime through pieces of advice, instructions, information or provided means, tools, or eliminated obstacles, as well as, the person who had previously promised to harbor the criminal, to hide the means and tools of crime, the traces of the crime or the items procured through crime, as well as, also, the person who had previously promised to acquire or sell such items.

***Article 112. Infliction of willful heavy damage to health.***

1. Infliction of willful bodily damage which is dangerous for life or caused loss of eye-sight, speech, hearing or any organ, loss of functions of the organ, or was manifested in irreversible ugliness on face, as well as caused other damage dangerous for life or caused disorder, accompanied with the stable loss of no less than one third of the capacity for work, or with complete loss of the professional capacity for work obvious for the perpetrator, or caused disruption of pregnancy, mental illness, drug or toxic addiction, is punished with imprisonment for the term of 3 to 7 years.

2. The same act, committed:

- 1) in relation to two or more persons;
- 2) in relation to the person or his relatives, concerned with this duty or carrying out one's public duty;
- 3) in relation to a kidnapped person or hostage;
- 4) with particular cruelty;
- 5) by a means dangerous for other people's life;
- 6) by a group of persons, by an organized group;
- 7) with mercenary motives, as well as accompanied with extortion;
- 8) accompanied with terrorism;
- 9) with hooligan motives;
- 10) to conceal another crime or facilitate its committal;
- 11) accompanied with rape or violent sexual acts;
- 12) with motives of national, racial or religious hatred or religious fanaticism;
- 13) with the purpose of using the parts of the body or tissues of the aggrieved,
- 14) if caused the death of the aggrieved by negligence, is punished with imprisonment for the term of 5 to 10 years.

***Article 149. Hindrance to implementation of the right to elect, to the work of election commissions or to the implementation of the authority of the person participating in elections.***

1. Hindrance to the free implementation of the citizen's right to elect or to referendum, or hindrance to the work of the election or referendum commission, as well as, hindrance to the implementation of the authorities of the election or referendum commission or initiative group, candidate or his proxy, observers, mass media representatives, the authorized person of the party (or association of parties), is punished with a fine in the amount of 200 to 400 minimal salaries, or 120-180 hours of public labor, arrest for up to 1 month.

2. The same actions:

- 1) committed with threat to property,
  - 2) with financial incentive,
  - 3) accompanied with violence or threats to use violence,
  - 4) committed by abuse of official position,
  - 5) committed by a group.
- are punished with imprisonment for up to 5 years.

***Article 190. Legitimizing (legalizing) illegally obtained income.***

1. Financial or other transactions with obviously illegally obtained financial resources or other property for the purpose of using such funds or property for entrepreneurial or other economic activity, to conceal or distort the essence, origin and whereabouts of these assets or rights pertaining to them, their placement, movement or actual identity, is punished with a fine in the amount of 300 to 500 minimal salaries, or with imprisonment for the term of up to 4 years with or without a fine in the amount of 50 minimal salaries.

2. The same action committed:

- 1) in large amount;
- 2) by a group with prior agreement, is punished with imprisonment for the term of 4 to 8 years, with or without property confiscation.

3. The action envisaged in part 1 or 2 of this Article which was committed:

- 1) in particularly large amount;
- 2) by an organized group,
- 3) abuse of official position, is punished with imprisonment for the term of 6 to 12 years, with or without property confiscation.

4. For the purposes of this Article, by large amount we mean an amount (value) exceeding 1000 minimal salaries, while particularly large amount exceeds 3000 minimal salaries..

***Article 225. Mass disorder.***

1. Organization of mass disorder, accompanied with violence, pogroms, arson, destruction or damage to property, using fire-arms, explosives or explosive devices, or by armed resistance to the representative of the authorities, is punished with imprisonment for the term of 4 to 10 years.

2. Immediate implementation of actions envisaged in part 1 of this Article, is punished with imprisonment for the term of 3 to 8 years.
3. Acts envisaged in part 1 or 2 of this Article accompanied with murder is punished with imprisonment for 6-12 years.

***Article 235. Illegal procurement, transportation or carrying of weapons, ammunition, explosives or explosive devices.***

1. Illegal procurement, transportation, keeping or carrying of weapons, explosives or explosive devices, except smoothbore long-barrel hunting guns, ammunition, is punished with arrest for the term of up to 3 months, or with imprisonment for the term of up to 3 years and a fine in the amount of up to 500 minimal salaries, or without that.
2. The actions envisaged in part 1 of this Article which were committed by a group with prior agreement, are punished with imprisonment for the term of 2 to 6 years.
3. The actions envisaged in part 1 of this Article which were committed by an organized group, are punished with imprisonment for the term of 3 to 8 years.
4. Illegally carrying of gas weapons, cold steel, or throwing weapons, is punished with correctional labor for 1-2 years, or arrest for the term of 1-3 months, or with imprisonment for the term of up to 2 years and a fine in the amount of up to 200 minimal salaries, or without that.
5. The person who voluntarily surrendered the items mentioned in this Article is exempted from criminal liability, if there are no other elements of crime in his actions.

***Article 300. Usurping state power.***

1. Usurping state power, i.e. seizure of state power, in violation of the Constitution of the Republic of Armenia, or keeping it with violence, as well as, actions aimed at the overthrowing of constitutional order of the Republic of Armenia, or the violent breach of territorial integrity of the Republic of Armenia, is punished with imprisonment for the term of 10 to 15 years.
2. The person who voluntarily informed the authorities about the crime envisaged in this Article, is exempted from criminal liability, if, as a result of taken measures and provided information, the committal of these actions was prevented.

***Article 316. Violence against a representative of authorities.***

1. Violence or threat of violence, not dangerous for life or health, against a representative of authorities or close relatives, concerned with performance of his official duties, as well as hindrance to the representative of authorities in the execution of duties under law, is punished with a fine in the amount of 300 to 500 minimal salaries, or with imprisonment for the term of up to 5 years.

2. Resistance to the representative of the authorities while in the line of duty or forcing him to perform obviously illegal actions, committed with violence or threat thereof, is punished with a fine in the amount of 300-500 minimal salaries, or arrest for up to 2 months, or imprisonment for up to 1 year.
3. Violence against the persons mentioned in part 1 or 2 of this Article, which is dangerous for life or health, is punished with imprisonment for the term of 5 to 10 years.
4. In this Code, by a representative of authorities we mean, the official of state and self-government bodies who is vested with the power to command to persons who are not under his subordination.

***Article 333. False crime reporting.***

1. False crime reporting, if the person consciously provided false information, is punished with a fine in the amount of 200 to 400 minimal salaries, or correctional labor for 1-2 years, or with arrest for the term of 1-3 months, or with imprisonment for the term of up to 2 years.
2. The same action which
  - 1) was accompanied with accusation of a grave or particularly grave crime;
  - 2) was accompanied with artificial creation of evidence of accusation,
  - 3) for mercenary purposes, is punished with imprisonment for the term of up to 5 years.

**Code of Criminal Procedure of Armenia**

***Article 121. Records of investigations and court proceedings***

4. If the record of the investigation is not complete, it cannot be completed by the testimony of the officer of the inquiry body, investigator, or prosecutor, witness to the search, to serve as basis for accusation.

***Article 86. Witness***

2. The following persons can not be summoned and interrogated in the capacity of the witnesses:
  - 1) the persons, who in the force of physical or mental defects are not able to perceive correctly and reproduce the circumstances, subject to establishment upon the criminal case;

4) the judge, the prosecutor, the investigator, the officer of the body of inquiry, and the secretary of the court session, in connection with the criminal case, in which they have exercised their procedure powers, with the exception of the cases of the investigation of the mistakes or abuses at the proceedings of that case, resumption of the proceedings of the case upon the newly revealed circumstances or the restoration of the lost proceedings;