

# **REPORT**

## **ON THE ACTIVITIES OF THE GROUP OF PUBLIC OBSERVERS AT THE DETENTION FACILITIES OF THE RA POLICE SYSTEM**

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## **I n t r o d u c t i o n**

The RA Law «On the Custody of Detainees and Prisoners» reads, «Keeping detainees in custody is done on legal ground, respecting the principles that all detainees are equal before the law, they are human, they have their rights, freedoms and dignity.» Whether or not the principles in the above mentioned citation are being observed accurately may be verified only through public monitoring. Article 47 of the Law «On Custody of Detainees and Prisoners» regulates that the public monitoring of the activities of detention facilities be conducted by a public monitoring group formed by competent authorities.

On January 14, 2005, the RA Chief of Police with the A1-N order confirmed the regulations (hence forth Regulations) of the activities of the public monitoring group at the detention facilities of the police department. According to the same Regulations, on March 10, 2006, the RA Chief of Police, by order 368 confirmed the staff of the public monitoring group (henceforth Group) and the RA Police department handed over membership certificates to them. The members are elected for a three – year term. The Group consists of representatives of several public, as well as law organizations. The Group is a supervising body, the task of which is to secure the protection of human rights and liberties of persons held at the detention facilities of the police system. According to the regulations, the members of the Group have the right of free access to the detention facilities (DF) of the police, meet with the detainees, acquire knowledge of the inner legal deeds regulating the DF activities, upon the consent of the detainees familiarize themselves with their case and writings (except for government and official secrecy concerned documents).

In April and August, 2006, special training courses were organized for the Group by the OSCE Office in Yerevan, with support from OSCE/ODIHR and Penal Reform International.

The Group started its monitoring visits to the police DFs in April 2006. According to the Regulations, in order to conduct complete inspection, within a year the Group must pay at least one visit to at least half of the DFs. But during the short period of its functioning (April to October, 2006) the Group has managed to pay scheduled and non-scheduled visits to all the DFs of the RA. The non-scheduled immediate response visits were conducted on the basis of call alerts from the lawyers and relatives of the detainees. This proves that the Group has gained public trust.

This report presents the conditions in which detainees are kept at the DFs of the RA police system visited by the Group, the ways the detainees are treated by the police officials. During their visits the members of the Group have also paid attention to cases of inhumane treatment of the detainees, to whether they are given an opportunity to get legal help, receive proper medical care, to whether they are fed properly, to whether they are able to meet their personal hygiene and other needs.

The Group thanks the RA Police System and the DF staff for their cooperation. The Group expresses its gratitude to the OSCE/ODIHR and the OSCE Office in Yerevan for their professional, methodical and financial support.

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# **Observations of the RA Police detention facilities**

## **Observations at the Yerevan City Detention Facility of the RA Police**

The Detention facility has 12 cells, each for 2 persons, and 9 cells each for 3 persons, 2 questioning rooms, a medical service room, a visiting room, a kitchen, a walking area, 2 toilets and 1 bathroom. The daylight at the cells was satisfactory, but there were no electric lights in 11 cells. The medical service room was properly furnished and had plenty of medicine (not expired). The visiting room had a card operated phone, available to all detainees who need to call to their relatives. As a rule the phone cards are provided by the relatives. The toilets were satisfactory.

During the interviews with the DF staff the Group learned that the detainees take their meals in the cells. The Group was informed that the tableware was kept in the warehouse and could be provided to the detainees by the officer of the day any time needed.

The kitchen was located on the second floor. It had a table, refrigerator, electric stove and a sink. The Group was informed that upon the wish of the detainees the food could be warmed up by the employees. The detainees were fed three times per day. The walking area was in a satisfactory condition.

During the talks with the DF staff the Group also learned that the facility could not be provided with heating because of the lack of gas pipes in certain parts of the building.

### **Findings from the registers**

1. The DF «Duty Handover and Acceptance» file was available.
2. The «Registration of the Detainees» file held 540 records registered in 2006, 415 of which were the records of detention and the 125 were those of release.
3. The «Medical Examination and Treatment» file had 560 records in it done in 2006.
4. The «Informing the Relatives» file was available.
5. The «Body Injuries» file was missing.
6. The «Comments and Suggestions» file was available.
7. The «Taking the Detainees out of the Cells» file was available. There were 757 records in 2006, but there was none reporting that they had been taken out for a walk.
8. The «Registration and Handing over of the Parcels» file was available. There were 398 records done in 2006.
9. The «Registration of Visits» file was available. It held 16 records registered in 2006, the last one on 30.09.2006.
10. The «Food» file was available.
11. The «Detainees Phone Calls» file was missing.

The full Description of the RA Police Yerevan city Detention Facility is provided in Appendix 1.

## Suggestions

1. Urgently solve the problem of the gas pipe, before the heating season starts.
2. *The ventilation system of the whole detention facility needs to be repaired.*

## Appendix 1

The complete description of the Yerevan Detention Facility is given below:

Staff	Superintendent, deputy superintendent, 3 oper. 4 chief inspectors, 4 officers of the day, 4 assistant officers of the day, 4 medical assistants, 21 guard policemen, 1 driver
Number of Cells	1 <sup>st</sup> floor - 5 cells, 2 <sup>nd</sup> floor –16 cells
Cell sizes	All cells are 12 sqm
Window sizes	0.5m x 0.9m
Illumination	Satisfactory
Furnishing	9 cells – 3 beds, 12 cells –2 beds, mattresses, pillows, blankets, chair and table fastened to the ground. The list of rights and obligations of the detainees, as well as the daily schedule are hanging on the walls.
Questioning room Visiting room	Two well-lit rooms, each room has 2 chairs and a table fastened to the ground
Medical room	One bed, the doctor's table, a chair, a medicine cabinet, a medicine table, a dustbin, a sink
Medicine	1.Levofit, 2.Niposan, 3.Tetratsiklin, 4.Sintomitsin, 5.Banitidin 6.Papasol and others
Expired Medicine	None
Visiting room	A chair and a table on both sides divided by organic glass. A card operated telephone.
Toilets	Two toilets, each with 4 seats, 4 sinks. Toilets are in good condition.
Bathroom	One bathroom of the 1 <sup>st</sup> floor, in good condition
Kitchen	A table, a refrigerator, an electric stove, a sink
Tableware	For 7 persons, kept with DF officer of the day
Walking area	Good condition

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# Syunik Region

## Observations at the Sisian DF of the Syunik Regional Administration of the RA Police

The DF consisted of 4 single cells, a questioning room, a visiting room, a kitchen, a walking area, toilets. The questioning room windows were covered with metal plates, which blocked the natural light. There was no medical service room; the medicine (all expired in 1999) was stored in the officer of the day room. The toilets were in an unsatisfactory condition; the faucets were out of order. The kitchen was in a good shape, equipped with all necessary utensils. The walking area was not in use due to renovation. The natural light in the visiting room was extremely bad.

The cells did not have the papers of the «Law on the Rights and Obligations of Detainees». The Sisian Police operative deputy superintendent violated Article 47 of the law “On the Custody of Detainees and Prisoners” and the order N1 «On the Regulations of the Monitoring Group» of the RA Chief of Police issued on January 14, 2005, by refusing to submit the files of the DF to the Group. After a while, as a result of persistent demands by the Group members, the deputy handed them the files but claimed that the Group did not have the right to check the files. While the Group was checking the files, he said, « if we had made mistakes in the files, we would have corrected them long time ago».

The Group found no single resolution or court order to justify the legal grounds on which the detainees whose stay at the DF had exceeded 72 hours were still being kept there.

Article 16 of the Constitution states that if a detainee is not imprisoned within 72 hours from the moment of his arrest, the person is entitled to be released, and according to Article 137.2 of the RA Criminal Law, the detainee cannot be held in custody for more than 3 days. The RA Law «On Detainees and Prisoners» reads: *«In case it is impossible to move a prisoner from a particular penal facility every day for the purpose of questioning and conveying a juridical examination outside the facility, the imprisoned can be moved to a detention facility for up to 3 days upon the decision of the investigator, the judge or the court of law».*

### Findings from the files

1. The DF «Duty Handover and Acceptance» file was available.
2. The «Registration of the Detainees» file held 17 records, according to which I. H. had been arrested on 20.01.06 at 10:15 and had been kept there till 13:00, 24.01.03. O.A. been arrested at 20:30, 28.02.06 and had been kept there till 15:30, 04.03.06.
3. The «Medical Examination and Treatment» file held only one record and that of O.A. registered at 13:10, 10.05.06.
4. The «Informing the Relatives» file was missing
5. The «Body Injuries» file was missing
6. The «Comments and Suggestions» file was missing
7. The «Releasing of Detainees from the Cells» file held 46 registrations for 2006, the last one on 21.06.06 at 18:00.
8. The «Registration and Handing over of the Parcels» file was missing.
9. The «Registration of the Visits» file was missing.
10. The «Food» file was available. The registration in it was, «550g of bread instead of 120g».
11. The «Detainees Phone Call» file was missing.

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12. The «Suggestions, Requests and Complaints by the Detainees» file was missing.

The complete description of Sisian DF of the Syunik regional administration of the RA Police is provided in Appendix 2

### **Suggestions**

1. Provide the DF with a medical room.
2. Pay more attention to the medicine.
3. Solve the water problem.
4. Toilets should meet the sanitary requirements.
5. Remove the metal plates from the windows of the questioning room.
6. Do not keep the detainees at the DF for more than 72 hours.

## **Observations at the Goris DF of the Syunik Regional Administration of the RA Police**

The DF consisted of 4 single cells, a questioning room, a visiting room, a kitchen, a walking area and a toilet. There was only one chair in the questioning room; the second one was missing. When asked where the second chair was, the DF employee answered that the investigator brings his own chair. There was neither a medical room nor medicine. The visiting room was light and furnished. The toilet was in a good condition. The water in the kitchen contained rust and was not good for use. There were no plates or other tableware (we wonder how the detainees eat their meals?)

The operative deputy chief of the police and the officer of the day at the DF violated Article 47 of the law «On the Custody of Detainees and Prisoners» and the January 14, 2005 order #1 by the RA Chief of the Police on the Regulations of the Monitoring Group, by creating obstacles to the activities of the Group and not letting them enter the DF for almost 20 minutes.

While the Group was waiting at the police department, they noticed a man being taken away from the DF. The man had a bruise round his eye and looked very pale. When asked by the Group who the man was, the operative deputy chief of the police bluntly stated that no one had been taken away from the DF. The examination of the DF registers revealed no record of the above mentioned person in the «Registration of the Detainees» file. The members were given the «Registration of the Persons Brought in to the Police Station» file at the officer of the day room. The file contained a record of a certain N. D., brought in to the police station on 03.08.06 at 23:00, but no record about him being released. The visit paid by the Group to the Goris DF was on 04.08.06, which means that the above mentioned person had been detained illegally. The police employees stated that the person had not been kept at the DF, but at a 3-hour (temporary) confinement cell for about 12 -13 hours. The Group again visited the DF on 05.08.06 at around noon willing to talk to that person, as the day before they had noticed the bruise round his eye and his pale complexion. When asked where the Group could find that person, the operative deputy chief of the police told them that he might have been released. The Group was given the «Registration of Persons Brought in to the Police Station» file. After studying the file, the operative deputy chief of the police informed the Group that there was no record on the release of that person. Meanwhile the Group was informed that the above mentioned person was a former police employee and the operative deputy chief kept saying, « But how we can treat badly a former employee of the police? »



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After studying the files, the Group found out that from January till April, 2006, 30 people, held as detainees, had been kept for more than 72 hours, which is a violation of both, the Constitution of RA and the RA criminal law standards.

### **Findings from the files**

1. The DF «Duty Handover and Acceptance» file was available.
2. The «Registration of the Detainees» file held 48 records for 2006, the last record on 31.07.06 at 11:00 -11:45.
3. The «Medical Examination and Treatment» file held 2 registrations in 2006, both for the same person.
4. The «Informing the Relatives» file was missing
5. The «Body Injuries» file was missing
6. The «Comments and Suggestions» file was missing
7. The «Releasing of Detainees from the Cells» file was available with the last registration made on 19.07.06.
8. The «Registration and Handing over of the Parcels» file was missing.
9. The «Registration of the Visits» file was missing.
10. The «Food» file was available. The last registration was on 19.07.06 and the contents were, «bread 550g, tea-1, warm dinner, grains, sugar, cheese».
11. The «Detainees Phone Call» file was missing.
12. The «Suggestions, Requests and Complaints by the Detainees» file was missing.

The complete description of the Goris DF of the RA Syunik regional administration is provided in Appendix 2

### **Suggestions**

1. Provide the DF with a medical room.
2. Pay much attention to the medicine.
3. Solve the water problem.
4. Provide the questioning room with a second chair.
5. Provide the detainees with a daily one-hour walk; install a one or two square meter roof at the walking area to protect the detainees from the sun and the rain. As well as provide the detainees with sports equipment to enable them to exercise.
6. Find and strictly punish those employees who beat the detainees.

## **Observations at the Kapan DF of the Syunik Regional Administration of the RA Police**

The DF consisted of 6 cells each for 2 persons, a questioning room, a visiting room, a kitchen, a walking area and a toilet. The linen was missing from some of the cells. The sixth cell, for some unknown reason, was not furnished at all. The light was satisfactory. The questioning room was light and properly furnished. There was no medical room, but there was a medicine cabinet. There were seven types of medicine (see picture 1). The daylight at the visiting room was insufficient because of the metal windows. The toilet was in a very good condition. There was an electric stove, a table, a chair and a cupboard in the kitchen. The tableware was in the cells.

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The imprisoned Vr. D. had been kept at the DF from 30.07.06 till 04.08.06 (resolution of the imprisonment passed on 01.08.06) and the detainee A. Gh. from 30.07.06 till 04.08.06 (resolution of the imprisonment passed on 02.08.06). There was a resolution of the arrest of the mentioned persons but there was no reason to keep them at the DF.

The regional police deputy chief informed the Group that «once a resolution of the arrest has been passed, the police have the right to keep the detainee for 6 days».

According to the RA criminal law 137 point 2, the imprisoned should not be kept for more than 3 days at the DF, excluding the cases where, because of lack of transportation, the detainee cannot be taken to an isolation cell for questioning or to other detention facilities.

According to Article 6 of the RA law «On Detainees and Prisoners» *«In case it is impossible to move a prisoner from a particular penal facility every day for the purpose of questioning and conveying a juridical examination outside the facility, the imprisoned can be moved to a detention facility for up to 3 days upon the decision of the investigator, the judge or the court of law».*

### **Findings from the files**

1. The DF «Duty Handover and Acceptance» file was available.
2. The «Registration of the Detainees» file was available.
3. The «Medical Examination and Treatment» file held 16 registrations in 2006.
4. The «Informing the Relatives» file was missing.
5. The «Body Injuries» file was available.
6. The «Comments and Suggestions» file was available.
7. The «Releasing of Detainees from the Cells» file was available.
8. The «Registration and Handing over of the Parcels» file was available. The last record was on 17.05.06.
9. The «Registration of the Visits» file was missing.
10. The «Food» file was missing.
11. The «Detainees Phone Call» file was missing.
12. The «Suggestions, Requests and Complaints by the Detainees» file was missing.

The complete description of the Kapan DF of the RA Syunik regional administration is provided in Appendix 2

### **Suggestions**

1. Provide the DF with a medical room.
2. Pay much attention to the medicine.
3. Provide the detainees with a daily one-hour walk; install a roof at the walking area to protect the detainees from the sun and the rain.
4. Use the DF only for the purpose of holding the detainees and not turn it into a penal institution.

## **Observations at the Meghri DF of the Syunik Regional Administration of the RA Police**

The DF consisted of 2 cells each for 2 persons, a questioning room, a kitchen, a walking area and a toilet. The light inside the cells was very poor and it was impossible to read or write anything. The third cell was used as a warehouse. The questioning room had one table and a

chair. There was no medical room, no medicine, no bathroom and no visiting room. The toilet was located in the corridor, without a door and for that reason there was a smell throughout the whole detention facility. The tableware was in the cells.

### Findings from the files

1. The DF «Duty Handover and Acceptance» file was missing.
2. The «Registration of the Detainees» file was available.
3. The «Medical Examination and Treatment» file was available. The last record made on 15.11.2004.
4. The «Informing the Relatives» file was missing.
5. The «Body Injuries» file was missing.
6. The «Comments and Suggestions» file was available with the last record on 28.07.06.
7. The «Releasing of Detainees from the Cells» file was available.
8. The «Registration and Handing over of the Parcels» file was available. The last record was on 28.07.06.
9. The «Registration of the Visits» file was missing.
10. The «Food» file was available. There was a record of bread 150 g, dinner –1, tea – 1, vegetables 250 g and other food stuff.
11. The «Detainees Phone Calls» file was missing.
12. The «Suggestions, Requests and Complaints by the Detainees» file was missing.

The complete description of the Meghri DF of the RA Syunik regional administration is provided in Appendix 2

### Suggestions

The Group concluded that the detention facility could not function in this condition.

### Appendix 2

The complete description of the Detention Facilities in Syunik Region of the RA Police is given below:

Town	Sisian DF	Goris DF	Kapan DF	Meghri DF
<b>Staff</b>	Superintendent 4 officers of the day	Superintendent 4 officers of the day	Superintendent 4 officers of the day	Superintendent 4 officers of the day
<b>Number of cells</b>	4	4	6	3
<b>Sizes of cells</b>	2m X 3m	3m X 3.5m	5m X 2.8m 6 <sup>th</sup> cell was not furnished	2.5m X 4.5m
<b>Sizes of the windows</b>	0.60m X 0.80m	0.60m X 0.80m	0.50m X 0.60m	1.20m X 0.80m
<b>Light</b>	Satisfactory	Good	Satisfactory	Very bad
<b>Furnishing</b>	A single bed, a table, a bench, a sink, an in-wall shelf containing a cup, 2 spoons, a metal plate	1 bed, a table, a bench, a sink, the water was available	A table, a bench, 2 beds, 1 pillow, a blanket and a sheet. Linen in some cells was missing	2 beds, 1 table, 2 benches and some magazines
<b>Questioning</b>	1 table, 2 chairs fixed	1 table, 1 chair fixed	Light, 1 table, 2 chairs	1 bench, 1 table

<b>room</b>	on the floor, <i>the windows were covered with metal plates which blocked the daylight</i>	on the floor. <i>The Group was told that the investigator brings his own chair</i>	fixed on the floor	
<b>Medicine room</b>	None, the medicine was kept in the officer of the day room	None	None, there was only a medical cabinet	None
<b>Medicine (not expired)</b>	None	None	1.Extract, 2.Valeriana, 3.Naftezin, 4.Spazmalgon, 5.Cotton, 6.Bandages, 7.Iodine	None
<b>Expired medicine</b>	1.Gioksizon (cream), 2.Lanikor, 3.Novokain, 4. Cofeinben-zonatria, 5.Camphorated spirit, 6. Iodine	None	None	None
<b>Visiting room</b>	No daylight, the entrance for the relatives is from the backyard	Sufficiently light	The metal plates covering the windows blocked the daylight	No visiting room
<b>Toilets</b>	2 toilets, in poor condition	In good condition	2 toilets	Was located in the corridor, had no door which caused the bad smell spread all over the place
<b>Bathroom</b>	The bathroom was with the toilet, the shower & the faucets were out of order	In good condition	In good condition, hot water, an electric geyser	No bathroom
<b>Kitchen</b>	Electric stove, a drawer, a table, a bench fixed on the floor	A table, a bench, the water contained rust, not good for use	Electric stove, a table, a chair, a drawer	There was a kitchen
<b>Tableware</b>	4 of each metal plates, bowls, cups, spoons	Did not exist	Was in the cells	Was in the cells
<b>Walking area</b>	Was under reconstruction	Did not have a shelter	Did not have a shelter	There was a walking area

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# Vayots Dzor Region

## Observations at the Eghegnadzor DF of the Vayots Dzor Regional Administration of the RA Police

DF consisted of 3 single cells, a questioning room, a visiting room, a kitchen, a walking area and a toilet. The questioning room was properly furnished and very light. There was neither a medical room nor medicine at the DF. The visiting room, the kitchen and the toilet were in a satisfactory condition.

The Group checked the «Registration of the Detainees» file and found out that a certain detainee P. S., taken in on 24.05.06, had been moved from the DF on 08.06.06. A certain Ag. L., taken in on 29.05.06, had been moved on 08.06.06. A certain S. Gh. had been arrested on 26.06.06 and moved on 29.06.06 at 14:30. A certain As. A. had been arrested on 28.07.06 and moved on 02.08.06. The personal files of these detainees contained no documents to justify the reason why they had been kept in the DF.

According to the RA criminal law 137 point 2, the detainee should not be kept for more than 3 days at the DF, excluding the cases when, because of the lack of transportation, the detainee cannot be taken to an isolation cell for questioning or to other detention facilities.

### Findings from the files

1. The DF «Duty Handover and Acceptance» file was missing.
2. The «Registration of the Detainees» file was available. There were 8 records in 2006.
3. The «Medical Examination and Treatment» file contained 3 records in the name of As. A.
4. The «Informing the Relatives» file was missing.
5. The «Body Injuries» file was missing.
6. The «Comments and Suggestions» file was missing.
7. The «Releasing of Detainees from the Cells» file contained 3 records: L. Ag. had been taken out for questioning on 07.06.06 between 17:00-18:00, S. Gh. on 27.06.06 between 14:45-16:00 for a visit.
8. The «Registration and Handing over of the Parcels» file was missing.
9. The «Registration of the Visits» file was missing.
10. The «Food» file was available. There was a record made on 20.04.06- 02.08.06 of bread - 150 g, cheese – 100 g, 450 dram.
11. The «Detainees Phone Calls» file was missing.
12. The «Suggestions, Requests and Complaints by the Detainees» file was missing.

The complete description of the Eghegnadzor DF of the Vayots Dzor regional administration is provided in Appendix 3

### Suggestions

1. Provide the DF with a medical room.
2. Pay much attention to the medicine.

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3. Provide the detainees with a daily one-hour walk; install a one or two square meter roof at the walking area to protect the detainees from the sun and the rain. As well as provide the detainees with sports equipment to enable them to exercise.
  4. Use the DF only for the purpose of holding the detainees and not turn it into a penal institution.

## **Observations at the Vayk DF of the Vayots Dzor Regional Administration of the RA Police**

The DF consisted of 2 cells each for 2 persons, a visiting room, a kitchen, a walking area and a toilet. The cells are poorly lit and therefore it is impossible to read or write. There was neither a questioning nor a medical room at the DF. The medicine cabinet contained an injector, some cotton, expired corvalol, furazolin. The questioning room lacked both natural light and an alarm system. The kitchen and the toilet were in a very good. The tableware was in the cells.

Ag. L. and B. S. had been arrested on 27.07.06 and imprisoned on 30.07.06. According to the judge note they had been kept in the DF till 03.08.06.

In the «Food» file there were 180 records between 09.01.06 and 03.08.06. The records read only 300g of cheese and 500g of bread.

### **Findings from the files**

1. The DF «Duty Handover and Acceptance» file was missing.
2. The «Registration of the Detainees» file was available. There were 20 records in 2006.
3. The «Medical Examination and Treatment» file contained 6 records in 2006 starting 18.01.06 till 01.08.06 at 23:00.
4. The «Informing the Relatives» file was missing.
5. The «Body Injuries» file was missing.
6. The «Comments and Suggestions» file was missing.
7. The «Releasing of Detainees from the Cells» file contained 23 records in 2006, starting from 06.07.06 till 11.07.06. The records were done when the detainees were taken out for a questioning or moved to other places.
8. The «Registration and Handing over of the Parcels» file was available, but there were no records.
9. The «Registration of the Visits» file was missing.
10. The «Food» file was available. It contained 180 records in 2006, starting 09.01.06 till 03.08.06. Bread –500 g, cheese – 300 g.
11. The «Detainees Phone Calls» file was missing.
12. The «Suggestions, Requests and Complaints by the Detainees» file was missing.

The complete description of the Vayk DF of the Vayots Dzor regional administration of the RA Police is provided in Appendix 3

### **Suggestions**

1. Provide the DF with a medical room.
2. Provide the DF with a questioning room.
3. Pay much attention to the medicine.

4. Provide the detainees with a daily one-hour walk; install a one or two square meter roof at the walking area to protect the detainees from the sun and the rain. As well as provide the detainees with sports equipment to enable them to exercise.
5. Solve the problem of the light and the alarm system in the questioning room.
6. Use the DF only for the purpose of holding the detainees and not turn it into a penal institution.

### Appendix 3

The description of Detention Facilities of The RA police Vayots Dzor regional administration is given below:

<b>Town</b>	<b>Egheghnadzor DF</b>	<b>Vayk DF</b>
<b>Staff</b>	Superintendent 4 officers of the day	Superintendent 4 officers of the day
<b>Number of cells</b>	3	2
<b>Sizes of the cells</b>	2m X 3m	2m X 5m
<b>Sizes of the windows</b>	0.60m X 1.0m	0.35m X 0.70m
<b>Light</b>	Satisfactory	Very bad
<b>Furnishing</b>	1 table, 1 bed, a bench, soap, a sink	2 beds, linen is provided, magazines, a table, 2 benches, a sink, running water
<b>Questioning room</b>	A table, 2 benches, very light	No such room
<b>Medical room</b>	No medical room	No medical room
<b>Medicine</b>	None	Injector, cotton
<b>Expired medicine</b>	None	Corvalol, furazolin
<b>Visiting room</b>	One	Lacked natural light and an alarm system
<b>Toilet</b>	Satisfactory	There was one
<b>Bathroom</b>	Satisfactory	There was one
<b>Kitchen</b>	2 benches, a table	There was one
<b>Tableware</b>	4 cups, 4 bowls, 4 plates	Was kept in cells
<b>Walking area</b>	There was no shelter	There was no shelter

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# KOTAYK REGION

## Observations at the Hrazdan DF of the Kotayk Regional Administration of the RA Police

The DF consisted of 7 cells, 4 cells for 2 persons and the rest for one, a questioning room, a visiting room, a medical room, a kitchen, a walking area and a toilet. The light in the DF in general was satisfactory. The questioning room did not meet the common standards: because instead of 4 chairs and a sofa there were only 2 chairs left fixed on the floor and there was an electric heater. The medicine room had 2 sofas, 1 bed, TV sink, and medicine box. In the medicine box there was expired and non-expired medicine. The visiting room and the toilet were in satisfactory condition. There was 1 table and 1 chair in the kitchen.

While interviewing the staff members, the Group found out that the detainees are fed only once per day. The detainees M.G. and G.K. were imprisoned on 14.07.06 but remained at the DF till 26.07.06.

According to the RA criminal code article 137 second point, the imprisoned person shall not stay at the detention facilities for more than 3 days, excluding the facts when from the DF to the isolation room or according to the law moving the imprisoned to other places was impossible because of the lack of transportation.

### Findings from the files

1. The DF «Duty Handover and Acceptance» file was missing.
2. The «Registration of the Detainees» file was available. There were 14 records in 2006, of which 11 were those of detainees transferred to penal institutions and 3 were those of the released.
3. The «Medical Examination and Treatment» file contained 1 record.
4. The «Informing the Relatives» file contained only the last record in May 2006.
5. The «Body Injuries» file had 30 records in it.
6. The «Comments and Suggestions» file was available.
7. The «Releasing of Detainees from the Cells» file was available.
8. The «Registration and Handing over of the Parcels» file was available, but there were no records.
9. The «Registration of the Visits» file contained 4 records.
10. The «Food» file contained: 150 g bread, dinner 250g, three times a day record.
11. The «Detainees Phone Calls» file was missing.
12. The «Suggestions, Requests and Complaints by the Detainees» file was missing.

The complete description of the Hrazdan DF of the Kotayk regional administration of the RA Police is provided in Appendix 4.

### Suggestions

1. Solve the problem of the medical room (do not present the room of the officer of the day as a medical room).
2. Solve the kitchenware problem (There was only a set for 5 persons instead of 11).
3. Pay attention to the medicine, especially to the expiry dates.



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4. Use the DF only for the purpose of holding the detainees and not turn it into a penal institution.

## **Observation at the Charentsavan DF of the Kotayk Regional Administration of the RA Police**

The officer of the day of the Charentsavan Police department and some other DF staff violated Article 47 of the RA Law «On the Custody of the Detainees and Prisoners» and the January 14, 2005 Order # 1-N by the RA Chief of Police (on the regulations of the monitoring group), by not allowing the Group to enter the DF. Despite this kind of resistance the Group managed to enter the DF.

The DF consisted of 3 cells each for 2 persons, a questioning room, a kitchen, a walking area and a toilet. The cells were poorly lit; therefore, it was impossible to read or write in the cells. The first two cells were 6 sqm and the third one -15 sqm. There was no linen in any of the cells. There was no visiting or medical room. There was a medicine box full of expired and non-expired medicine. There was no ventilation at the toilet. The kitchen was furnished with one table and a chair; the daylight in the room was very bad. The Group was informed that the detainees were fed only once a day.

The officer of the day at the police station did not allow the Group to have private interviews with the detainees. Later, the Group was told that the chief of staff was categorically against private interviews. After that the DF superintendent, officers of the day entered the cell. Their presence was an obstacle for the private interview with the detainees.

*According to the RA Chief Police order # 1-N, dated January 14,2005, the regulations of the monitoring group, point 12, the members of the Group, as a rule, are allowed to meet with the detainees either privately or, upon the wish of the member, accompanied by a representative of the DF.*

Despite the fact that detainees had been brought in on 13.09.06 at 14:00, the DF officer of the day Mr.H. did not have any records in the file on the day the Group visited the site (14.09.06). After talking with the detainees the Group learned that they had only ten minutes of walk instead of one hour. The DF officer of the day explained that he could take them for a walk after the members of the Group have left, anytime he wanted (till 20:00) and forced the Group to register their visiting time at 18:30. During the whole time of the visit till its end, according to the actual files and according to the officer of the day, none of the 5 detainees was fed. Meanwhile, the officer of the day H. informed the Group that he had 20 years of experience and knew many ways to mislead the Group. No need for comments.

The detainees told the Group, that they received parcels on 13.09.06 and 14.09.06, but there were no requests. There were no records in the «Registration and Handing Over of the Parcels» file. The Group demanded to be shown a request written and signed by one of the relatives of a detainee, dated 14.09.06, and the Group demanded that the officer of the day hand the parcel over to the detainee, which he finally did.

The Group studied the «Registration of the Detainees» file and found out that two persons had been held at the DF without any reason. They were A. Gr., who had been held from 23.03.06 till 05.04.06 and A. H., who had been held from 24.03.06 till 05.04.06.

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There were no documents about keeping the detainees at the DF for more than 72 hours, which was not only violation of the RA Constitution, but also of the RA Criminal Law. One of the detainees, H. A., suspected that he might be suffering from tuberculosis and told the Group that he had been given painkillers at the DF. He had run some tests at the penal institution but had not yet received the results and that he needed a doctor.

### **Findings from the files**

1. The DF «Duty Handover and Acceptance» file was available.
2. The «Registration of the Detainees» file was available.
3. The «Medical Examination and Treatment» file contained 2 records for 2006.
4. The «Informing the Relatives» file was missing.
5. The «Body Injuries» file had 20 records, 9 records were missing, though they assured us that the records were being done accurately.
6. The «Comments and Suggestions» file was available, but there were no records
7. The «Releasing of Detainees from the Cells» file contained mainly records of detainees having been taken for a walk.
8. The «Registration and Handing over of the Parcels» file was available. There were 19 records in 2006.
9. The «Registration of the Visits» file contained 3 records.
10. The «Food» file was available. The last record was on 06.09.06, 300 g bread, 1 egg, 250 g hamburger, rice pilaf 100 g .
11. The «Detainees Phone Calls» file was missing.
12. The «Suggestions, Requests and Complaints by the Detainees» file was missing.

The complete description of the Charentsavan DF of the Kotayk regional administration of the RA Police is provided in Appendix 4.

### **Suggestions**

1. Solve the problem of the medical room.
2. Solve the problem of humidity.
3. Provide food 3 times a day.
4. Solve the problem of the visiting room.
5. Solve the problem of the tableware.
6. Install ventilation in the toilet.
7. Fix the light problem in the kitchen
8. Provide the detainees with a daily one-hour walk; install a one or two square meter roof at the walking area to protect the detainees from the sun and the rain. As well as provide the detainees with sports equipment to enable them to exercise.
9. Provide the detainees with linen from the moment they are admitted to the facility.
10. Pay attention to the handing over of the parcels on time put down the time on the requests when receiving the parcel.
11. Use the DF only for the purpose of holding the detainees and not turn it into a penal institution.
12. Do not keep the detainees at the facility without any reason and unlawfully (for more than 72 hours).

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## **Observations at the Nairy DF of the Kotayk Regional Administration of the RA Police**

The DF consisted of 4 cells (the 1<sup>st</sup>, 3<sup>rd</sup> and 4<sup>th</sup> cells are single size, the 2<sup>nd</sup> cell is for 2 persons), a kitchen, a walking area, and a toilet. The light at the DF was satisfactory. There was no medical room, no visiting room and no questioning room. In the room of the officer of the day there were medicines such as Validol, bandages, cotton, Iodine and an injector. The walking area and the toilet were in a satisfactory condition. The kitchen was very humid (see picture 2). The room of the officer of the day was used as a visiting and a questioning room. There was a phone installed at the DF but there was no connection.

### **Findings from the files**

1. The DF «Duty Handover and Acceptance» file was available.
2. The «Registration of the Detainees» file was available. There were 30 records, of which 6 were arrests and 24 were imprisonment cases.
3. The «Medical Examination and Treatment» file was available.
4. The «Informing the Relatives» file was missing.
5. The «Body Injuries» file was missing.
6. The «Comments and Suggestions» file was available.
7. The «Releasing of Detainees from the Cells» file contained a record of one person, who from 25.07.06 till 01.08.06 had been kept at the DF, but according the file he had been taken out only once, on 26.07.06.
8. The «Registration and Handing over of the Parcels» file was available. There were no records in 2006.
9. The «Registration of the Visits» file was missing.
10. The «Food» file was available.
11. The «Detainees Phone Calls» file was missing.
12. The «Suggestions, Requests and Complaints by the Detainees» file was missing.

The complete description of the Nairy DF of the Kotayk regional administration of the RA Police is provided in Appendix 4.

### **Suggestions**

1. Solve the problem of the medical room.
2. Solve the problem of the telephone connection.
3. Solve the problem of the questioning room.
4. Solve the problem of the visiting room.

## **Observations at the Abovyan DF of the Kotayk Regional Administration of the RA Police**

The DF consisted of 5 cells each for 2 persons, a questioning room, a visiting room, a kitchen a walking area, and a toilet. There was no medical room, but there was a medicine box with expired and non-expired medicine. The light inside the cells was very poor, and for this reason it was impossible to read or write inside the cells. The questioning room, the visiting room, the kitchen, the walking area were in a satisfactory condition. The toilet was satisfactory too, but it needed proper ventilation.

The Group was not provided with any information or file, because the superintendent had taken his child to the doctor in Yerevan .

### Files

The Group did not get the files because the superintendent was absent.

The complete description of the Abovyan DF of the Kotayk regional administration of the RA Police is provided in Appendix 4.

### Suggestions

1. The absentee of the DF superintendent should not be an obstacle for the monitoring group to fulfill its duties.
2. Provide the DF with a medical room.
3. Solve the ventilation problem of the toilet.
4. Provide the detainees with a daily one-hour walk; install a one or two square meter roof at the walking area to protect the detainees from the sun and the rain. As well as provide the detainees with sports equipment to enable them to exercise.

### Appendix 4

The Complete description of the Kotayk regional administration DF of the RA Police is given below:

Town	Hrazdan DF	Charentsavan DF	Nairy DF	Abovyan DF
<b>Staff</b>	1 superintendent 4 officers of the day	1 superintendent 4 officers of the day	1 superintendent 4 officers of the day	1 superintendent 4 officers of the day
<b>Number of Cells</b>	7	3	4	5
<b>Sizes of the cells</b>	4.5m X 3m	3m X 5m, 3m X 2m	3m X 2.5m	6.5m X 2.5m
<b>Sizes of the windows</b>	0.60m X 0.80m	0.70m X 0.40m	0.40m X 0.60m	0.80m X 0.50m
<b>Daylight</b>	Satisfactory	Poor	Satisfactory	Unsatisfactory
<b>Furnishing</b>	4th cells for 2 persons, 3 <sup>rd</sup> cell for 1 persons, a bed, a blanket, a pillow, a mattress, a table, 2 benches, running water, a sink, a drawer	2 beds, a blanket, a pillow, a mattress without linen, 1 table, 2 chairs fixed on the floor, two level beds, a sink and a drawer	The 1 <sup>st</sup> , 3 <sup>rd</sup> , 4th cells had 1 bed each, 2 <sup>nd</sup> cell had 2 beds, a blanket, a pillow, a mattress	2 beds, table, 2 chairs fixed on the floor, a blanket, a pillow. The ventilation is bad
<b>Questioning room</b>	A table, 4 chairs, a sofa, 1 separate chair, an electric stove, very light	1 table, 2 chairs fixed on the floor, window looking to the superintendent room	None	1 table, 2 chairs

<b>Medical room</b>	2 sofas, 1 bed, a TV set, a sink, a medical box, close to the room there was a pantry	None	None	None
<b>Medicine</b>	1. Valeriana, 2. Corvalol, 3. Tzitraron, 4. cotton, 5. bandages, 6. bubble shampoo	1. Baralgin, 2. Analgin, 3. Cardiamin, 4. Kelatrin, 5. Liquid ammonia	1. Validol, 2. bandages, 3. cotton, 4. injector, 5. Iodine	1. Sedaksin, 2. Atset sol. acid, 3. Corvalol, 4. Anestezol candles
<b>Expired medicine</b>	1. Indavizin, 2. Ammiku, 3. Diklofenak	1. Noshpa, 2. Analgin, 3. Cardiamin, 4. Gitrokartizon	None	1. Tetratsiklin, 2. Levomitsitin
<b>Visiting room</b>	1 table, 2 chairs, one window looking to the superintendent room	None	None	1 table, 2 chairs, a drawer
<b>Toilet</b>	There was	With bad ventilation	There was	With bad ventilation
<b>Bathroom</b>	There was	There was	There was	There was one in a good condition with hot water
<b>Kitchen</b>	1 table, 1 chair, the detainees are fed once daily	1 table, poor light, the detainees are fed once daily	1 table, 3 chairs	1 table, a drawer
<b>Tableware</b>	For 5 persons	For 4 persons	For 5 persons	For 6 persons
<b>Walking area</b>	/2 areas/ there was 2sqm shelter	There was no shelter	There was no shelter	There was no shelter

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# **GEGHARKUNIK REGION**

## **Observations at the Gavar DF of the Gegharkunik Regional Administration of the RA Police**

The DF consisted of 4 cells each for 2 persons, a questioning room, a visiting room, a kitchen, a walking area and a toilet. The questioning room was furnished but was poorly lit. The daylight in the visiting room was very poor too. There was a phone in the visiting room but was not functioning. The medical room was furnished but there was no medicine. The toilet was satisfactory. The bathroom was not functioning (see picture3). The kitchen was furnished but was very humid. The detainees were fed once a day (see picture 4). The DF files were neglected.

### **Findings from the files**

1. The DF «Duty Handover and Acceptance» file was available.
2. The «Registration of the Detainees» file was available. There were 9 records on 12.07.06, of which 4 were of the same name.
3. The «Medical Examination and Treatment» file was available. There were no records.
4. The «Informing the Relatives» file was available. Although there were detainees, there were no records.
5. The «Body Injuries» file was missing.
6. The «Comments and Suggestions» file was available. There were 2 records on 11.05.06 and 25.05.06
7. The «Releasing of Detainees from the Cells» file contained 3 records.
8. The «Registration and Handing over of the Parcels» file was missing.
9. The «Registration of the Visits» file was missing.
10. The «Food» file was available. There was 1 record: bread 550g, 1 dinner.
11. The «Detainees Phone Calls» file was missing.
12. The «Suggestions, Requests and Complaints by the Detainees» file was missing.

The complete description of the Gavar DF of the Gegharkunik regional administration of the RA Police is provided in Appendix 5.

### **Suggestions**

1. Solve the illumination problem in the questioning and visiting rooms.
2. Check the medicine.
3. Solve the problem of humidity
4. Provide the detainees with a daily one-hour walk; install a one or two square meter roof at the walking area to protect the detainees from the sun and the rain. As well as provide the detainees with sports equipment to enable them to exercise.

## **Observations at the Martuni DF of the Gegharkunik Regional Administration of the RA Police**

The DF consisted of 3 cells each for 2 persons, a questioning room, a visiting room, a kitchen, a walking area and a toilet. The cells were furnished with 2 beds, 1 table fixed on the floor, a

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blanket, a pillow, items of personal hygiene, a dustbin, 2 shelves. The questioning room, the visiting room, the medical room, the kitchen, the walking area and the toilet were in a very good condition. There was medicine in the medicine box, but with no labels or expiry dates.

### **Findings from the files**

1. The DF «Duty Handover and Acceptance» file was available.
2. The «Registration of the Detainees» file was available. There were 25 records of which 8 were about detainees.
3. The «Medical Examination and Treatment» file was available. There were 5 records.
4. The «Informing the Relatives» file was missing.
5. The «Body Injuries» file was missing.
6. The «Comments and Suggestions» file was available.
7. The «Releasing of Detainees from the Cells» file contained records about the detainees taken out for breakfast, dinner, supper, walks, to meet with the investigator.
8. The «Registration and Handing over of the Parcels» file was available. There were 24 records.
9. The «Registration of the Visits» file was missing.
10. The «Food» file was available. There were records of bread 550g, pasta, tea, potato.
11. The «Detainees Phone Calls» file was missing.
12. The «Suggestions, Requests and Complaints by the Detainees» file was missing.

The complete description of the Martuni DF of the Gegharkunik regional administration of the RA Police is provided in Appendix 5.

### **Suggestion**

*The overall condition of the DF was commendable. The DF superintendent was very knowledgeable and was performing his duties accurately. There were magazines, pens, some paper, soap, toothpaste and toothbrush in the cells.*

*It would be desirable to see in other DF managers the knowledge and performance of superintendent. It would be wishful to see in other DFs all the items of personal hygiene as it was seen in this one. In all other DFs items of personal hygiene were completely missing.*

## **Observations at the Vardenis DF of the Gegharkunik Regional Administration of the RA Police**

The DF consisted of 3 cells each for 2 persons, a questioning room, a visiting room, a medical room, a kitchen, a walking area and a toilet. Inside the cells the light was very poor. Therefore it was impossible to read or write in the cells. The questioning room and the visiting room were in a satisfactory condition. There was expired and non-expired medicine in the medicine box. There was a phone in the visiting room, but it was unclear how to use it. It was not isolated with a window partition, there was no bench and the electric wires were burned. The toilet was in a satisfactory condition. There was one table and two chairs in the kitchen, but there was no light. The detainees were fed only once a day.

The walking area had two exits, through one of which one could enter the police department.

«The Rights and Obligations of Detainees» and the «Regulations» were not available in the cells.

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In the «Releasing of Detainees from the Cells» file, there was one record about Fr. K. who had been taken to the court on 17.05.06. He had been arrested on 25.03.06, but the facility employees had changed the date (with another pen) to 15.04.06. He had been kept at the DF till 23.05.06 that makes 42 days.

M.M. had been arrested on 21.08.06 (on the basis of search warrant), but there were no records about him being transferred to another place or being released him. There was no record about him in the «Food» file either.

R.B. had been arrested on 23.08.06 and had been transferred on 29.08.06 (not on a stage day).

### **Findings from the files**

1. The DF «Duty Handover and Acceptance» file was available.
2. The «Registration of the Detainees» file was available.
3. The «Medical Examination and Treatment» file was available. There were 3 records.
4. The «Informing the Relatives» file was available, but there were no records.
5. The «Body Injuries» file was missing.
6. The «Comments and Suggestions» file was available, but there were no records.
7. The «Releasing of Detainees from the Cells» file contained 1 record.
8. The «Registration and Handing over of the Parcels» file was available, but there were no records. .
9. The «Registration of the Visits» file was missing.
10. The «Food» file was available. There were records of bread 550g, pasta 20g, tea, potato 550g, vegetable oil, sugar 40g.
11. The «Detainees Phone Calls» file was missing.
12. The «Suggestions, Requests and Complaints by the Detainees» file was missing.

The complete description of the Vardenis DF of the Gegharkunik regional administration of the RA Police is provided in Appendix 5.

### **Suggestions**

1. Provide sufficient illumination.
2. Provide telephone connection.
3. Solve the problem of chairs and electric wires in the visiting room.
4. Check the medicine.
5. Use the DF only for the purpose of holding the detainees and not turn it into a penal institution.
6. Do not keep the detainees at the facility without any reason and unlawfully (for more than 72 hours).

## **Observations at the Tchambarak DF of the Gegharkunik Regional Administration of the RA Police**

On July 12, 2006 the Group visited Tchambarak DF of the Gegharkunik region. During the visit the superintendent informed that for about two and a half months they have been keeping a person whose identity was not known. The superintendent told the Group that the person had been caught by the soldiers at the RA border and had been handed over to the police.



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The above mentioned person had been kept at the Tchambarak DF of the Gegharkunik regional administration without any legal grounds or corresponding registration till the day the Group visited the DF (July12, 2006).

According to the superintendent, the detainee tried to mutilate himself three times. For this reason, at daytime, he was moved to «the cell» (1,5 X 1,5 sqm) near the duty section, and at night, to the DF cell. There were no documents giving reason for his detention. His detention was not registered in any of the files, nor did he have a personal file. His personal hygiene was in a very bad condition, although the superintendent assured that his underwear was changed every week. The Group requested the RA Chief of Police in writing to take immediate actions to eliminate this violation of the law. As a result, the person was transferred from Tchambarak DF. The Group considers that the above mentioned person had been kept in inhuman conditions, which is the worst violation of the RA Constitution, as well as of other international contracts ratified by the RA.

The Tchambarak DF consisted of 3 cells each for 2 persons, a questioning room, a kitchen, a walking area and a toilet. The observation revealed that the room of the officer of the day was being used as a questioning room, and that room was outside the DF. There was neither a visiting room nor a medical room. There was expired and non-expired medicine in the medicine box. The toilet was not in a sanitary condition. The tiles were missing and the toilet was in a very bad condition (see pictures 5, 6, 7). The kitchen was furnished, but the detainees were fed only once per day.

The «Registration of the Detainees» file contained records about detainees and imprisoned who had been kept at the DF for 7 to 30 days without any legal basis.

### **Findings from the files**

1. The DF «Duty Handover and Acceptance» file was available.
2. The «Registration of the Detainees» file was available.
3. The «Medical Examination and Treatment» file was available. There were 7 records.
4. The «Informing the Relatives» file was missing.
5. The «Body Injuries» file was missing.
6. The «Comments and Suggestions» file was available with one record on 24.05.05.
7. The «Releasing of Detainees from the Cells» file was missing.
8. The «Registration and Handing over of the Parcels» file was available. There were no records.
9. The «Registration of the Visits» file was missing.
10. The «Food» file was available. There were records of bread 550g, pasta 20g, vegetable oil 20g, tea, potato, grains120g, sugar 40g.
11. The «Detainees Phone Calls» file was missing.
12. The «Suggestions, Requests and Complaints by the Detainees» file was missing.

The complete description of the Tchambarak DF of the Gegharkunik regional administration Of the RA Police is provided in Appendix 5.

### **Suggestions**

1. Provide with a medical room.
2. Solve the question of the visiting and questioning rooms.
3. Maintain the condition of the toilet.
4. Provide food three times a day.
5. Repair the DF.

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6. Check the medicine.
  7. Use the DF only for the purpose of holding the detainees and not turn it into a penal institution.
  8. Do not keep the detainees at the facility without any reason and unlawfully (for more than 72 hours).

## **Observations at the Sevan DF of the Gegharkunik Regional Administration of the RA Police**

During the first visit to the Sevan DF on July 12, 2006 at about 16:00, the Group was told at the duty department that the DF had not been functioning for two and a half years already. When asked why it had not been functioning, the officer of the day had answered that there was an Order. (Nobody knows what Order he was talking about or by whom it had been issued).

The Group insisted on being shown the Order, but the officer of the day announced that the superintendent had the document, but at the time he was not in. Consequently, the Group sent a written inquiry on the matter to the RA police, and received an answer that the Sevan DF of the Gegharkunik regional police was functioning. The Group paid a second visit and, indeed, the DF was operating.

The DF consisted of 4 cells, of which 3 were for 2 persons, one was without a bed; a questioning room, a kitchen, a walking area and a toilet. The light inside the cells was so poor that it was impossible even to see a person face. The questioning room was in a shabby condition; the door to the walking area was from there. The size of the room was three sqm. There was no visiting room, no medical room, no medicine, no bathroom and no tableware. There was absolutely no light in the kitchen. The detainees were fed in the cells once per day. The toilet was not only extremely unclean, as a matter of fact, it was impossible to use it.

The Group had an interview with the chief of the police station and the officer of the day. From the interview they learned that the DF does not have its own personnel. Assistant officers of the day perform the duties at the DF. The DF superintendent was not in and for that reason the officer of the day could neither submit the DF files to the Group, nor could he answer the questions that aroused when the Group checked the only available «Food» file.

The detainees A. G. and V. K. were kept at the DF from 09.08.06 till 16.08.06 based on the notice of the deputy judge. But these people had been kept at the DF prior to that for 7 days. We ought to mention that these people had been held at the DF unlawfully, which is a violation of the Constitution of RA and the RA Criminal Laws.

### **Findings from the files**

1. The «Registration of the Detainees» file was available.
2. The «Food» file was available.

The complete description of the Sevan DF of the Gegharkunik regional administration of the RA Police is provided in Appendix 5.

### **Suggestions**

**The Group considers that keeping people in such conditions is inhuman and that the Sevan DF of the Gegharkunik regional administration should stop functioning.**

## Appendix 5

The complete description of the Gegharkunik regional administrative DFs of the RA Police is given below:

Town	Gavar DF	Martuni DF	Vardenis DF	Tchambarak	Sevan DF
<b>Staff</b>	Superintendent 4 officers of the day	Superintendent 4 officers of the day	Superintendent 4 officers of the day	Superintendent 4 officers of the day	Superintendent 4 officers of the day
<b>Number of Cells</b>	4	3	3	2	4
<b>Sizes of the cells</b>	3.5m x 3m	3m x 6m	3.5 m x 4.5m & 4.5m x 2m	2.5m x 2.5m	4m x 3m
<b>Sizes of the windows</b>	1.20m x 0.80m	0.60m x 0.80m	0.80m x 0.70m	0.50m x 0.80m	0.50m x 0.25m
<b>Daylight</b>	Good	Satisfactory	Bad	Satisfactory	None
<b>Furnishing</b>	2 beds, chairs fixed on the floor, a blanket, a pillow, a mattress	Bed, table, chairs fixed on the floor, a blanket, a pillow, items of personal hygiene, a dustbin, 2 shelves	2 bed, table, chair fixed on the floor, a blanket, a pillow, a mattress	Bed, table, 1 chair fixed on the floor, a blanket, a pillow, a mattress	One cell with no beds, the other cells had 2 beds each
<b>Questioning room</b>	1 table, 2 chairs fixed on the floor no daylight	1 table, 2 chairs	1 table, 2 chairs,	1 table, 2 chairs (located outside of the DF)	The furnishing did not match the purpose
<b>Medical room</b>	2 beds, 1 table, 2 chairs fixed on the floor	A bed, a table, a box, a sink, a towel, a medical cabinet with medicine	A bed, a table, a chair light	None	None
<b>Medicine</b>	None	1. levomitsitsin, 2. an injector, 3. Valeriana, 4. Extract, 5. Biseptol, 6. cotton	1. Peratsetamol, 2. an injector, 3. Tetratsiklin, 4. Demidrol, 5. Tsetramon, 6. cotton	1. Validol, 2. Iodine, 3. Peratsetamol, 4. bandages	none
<b>Expired medicine</b>	None	There were medicine without a label or expiry dates	1. Analgin, 2. Valeriana, 3. Tempalgin, 4. Gentamitsin	1. Valokardin, 2. Analgin	None
<b>Visiting room</b>	There was no daylight; the phone was out of order	A table, a chair, light	There was a phone, but its purpose was not clear, there was no net partition, no bench, the	None	None

			electric wires were burnt		
<b>Toilet</b>	There was one	There was one and in a good condition	There was one	Poor sanitary condition, with old tiles	Poor sanitary condition
<b>Bathroom</b>	A water tank, a sink, tiles in good condition, but it was not working	There was one in a good condition	There was one	Poor sanitary condition, with old tiles	None
<b>Kitchen</b>	1 table, 2 chairs, the detainees are fed once a day, very humid	There was one, the detainees are fed three times a day	1 table, 2 chairs, no light, the detainees are fed once a day	An electric stove, a table, a sink, a chair, a drawer, the detainees are fed once a day	There was no light, The detainees are fed in the cells, once a day
<b>Tableware</b>	For 8 persons	For 7 persons	For 5 persons	For 4 persons	None
<b>Walking area</b>	No roof	There was a roof (6mx12m)	Had a separate door to the building, had no roof	No roof	1.5m x 2 m, no roof

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# TAVUSH REGION

## Observations at the Dilijan DF of the Tavush Regional Administration of the RA Police

The DF consisted of 4 cells each for 2 persons, a questioning room, a kitchen, a walking area and a toilet. The light inside the cells was very poor, and therefore it was impossible to read or write in the cells. The cells had 2 beds, linen, a table, 2 benches, tableware, toilet paper, a pen, and some magazines. The questioning room, the kitchen, the toilet and the walking area were in a very good condition. There was no medical room. The DF employees told the Group that, upon entering the DF, the detainees, as a rule, pass a medical examination by a doctor. There was a medicine box, containing only non-expired medicine.

The employees informed that the detainees usually meet their relatives in the room of the officer of the day.

The «Registration of the Detainees» file contained records from which it was obvious that the detainees have often been kept there for more than 72 hours, and the imprisoned have been held without corresponding warrants. These are acts of violation of the Constitution of the RA and the RA Criminal Law.

### Findings from the files

1. The DF «Duty Handover and Acceptance» file was missing.
2. The «Registration of the Detainees» file was available. The last record was on 26.07.06 – 27.07.06
3. The «Medical Examination and Treatment» file was available. There were 15 records, the last one on 14.07.06.
4. The «Informing the Relatives» file was missing.
5. The «Body Injuries» file was missing.
6. The «Comments and Suggestions» file was available with the last record on 27.07.06.
7. The «Releasing of Detainees from the Cells» file was available. There were 57 records, the last one on 27.07.06
8. The «Registration and Handing over of the Parcels» file was available. There were 5 records. All for one person.
9. The «Registration of the Visits» file was missing.
10. The «Food» file was available. There were 90 records. All of them had the following variety: bread, sour cream, eggs, cheese.
11. The «Detainees Phone Calls» file was missing.
12. The «Suggestions, Requests and Complaints by the Detainees» file was missing.

The complete description of the Dilijan DF of the Tavush regional administration of the RA Police is provided in Appendix 6.

### Suggestions

1. Provide the DF with a medical room.
2. Do something about the lights.
3. Solve the visiting room problem.

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4. Do not keep the detainees at the facility without any reason and unlawfully (for more than 72 hours).
  5. Use the DF only for the purpose of holding the detainees and not turn it into a penal institution.

## **Observations at the Tavush DF of the Tavush Regional Administration of the RA Police**

The DF consisted of 2 cells each for 2 persons, a questioning room, a kitchen, a walking area and a toilet. The light inside the cells was very poor, and therefore it was impossible to read or write in the cells. Of the four beds in the cells only one bed had linen. The kitchen was in severe disrepair (see picture 8). The questioning room did not meet the standards because it was some kind of a passage to the walking area. There was no visiting room, no medical room and no medicine. The toilet was not in a poor sanitary condition and it was in severe disrepair (see pictures 9, 10).

The «Registration of the Detainees» file checks revealed that a certain M. A. was arrested on 14.04.06 and imprisoned on 17.04.06. He was kept at the DF till 26.04.06 without any warrant.

During the visit of the Group a certain A. Z. was being held at the DF. He said that he had received a parcel but the «Registration and Handing over of the Parcels» file held no record under his name. There was neither a «Food» file to register the food that the detainees receive. It was around 14:00 but A.Z. had not eaten anything yet.

The «Medical Examination and Treatment» file contained a record of A.H. having been taken to the hospital on 13.01.06 and 17.01.06 but the cases were not registered in the «Releasing of Detainees from the Cells».

### **Findings from the files**

1. The DF «Duty Handover and Acceptance» file was available.
2. The «Registration of the Detainees» file was available. There were 21 records in 2006. The last records were 08.08.06 regarding the arrest and the other one on 11.08.06 regarding imprisonment.
3. The «Medical Examination and Treatment» file was available.
4. The «Informing the Relatives» file was missing.
5. The «Body Injuries» file was missing.
6. The «Comments and Suggestions» file was available.
7. The «Releasing of Detainees from the Cells» file was available.
8. The «Registration and Handing over of the Parcels» file was available. There were 11 records in 2006.
9. The «Registration of the Visits» file was missing.
10. The «Food» file was available. The group was informed that the detainees were allowed to purchase anything they liked at the store for an amount of 450drams.
11. The «Detainees Phone Calls» file was missing.
12. The «Suggestions, Requests and Complaints by the Detainees» file was missing.

The complete description of the Dilijan DF of the Tavush regional administration Of the RA Police is provided in Appendix 6.

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## **Suggestions**

**The Group considers that keeping people in such conditions is an expression of inhuman attitude.**

### **Observations at the Ijevan DF of the Tavush Regional Administration of the RA Police**

The DF consisted of 5 cells, of which the 2 were single cells and the 3 cells were for 2 persons, a questioning room, a kitchen, a walking area and a toilet. The DF had no visiting room, no medical room, nor medicine. The questioning room, the kitchen, the walking area and the toilet were in a very good condition. There was a ventilation system.

The DF employees did not allow private interviews with the detainees by justifying that it was their duty to watch and hear everything that was going on in the cells.

According to H. B., he received parcels every day starting from 11.08.08 till 16.08.06, but there were no records in the «Registration and Handing over of the Parcels» file. So was the case with the records of A. V. and H. A.

H.B. and V. A. were brought in to the DF and held there from 11.08.06 till 16.08.06 without any legal grounds. A. H. was imprisoned on 08.08.06, but, till the day the Group visited the site on 16.08.06, he was kept at the DF without grounds.

#### **Findings from the files**

1. The DF «Duty Handover and Acceptance» file was available.
2. The «Registration of the Detainees» file was available.
3. The «Medical Examination and Treatment» file was available.
4. The «Informing the Relatives» file was missing.
5. The «Body Injuries» file contained records about 5 persons.
6. The «Comments and Suggestions» file was available.
7. The «Releasing of Detainees from the Cells» file was available.
8. The «Registration and Handing over of the Parcels» file was available. There were 14 records in 2006, of which 10 were about the same person, and the last record on 08.05.06.
9. The «Registration of the Visits» file was missing.
10. The «Food» file was available. There was a record: bread 450 g, dinner 1 portion.
11. The «Detainees Phone Calls» file was missing.
12. The «Suggestions, Requests and Complaints by the Detainees» file was missing.

The complete description of the Ijevan DF of the Tavush regional administration of the RA police is provided in Appendix 6.

#### **Suggestions**

1. Provide the DF with a medical room.
2. Provide the DF with a visiting room.
3. Check the medicine.
4. Keep accurate records in the «Registration and Handing over of the Parcels» file, mentioning the exact dates of registration.

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5. Use the DF only for the purpose of holding the detainees and not turn it into a penal institution.
  6. Do not keep the detainees at the facility without any reason and unlawfully (for more than 72 hours).

## **Observations at the Noyemberyan DF of the Tavush Regional Administration of the RA Police**

The DF consisted of 5 cells each for 2 persons, a questioning room, a medical room, a kitchen, a walking area and a toilet. The light inside the questioning room and cells was very poor. Therefore it was impossible to read or write in the cells. There was no visiting room and there were no records in the «Registration of the Visits» file. The medical room was very light. There was a table, a sink, a drawer, and medicine. None of the medicine was expired. The toilet door was transparent. There was no bathroom. The dining room had one table without chairs.

The «Registration of the Detainees» file checks revealed that a certain S. S. was kept at the DF from 29.05.06 till 07.06.06 based on arresting order. V. G. was kept as a prisoner for 6 days without any order or justification. M. Ag. was kept as a prisoner from 14.06.06 till 21.06.06 without any written warrant. A. Ch. was kept as detainee from 27.07.06 till 31.07.06, but there was no record under his name in the «Food» file. The Group was informed that he had been transferred to the hospital, but there was no record about that in the «Releasing of Detainees from the Cells» file. Instead there was a record of taking him for a walk for the same period of time. In the end, the chief of the police told the Group that the detainee was his relative.

The above mentioned illegal cases are violation of the Article 16 of the RA Constitution, which states that if an arrested person is not imprisoned by the resolution of the court within 72 hours from the moment of his arrest, he is entitled to be released.

### **Findings from the files**

1. The DF «Duty Handover and Acceptance» file was available.
2. The «Registration of the Detainees» file was available. There were 17 records, the last one from 27.07.06 till 31.07.06
3. The «Medical Examination and Treatment» file was available. There were 6 records, of which 5 were about the same person (05.01.06-10.01.06).
4. The «Informing the Relatives» file was available. There were 6 records, the last one on 15.06.06.
5. The «Body Injuries» file was missing.
6. The «Comments and Suggestions» file was available. There were 16 records in 2006. All records were done by the Noyemberyan Police operating deputy chief « No errors », The last record was on 12.07.06.
7. The «Releasing of Detainees from the Cells» file was available.
8. The «Registration and Handing over of the Parcels» file was available. There were 4 records.
9. The «Registration of the Visits» file contained no records.



10. The «Food» file was available. It contained the following: bread 550 g, macaroni- 120g, sugar- 40g, tea-1cup, butter-45g.
11. The «Detainees Phone Calls» file contained 3records for 2006.
12. The «Suggestions, Requests and Complaints by the Detainees» file was missing.

The complete description of the Noyemberyan DF of the Tavush regional administration Of the RA Police is provided in Appendix 6.

### Suggestions

1. Solve the problem of the light.
2. Provide the DF with a telephone.
3. Solve the problem of visiting room.
4. Put chairs in the kitchen.
5. Provide the DF with a bathroom.
6. Change the toilet door (it is transparent)
7. Do not keep the detainees at the facility without any reason and unlawfully (for more than 72 hours) Appendix 6

The complete description of the DF in Tavush regional administration of the RA Police

Town	Dilijan DF	Tavush DF	Ijevan DF	Noyemberyan DF
<b>Staff</b>	Superintendent 4 officers of the day	Superintendent 4 officers of the day	Superintendent 4 officers of the day	Superintendent 4 officers of the day
<b>Number of Cells</b>	4	2	5	3
<b>Sizes of the cells</b>	3.5m x 2.5.m	3m x 4m	4 cells 3m x 3.5m 1 cell 4m x 3m	3m x 4m
<b>Sizes of the windows</b>	0.60m x 0.80m	0.50m x 0.80m	0.80m x0.60 m	1.0m x 0.50m
<b>Light</b>	Unsatisfactory	Bad	Satisfactory	<i>Unsatisfactory</i>
<b>Furnishing</b>	2 beds, linen, tableware, toilet paper, a pen, magazines, table, 2 benches	2 beds, <i>only one had linen</i>	2 single cells, 3 <sup>rd</sup> cell for 2 persons, a sink, running water, a table, a bench, a dustbin, a bed, linen, ventilation system	2 beds, cover, a pillow, a table, 2 benches, linen, a sink, water according to the schedule
<b>Questioning room</b>	A table, 2 chairs	1 table, 2 chairs fixed on the floor, the door to the walking area was from this room	1 table, 2 chairs	The daylight was very poor, the illumination was with electricity, the phone was not operating, a table, 2 chairs
<b>Medical room</b>	None	None	None	Very light, A table, a sink, a medicine cabinet
<b>Medicine</b>	1.cotton,	None	None	1. Extract,

	2. bandages, 3. an injector, 4. spirit			2. Valeriana, 3. Iodine, 4. medical spirit, 5. Ammonium chloride, 6. Tetratsiklin, 7. bandages, 8. cotton
<b>Expired medicine</b>	None	None	None	None
<b>Visiting room</b>	None The visits took place in the officer of the day's room	None	None	None There were no records in the «Registration of the Visits» file
<b>Toilet</b>	Very clean	Very bad condition	Very good condition	The door was totally transparent
<b>Bathroom</b>	Very clean, tiled, with hot water	Very bad condition	Very big and in a good condition	None
<b>Kitchen</b>	There was one	A bench, a table, drawers, detainees eat here	A table, 2 chairs, an electric stove	A table, <i>no chairs</i>
<b>Tableware</b>	For 5 persons, the detainees dine at the cafeteria	For 4 persons	For 8 persons, the detainees dine at the cafeteria three times a day	For 4 persons
<b>Walking area</b>	There was one	There was no roof	There was no roof	There was no roof

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# Lori Region

## Observations at the Vanadzor DF of the Lori Regional Administration of the RA Police

The Vanadzor DF has been recently renovated and is in a good condition. It consisted of 4 cells each for 2 persons, a questioning room, a walking area and a visiting room. The Group conveyed observations and concluded that daylight in the cells was very poor, and therefore it was impossible to read or write in the cells. The visiting room did not meet the standards, as it was neither isolated nor separated with a window and was not properly furnished for meetings either with lawyers or the relatives. Part of the medicine checked was expired. The toilet was out of use. The walking area did not meet the standards, because it did not have a roof or a bench.

The Group had an interview with the superintendent of the Vanadzor DF and found out that the detainees do not undergo a medical checkup upon entering the DF, instead, the officer of the day checks them visually.

The superintendent also talked about the problem of providing food to the detainees. The talks, as well as the examination of the «Food» file revealed that the detainees were fed only once a day instead of three times. According to the superintendent, each detainee can get food equivalent to 450 drams per day, which is not enough to feed them three times a day.

According to the RA government resolution «On Defining the Minimum Ratio of Free Food for the Detainees », decreed on May 15, 2003, 450 drams is not sufficient to provide the detainees with the defined amount of food.

At the time the Group visited the DF there was only one detainee. The Group had a private interview with the detainee and explained to him the aims and tasks of the monitoring group. The particular detainee had no complaints or suggestions, but he asked for a psychologist because he needed one. The request of the detainee was passed on to the superintendent of the DF, who, in his turn promised to invite a specialist from the Vanadzor neuro-psychiatry clinic.

The Group had a meeting with the convicted A.S. who stated that during his detention at the Vanadzor DF from September 25-29, 2005, he had been brutally beaten by the employees of the criminal investigation department of the Lori regional police and by the investigator of the Lori regional procurator office who was representing his case. A.S. had reported that incident during his hearing at all the legal organizations of RA, which are the Lori regional court of first instance, at the RA inspecting court for criminal and military cases, and finally at the Palace of RA Court of Appeal for criminal and military cases. Nevertheless, there has been no inquiry into incident.

### Findings from the files

1. The DF «Duty Handover and Acceptance» file was available.
2. The «Registration of the Detainees» file was available.
3. The «Medical Examination and Treatment» file was available.
4. The «Informing the Relatives» file was available.
5. The «Body Injuries» file was available.

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6. The «Comments and Suggestions» file was available.
  7. The «Releasing of Detainees from the Cells» file was available.
  8. The «Registration and Handing over of the Parcels» file was available.
  9. The «Registration of the Visits» file was available.
  10. The «Food» file was available. The «Detainees Phone Calls» file was available.
  11. The «Suggestions, Requests and Complaints by the Detainees» file was available.

The complete description of the Vanadzor DF of the Lori regional administration of the RA Police is provided in Appendix 7.

### **Suggestions**

1. Solve the problem of the light.
2. Fix the toilet.
3. Provide the detainees with a daily one-hour walk; install a roof at the walking area to protect the detainees from the sun and the rain.
4. Check the health conditions of the detainees transferred from other departments and record all the body injuries.
5. Find and severely punish those employees who beat the detainees.

## **Observations at the Spitak DF of the Lori regional administration of the RA Police**

The DF has been recently renovated and is in a good condition. It consisted of three cells each for 2 persons, a questioning room, a medical room, a walking area and a visiting room. During the observations the Group found out that the light in the cells was very poor, and therefore it was impossible to read or write in the cells. The questioning room did not meet the standards, because of the three existing chairs only one chair was fixed on the floor. The toilet was in satisfactory condition. The walking area did not meet the standards: although there was a roof, there were no benches.

The Group had an interview with the superintendent of the Spitak DF and learnt that the detainees do not undergo a medical checkup upon entering the DF, instead, the officer of the day checks them visually.

The superintendent also talked about the problem of providing food to the detainees. The talks, as well as the examination of the «Food» file revealed that the detainees were fed only once a day instead of three times. According to the superintendent, each detainee can get food equivalent to 450 drams per day, which is not enough to feed them three times a day.

According to the RA government resolution «On Defining the Minimum Ratio of Free Food for the Detainees», decreed on May 15, 2003, 450 drams is not sufficient to provide the detainees with the defined amount of food.

### **Findings from the files**

1. The DF «Duty Handover and Acceptance» file was available.
2. The «Registration of the Detainees» file was available.
3. The «Medical Examination and Treatment» file was available.
4. The «Informing the Relatives» file was available.
5. The «Body Injuries» file was available.

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6. The «Comments and Suggestions» file was available.
  7. The «Releasing of Detainees from the Cells» file was available.
  8. The «Registration and Handing over of the Parcels» file was available.
  9. The «Registration of the Visits» file was available.
  10. The «Food» file was available.
  11. The «Detainees Phone Calls» file was available.
  12. The «Suggestions, Requests and Complaints by the Detainees» file was available.

The complete description of the Spitak DF of the Lori regional administration Of the RA Police is provided in Appendix 7.

## **Observations at the Tashir DF of the Lori Regional Administration of the RA Police**

The Tashir DF was recently being renovated but for unknown reasons the renovation works have been interrupted. The superintendent of the DF said that the renovation works had been interrupted for unknown reasons and he had no idea when the works would resume. The DF consisted of 3 single cells, a questioning room, a walking area, a kitchen and a visiting room.

The RA Police order # 1N, on the Regulations of the Public Monitoring Group and the list of its members (dated January 14, 2005), was not hanging from the walls of the DF.

Inside the DF cells the light was very poor, and therefore it was impossible to read or write in the cells. The questioning room did not meet the standards; the chairs were not fixed to the floor. The visiting room did not meet the standards, as it was neither isolated nor separated with the window and was not properly furnished for the meetings with the lawyers or the relatives. There was no refrigerator in the kitchen, and because of that it was impossible to keep food fresh in summer time. All existing medicine was expired. The toilet was not in a good condition.

The files were not recorded properly. The last record in the «Registration and Handing over of the Parcels» file was in 2005, whereas the superintendent assured us that there have always been parcels.

There was no record on taking the detainees out for a walk, which implies that the rights of detainees for a walk at the Tashir DF have been violated.

The walking area did not meet the standards, as there was neither a roof nor a bench. After inspecting the walking area it became obvious that, at least for one year, nobody had been taken for walk. As a proof, some pictures of the Tashir DF walking area are attached.

According to the «Registration of the Detainees» file, from January 1, 2006 till 10.09.06, the date when the Group visited the DF, there had been 15 detainees at the DF, although there were records about 4 detainees only, who had been either released or transferred to a penal institution. The «Registration of the Detainees» file contains no information about the whereabouts of the remaining 11 detainees. It is unknown whether they were transferred to another facility or whether they were released.

Generally, the files of the Tashir DF were not properly registered or the records were full of mistakes or were distorted.

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The Group had an interview with the superintendent of the Tashir DF and learnt that the detainees do not undergo a medical checkup upon entering the DF, instead, the officer of the day checks them visually.

The superintendent also talked about the problem of providing food to the detainees. The talks, as well as the examination of the «Food» file revealed that the detainees were fed only once a day, instead of three times.

### **Findings from the files**

1. The DF «Duty Handover and Acceptance» file was available.
2. The «Registration of the Detainees» file was available.
3. The «Medical Examination and Treatment» file was available.
4. The «Informing the Relatives» file was available.
5. The «Body Injuries» file was available.
6. The «Comments and Suggestions» file was available.
7. The «Releasing of Detainees from the Cells» file was available.
8. The «Registration and Handing over of the Parcels» file was available. The last entry was in 2005.
9. The «Registration of the Visits» file was available.
10. The «Food» file was available.
11. The «Detainees Phone Calls» file was available.
12. The «Suggestions, Requests and Complaints by the Detainees» file was available.

The complete description of the Tashir DF of the Lori regional administration of the RA Police is provided in Appendix 7.

### **Suggestions**

1. Provide the DF with a medical room.
2. Provide the DF with medicine.
3. Pay attention to the sanitary condition of the toilet.
4. Guarantee the one hour walk of the detainees, solve the walking area problem.
5. Keep accurate and proper records of the files.

## **Observations at the Tumanyan DF of the Lori Regional Administration of the RA Police**

The DF has been recently renovated and was in a good condition. It consisted of 4 cells each for 2 persons, a questioning room, a medical room, a walking area, a kitchen and a visiting room.

Inside the cells the light was very poor, and therefore it was impossible to read or write there. The questioning room did not meet the standards; the chairs were not fixed to the floor. The visiting room did not meet the standards as well, as it was neither divided nor separated with a window and was not properly furnished for meetings either with lawyers or the relatives. There was no refrigerator in the kitchen, and for that reason it was impossible to keep the food fresh in summer time. Instead of 8 persons (as is the Tumanyan DF planned), the tableware was for 4. All the existing medicine was expired. The toilet was in a satisfactory condition.

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The files were not properly recorded. There were no records in the «Taking the Detainees out for a Walk» file, which implies that at the Tumanyan DF the rights of the detainees for a walk have been violated. The walking area did not meet the standards; there was neither a roof nor a bench.

Although the «Registration of the Detainees» file contained records that there were detainees at the DF in the month of August, the «Food» file contained no records for that month.

The Group had an interview with the superintendent of the Tumanyan DF and learnt that the detainees do not undergo a medical checkup upon entering the DF, instead, the officer of the day checks them visually.

The superintendent also talked about the problem of providing food to the detainees. The talks, as well as the examination of the «Food» file revealed that the detainees were fed only once a day instead of three times. According to the superintendent, each detainee can get food equivalent to 450 drams per day, which is not enough to feed them three times a day.

During the visit there were 2 detainees at the DF. The Group had a private interview with them. During the interview the Group explained to the detainees the tasks and activities of the public monitoring group. The mentioned detainees did not have any complaints or suggestions and were satisfied with the management of the DF.

### **Findings from the files**

1. The DF «Duty Handover and Acceptance» file was available.
2. The «Registration of the Detainees» file was available.
3. The «Medical Examination and Treatment» file was available.
4. The «Informing the Relatives» file was available.
5. The «Body Injuries» file was available.
6. The «Comments and Suggestions» file was available.
7. The «Releasing of Detainees from the Cells» file was available.
8. The «Registration and Handing over of the Parcels» file was available.
9. The «Registration of the Visits» file was available.
10. The «Food» file was available.
11. The «Detainees Phone Calls» file was available.
12. The «Suggestions, Requests and Complaints by the Detainees» file was available.

The complete description of the Tumanyan DF of the Lori regional administration of the RA Police is provided in Appendix 7.

### **Suggestions**

1. Pay much attention to the medicine.
2. Guarantee the one- hour walk of the detainees; install a roof and a bench in the walking area.
3. Solve the problem of the light.

## **Observations at the Stepanavan DF of the Lori Regional Administration of the RA Police**

The Group visited the Stepanavan DF only to find out that it had stopped functioning for an unknown period of time, whereas the RA police had informed the Group that the Stepanavan

DF was functioning. The officer of the day stated that the DF had been closed down because it had been flooded and because, being located in the basement, it did not meet the standards.

The Group checked the «Registration of the Detainees» file to locate where the detainees had been transferred from the Stepanavan DF. But they found out that the file did not have proper records.

The Group had an interview with the officer of the day of the Stepananvan police and learnt that the detainees from Stepanavan DF were transferred to Vanadzor and Tashir DFs.

The officer of the day complained that the toilet was out of use and that, when the detainees brought in to the DF at night needed to use one, the officers of the day, using flashlights, accompanied them to the toilet located outside the building. This was not only very unpleasant for them, because they had to enter to the toilet with a detainee, but there was also the danger that the detainee, once outside the building, could escape.

## Appendix 7

The complete description of the DF in Lori regional administration of the RA Police is given below:

Town	Vanadzor DF	Spitak DF	Tashir DF	Toumanyan DF
Staff	Superintendent 4 officers of the day	Superintendent 4 officers of the day	Superintendent 4 officers of the day	Superintendent 4 officers of the day
Number of cells	4	3	3	4
Sizes of the cells				
Sizes of the window				
Light	Poor	Good	Poor	Poor
Furnishing	2 beds, The light inside the cells is very poor, therefore it is impossible to read or write	2 beds, a blanket, a pillow, a mattress	1 bed, a blanket, a pillow, a mattress	2 beds, a blanket, a pillow, a mattress
Questioning room	1 table, 1 chair fixed in the floor, there were 3 more chairs which were not fixed	There was one	There was one	There was one
Medical room	There was one	There was one	None	There was one
Medicine	There was	There was	None	None
Expired medicine	There was	None	None	There was
Visiting room	There was one	There was one	There was one	There was one
Toilet	Was out of use	Good	Not in a good condition	Good
Bathroom	Was out of use	Good	Not in a good condition	Good
Kitchen	There was one	There was one	There was one	There was one
Tableware	There was	There was	There was	For 4 persons
Walking area	There was no roof	There was a roof	There was no a roof	There was no roof



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# ARAGATSOTN REGION

## Observations at the Ashtarak DF of the Aragatsotn Regional Administration of the RA Police

The DF consisted of 5 cells each for 2 persons, a questioning room, a visiting room, a medical room, a kitchen, a walking area and a toilet. The observations revealed that the DF met all the requirements.

### Findings from the files

1. The DF «Duty Handover and Acceptance» file was available.
2. The «Registration of the Detainees» file was available.
3. The «Medical Examination and Treatment» file was available.
4. The «Informing the Relatives» file was missing.
5. The «Body Injuries» file was missing.
6. The «Comments and Suggestions» file was available.
7. The «Releasing of Detainees from the Cells» file was missing.
8. The «Registration and Handing over of the Parcels» file was available.
9. The «Registration of the Visits» file was missing.
10. The «Food» file was available.
11. The «Detainees Phone Calls» file was missing.
12. The «Suggestions, Requests and Complaints by the Detainees» file was missing.

The complete description of the Ashtarak DF of the Aragatsotn regional administration of the RA Police is provided in Appendix 8.

## Observations at the Aparan DF of the Aragatsotn Regional Administration of the RA Police

The DF consisted of cells, a questioning room, a visiting room, a medical room, a kitchen, a walking area and a toilet. The observations revealed that the DF met all the requirements.

### Findings from the files

1. The DF «Duty Handover and Acceptance» file was available.
2. The «Registration of the Detainees» file was available.
3. The «Medical Examination and Treatment» file was available.
4. The «Informing the Relatives» file was missing.
5. The «Body Injuries» file was missing.
6. The «Comments and Suggestions» file was available.
7. The «Releasing of Detainees from the Cells» file was missing.
8. The «Registration and Handing over of the Parcels» file was available.
9. The «Registration of the Visits» file was missing.
10. The «Food» file was available.
11. The «Detainees Phone Calls» file was missing.
12. The «Suggestions, Requests and Complaints by the Detainees» file was missing.

The complete description of the Aparan DF of the Aragatsotn regional administration of the RA Police is provided in Appendix 8.

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## **Observations at the Aragats DF of the Aragatsotn Regional Administration of the RA Police**

The DF consisted of cells, a questioning room, a visiting room, a medical room, a kitchen, a walking area and a toilet. The observations revealed that the DF met all the requirements.

### **Findings from the files**

1. The DF «Duty Handover and Acceptance» file was available.
2. The «Registration of the Detainees» file was available.
3. The «Medical Examination and Treatment» file was available.
4. The «Informing the Relatives» file was missing.
5. The «Body Injuries» file was missing.
6. The «Comments and Suggestions» file was available.
7. The «Releasing of Detainees from the Cells» file was missing.
8. The «Registration and Handing over of the Parcels» file was available.
9. The «Registration of the Visits» file was missing.
10. The «Food» file was available.
11. The «Detainees Phone Calls» file was missing.
12. The «Suggestions, Requests and Complaints by the Detainees» file was missing.

The complete description of the Aragats DF of the Aragatsotn regional administration of the RA Police is provided in Appendix 8.

## **Observations at the Talin DF of the Aragatsotn regional administration of the RA Police**

The DF consisted of cells, a questioning room, a visiting room, a medical room, a kitchen, a walking area and a toilet. The observations revealed that the DF met all the requirements.

### **Findings from the files**

1. The DF «Duty Handover and Acceptance» file was available.
2. The «Registration of the Detainees» file was available.
3. The «Medical Examination and Treatment» file was available.
4. The «Informing the Relatives» file was missing.
5. The «Body Injuries» file was missing.
6. The «Comments and Suggestions» file was available.
7. The «Releasing of Detainees from the Cells» file was missing.
8. The «Registration and Handing over of the Parcels» file was available.
9. The «Registration of the Visits» file was missing.
10. The «Food» file was available.
11. The «Detainees Phone Calls» file was missing.
12. The «Suggestions, Requests and Complaints by the Detainees» file was missing.

The complete description of the Talin DF of the Aragatsotn regional administration Of the RA Police is provided in Appendix 8.

The complete description of the DF in Aragatsotn regional administration of the RA Police is given below:

<b>Town</b>	<b>Ashtarak DF</b>	<b>Aparan DF</b>	<b>Aragats DF</b>	<b>Talin DF</b>
<b>Number of cells</b>	5			3
<b>Sizes of the cells</b>	2.5m x 4m			2.5m x 4 m
<b>Sizes of the window</b>	0.50m x 0.60 m			0.50 m x 0.60 m
<b>Light</b>	Satisfactory	Satisfactory	Satisfactory	Satisfactory
<b>Furnishing</b>	A bed, a sink, a chair and a table fixed on the floor	A bed, a sink, a chair and a table fixed on the floor	A bed, a sink, a chair and a table fixed on the floor	A bed, a sink, a chair and a table fixed on the floor
<b>Questioning room</b>	There is one	Light, a table, 2 chairs	Light, a table, 2 chairs	Light, A table, 2 chairs
<b>Medical room</b>	Light, Had medicine	Light, Had medicine	Light, Had medicine	Light, Had medicine
<b>Medicine</b>	All new medicine	All new medicine	All new medicine	All new medicine
<b>Expired medicine</b>	None	None	None	None
<b>Visiting room</b>	There was one	Light	Light	Light
<b>Toilet</b>	Acceptable	Acceptable	Acceptable	Acceptable
<b>Bathroom</b>	Acceptable	Not equipped	Acceptable	Not equipped
<b>Kitchen</b>	There was one	There was one	There was one	There was one
<b>Tableware</b>	Available	Available	Available	Available
<b>Walking area</b>	There was no roof	There was no roof	There was no roof	There was no roof

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# SHIRAK REGION

## Observations at the Amasia DF of the Shirak Regional Administration of the RA Police

The DF consisted of cells, a questioning room, a visiting room, a medical room, a kitchen, a walking area and a toilet. The observations revealed that the DF met all the requirements, with the exception that there was no tableware. The DF was not put into operation, therefore there was no water or beds.

### Findings from the files

1. The DF «Duty Handover and Acceptance» file was available.
2. The «Registration of the Detainees» file was available.
3. The «Medical Examination and Treatment» file was available.
4. The «Informing the Relatives» file was missing.
5. The «Body Injuries» file was missing.
6. The «Comments and Suggestions» file was available.
7. The «Releasing of Detainees from the Cells» file was missing.
8. The «Registration and Handing over of the Parcels» file was available.
9. The «Registration of the Visits» file was missing.
10. The «Food» file was available.
11. The «Detainees Phone Calls» file was missing.
12. The «Suggestions, Requests and Complaints by the Detainees» file was missing.

The complete description of the Amasia DF of the Shirak regional administration of the RA Police is provided in Appendix 9.

## Observations at the Artik DF of the Shirak Regional Administration of the RA Police

The Artik DF was recently renovated and was in a good condition. It consisted of six single cells, a questioning room, a walking area and a visiting room. The RA Police order # 1N, on the Regulations of the Public Monitoring Group and the list of its members (dated January 14, 2005), was not hanging from the walls of the DF. The visiting room did not meet the standards; it was neither divided nor separated with a window and was not properly furnished for meetings with lawyers or the relatives.

According to the «Medical» file, one person used the emergency service in 2005, and in 2006 there was none. The last record in the «Registration and Handing over of the Parcels» file was dated February 2006, although when having a conversation with the superintendent of the DF, he insisted that they always received parcels. The walking area did not meet the standards: there was no roof, no benches or exercise equipment. The Group had an interview with the superintendent of the Artik and was told that the detainees do not undergo a medical checkup upon entering the DF, instead, the officer of the day checks them visually.

### Findings from the files

1. The DF «Duty Handover and Acceptance» file was available.
2. The «Registration of the Detainees» file was available.
3. The «Medical Examination and Treatment» file was available.

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4. The «Informing the Relatives» file was missing.
  5. The «Body Injuries» file was missing.
  6. The «Comments and Suggestions» file was available.
  7. The «Releasing of Detainees from the Cells» file was missing.
  8. The «Registration and Handing over of the Parcels» file was available.
  9. The «Registration of the Visits» file was missing.
  10. The «Food» file was available.
  11. The «Detainees Phone Calls» file was missing.
  12. The «Suggestions, Requests and Complaints by the Detainees» file was missing.

#### **Suggestions**

1. Pay much attention to the medicine.
2. Guarantee the one- hour walk of the detainees; install a roof and a bench in the walking area.
3. Hang the RA Police order # 1N, on the Regulations of the Public Monitoring Group and the list of its members (dated January 14, 2005) at the DF.

The complete description of the Artik DF of the Shirak regional administration of the RA Police is provided in Appendix 9.

### **Observations at the Ghukasyan DF of the Shirak Regional Administration of the RA Police**

The DF consisted of cells, a questioning room, a visiting room, a medical room, a kitchen, a walking area and a toilet. The observations revealed that the DF met all the requirements, with the exception that there was no tableware.

#### **Findings from the files**

1. The DF «Duty Handover and Acceptance» file was available.
  2. The «Registration of the Detainees» file was available.
  3. The «Medical Examination and Treatment» file was available.
  4. The «Informing the Relatives» file was missing.
  5. The «Body Injuries» file was missing.
  6. The «Comments and Suggestions» file was available.
  7. The «Releasing of Detainees from the Cells» file was missing.
  8. The «Registration and Handing over of the Parcels» file was available.
  9. The «Registration of the Visits» file was missing.
  10. The «Food» file was available.
  11. The «Detainees Phone Calls» file was missing.
  12. The «Suggestions, Requests and Complaints by the Detainees» file was missing.
- The complete description of the Ghukasyan DF of the Shirak regional administration Of the RA Police is provided in Appendix 9

### **Observations at the Akhuryan DF of the Shirak Regional Administration of the RA Police**

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The Akhuryan DF was recently renovated and was in a good condition. It consisted of six single, a questioning room, a walking area and a visiting room. There was no medical room, but the medicine cabinet contained a small amount of various drugs. The RA Police order # 1N, on the Regulations of the Public Monitoring Group and the list of its members (dated January 14, 2005) was not hanging from the walls of the DF.

According to the «Detainees Phone Calls», the relatives of only nine detainees had been informed about their relative arrest, although, from the beginning of the 2006 till the date the Group visited the site, 53 detainees and imprisoned had been kept at the DF.

The walking area did not meet the standards; there was no roof, no benches or exercise equipment. The Group had an interview with the superintendent of the DF and learnt that the detainees do not undergo a medical checkup upon entering the DF, instead, the officer of the day checks them visually.

At the time of the visit at 15:00, the Group met Sh. M.. She was being transferred to the Abovyan penal institution. The detainee Sh. M. told the Group that she had been brought in the Gyumri police (textile) department on October 10 at 17:00 and later had been released. The next day, on October 11, upon the call from the police she had come to the same facility, where she had been kept for one day (she had slept on the chair) and in the morning she had been transferred to the Akhuryan DF. The detainee Sh. M. also told that the Group that in September too, the same year, she had been kept at the Gyumri police (textile) department, and for three nights she had slept sitting on the chair.

The abovementioned case is a violation of human rights; a violation of Articles 3, 14 and 16 of RA Constitution and Article 5 of European Convention on «Human Rights and Protection of Fundamental Freedoms». The study of the «Registration of the Detainees» file showed that for the purpose of participating in the hearings of their cases, imprisoned women and minors have been held at the Akhuryan DF for 5 to 25 days. This is a violation of Article 137 point 2 of the RA criminal law, according to which a prisoner should not be kept for more than 3 days at the DF, excluding the cases when, because of the lack of transportation, the detainee cannot be taken to an isolation cell for questioning or to other detention facilities. The Article 6 of the RA law «On Custody of Detainees and Prisoners» states that when it is impossible to move a detainee every day, for investigation purposes and for conducting judicial inquiry outside the penal institution, the imprisoned can, by the decision of the investigator, the judge or the court, be moved to a DF for 3 days. The first part of the same article regulates that, if it is impossible to move a prisoner from a DF to a penal institution on time because of the lack of transportation means, the prisoner shall be kept at the DF on terms and conditions defined for a penal institution. The DF did not have cells for women and minors, and they were not kept on terms and conditions of imprisoned persons.

According to the «Registration of the Detainees» file, the minor Ar. K., (born in 1988), was kept at the DF for 28 days (15.08.06 – 11.09.06). Minor A. H. was kept for 13 days (12.09.06 – 25.09.06).

There have been many such cases, but the Group does not find it suitable to name all the detainees.

### **Findings from the files**

1. The DF «Duty Handover and Acceptance» file was available.
2. The «Registration of the Detainees» file was available.
3. The «Medical Examination and Treatment» file was available.

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4. The «Informing the Relatives» file was missing.
  5. The «Body Injuries» file was missing.
  6. The «Comments and Suggestions» file was available.
  7. The «Releasing of Detainees from the Cells» file was missing.
  8. The «Registration and Handing over of the Parcels» file was available.
  9. The «Registration of the Visits» file was missing.
  10. The «Food» file was available.
  11. The «Detainees Phone Calls» file was missing.
  12. The «Suggestions, Requests and Complaints by the Detainees» file was missing.

### **Suggestions**

1. Keep correct records in the«Detainees Phone Calls» file.
2. Provide the DF with a telephone communication.
3. Hang the RA Police order # 1N, on the Regulations of the Public Monitoring Group and the list of its members (dated January 14, 2005) at the DF.
4. Check the medicine.
5. Use the DF only for the purpose of holding the detainees and not turn it into a penal institution.
6. Do not keep the detainees at the facility without any reason and unlawfully (for more than 72 hours).

The complete description of the Akhuryan DF of the Shirak regional administration of the RA Police is provided in Appendix 9.

## **Observations at the Maralik DF of the Shirak Regional Administration of the RA Police**

The DF consisted of cells, a questioning room, a visiting room, a medical room, a kitchen, a walking area and a toilet. The observations revealed that the DF met all the requirements, with the exception that there was no tableware. The renovation was not completed and as of 17.07.06 the building was not ready for use.

### **Findings from the files**

1. The DF «Duty Handover and Acceptance» file was available.
2. The «Registration of the Detainees» file was available.
3. The «Medical Examination and Treatment» file was available.
4. The «Informing the Relatives» file was missing.
5. The «Body Injuries» file was missing.
6. The «Comments and Suggestions» file was available.
7. The «Releasing of Detainees from the Cells» file was missing.
8. The «Registration and Handing over of the Parcels» file was available.
9. The «Registration of the Visits» file was missing.
10. The «Food» file was available.
11. The «Detainees Phone Calls» file was missing.
12. The «Suggestions, Requests and Complaints by the Detainees» file was missing.

The complete description of the Maralik DF of the Shirak regional administration Of the RA Police is provided in Appendix 9.

## Appendix 9

The complete description of the DFs in Shirak regional administration of the RA Police is given below:

Town	Amasia DF	Artik DF	Ghukasyan DF	Akhuryan DF	Maralik DF
<b>Number of cells</b>	3			6	
<b>Sizes of cells</b>				2.5m x 4 m	
<b>Sizes of windows</b>				0.50m x 0.60m	
<b>Light</b>	Satisfactory	Satisfactory	Satisfactory	Satisfactory	Satisfactory
<b>Furnishing</b>	A sink, a bed, a table, a chair	A sink, a bed, a table, a chair	A sink, a bed, a table, a chair	A sink, a bed, a table, a chair	A sink, a bed, a table, a chair
<b>Questioning room</b>	Light, A table and 2 chairs fixed on the floor	Light, A table and 2 chairs fixed on the floor	Light, a table & 2 chairs fixed on the floor	There was one	Light, a table & 2 chairs fixed on the floor
<b>Medical room</b>	Light, Medicine available	Light, medicine available	Light, Medicine available	Light, Medicine available	Light, Medicine available
<b>Medicine</b>	All new medicine	All new medicine	All new medicine	All new medicine	All new medicine
<b>Expired medicine</b>	None	None	None	None	None
<b>Visiting room</b>	Light	Light	Light	Light	Light
<b>Toilet</b>	Acceptable	Acceptable	Acceptable	Acceptable	Acceptable
<b>Bathroom</b>	Acceptable	Acceptable	Acceptable	Acceptable	Acceptable
<b>Kitchen</b>	Available	Available	Available	Available	Available
<b>Kitchenware</b>	None	None	None	Available	Available
<b>Walking area</b>					



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# ARARAT REGION

## Observations at the Artashat DF of the Ararat Regional Administration of the RA Police

The DF consisted of 5 cells each for 2 persons, a questioning room, a visiting room, a medical room, a cafeteria, a walking area and a toilet. Following the Group observation it was concluded that the DF was in a faultless condition.

It was the second day after the renovation. There were six detainees at the DF. The bathroom was not in use yet. The file on «Releasing of Detainees from the Cells» was missing. One cell was not furnished yet.

### Findings from the files

1. The DF «Duty Handover and Acceptance» file was available.
2. The «Registration of the Detainees» file was available.
3. The «Medical Examination and Treatment» file was available.
4. The «Informing the Relatives» file was missing.
5. The «Body Injuries» file was missing.
6. The «Comments and Suggestions» file was available.
7. The «Releasing of Detainees from the Cells» file was missing.
8. The «Registration and Handing over of the Parcels» file was available.
9. The «Registration of the Visits» file was missing.
10. The «Food» file was available.
11. The «Detainees Phone Calls» file was missing.
12. The «Suggestions, Requests and Complaints by the Detainees» file was missing.

The complete description of the Artashat DF of the Ararat regional administration of the RA police is provided in Appendix 10.

## Observations at the Masis DF of the Ararat Regional Administration of the RA Police

The DF consisted of 4 cells each for 2 persons, a questioning room, a visiting room, a medical room, a kitchen, a walking area and a toilet. The observations showed that the DF was in a perfect condition.

There were some omissions in the «Food» file regarding the incoming food.

### Findings from the files

1. The DF «Duty Handover and Acceptance» file was available.
2. The «Registration of the Detainees» file was available.
3. The «Medical Examination and Treatment» file was available.
4. The «Informing the Relatives» file was missing.
5. The «Body Injuries» file was missing.

6. The «Comments and Suggestions» file was available.
7. The «Releasing of Detainees from the Cells» file was missing.
8. The «Registration and Handing over of the Parcels» file was available.
9. The «Registration of the Visits» file was missing.
10. The «Food» file was available.
11. The «Detainees Phone Calls» file was missing.
12. The «Suggestions, Requests and Complaints by the Detainees» file was missing.

The complete description of the Masis DF of the Ararat regional administration of The RA Police is provided in Appendix 10.

### **Observations at the Vedi DF of the Ararat Regional Administration of the RA Police**

The DF consisted of 5 cells each for 2 persons, a questioning room, a visiting room, a medical room, a kitchen, a walking area and a toilet. Following their observations the Group concluded that the DF was in a perfect condition.

G. Mn. was arrested on 22.06.06 and was released by court order on 30.06.06. His personal file contained corresponding documents of his 72-hour arrest, but there were no legal papers on his imprisonment from 25.06.06 till 30.06.06.

#### **Findings from the files**

1. The DF «Duty Handover and Acceptance» file was available.
2. The «Registration of the Detainees» file was available.
3. The «Medical Examination and Treatment» file was available.
4. The «Informing the Relatives» file was missing.
5. The «Body Injuries» file was missing.
6. The «Comments and Suggestions» file was available.
7. The «Releasing of Detainees from the Cells» file was missing.
8. The «Registration and Handing over of the Parcels» file was available.
9. The «Registration of the Visits» file was missing.
10. The «Food» file was available.
11. The «Detainees Phone Calls» file was missing.
12. The «Suggestions, Requests and Complaints by the Detainees» file was missing.

The complete description of the Vedi DF of the Ararat regional administration of the RA Police is provided in Appendix 10.

#### **Appendix 10**

The complete description of the DFs in Ararat regional administration of the RA Police is given below:

<b>Town</b>	<b>Artashat DF</b>	<b>Masis DF</b>	<b>Vedi DF</b>
<b>Number of cells</b>	5	4	5

<b>Seizes of cells</b>	5m x 3 m	5m x 2.5m	5m x 3 m
<b>Seizes of the windows</b>	0.60m x 0.50m	0.60m x 0.50 m	0.60m x 0.50 m
<b>Light</b>	Satisfactory	Unsatisfactory	Satisfactory
<b>Furnishing</b>	2 beds, a sink, a table and chairs fixed on the floor	2 beds, a sink, a table and chairs fixed on the floor	2 beds, a sink, a table and chairs fixed on the floor
<b>Questioning room</b>	Light A table and chairs fixed on the floor	Light A table and chairs fixed on the floor	Light A table and chairs fixed on the floor
<b>Medical room</b>	Light Medicine available	Light Medicine available	Light Medicine available
<b>Medicine</b>	All new medicine	1. Extract 2. Valeriana 3. spirit 4. bandages 5. cotton 6. Iodine	1. Extract 2. Valeriana 3. spirit 4. bandages 5. cotton 6. Iodine
<b>Expired medicine</b>	None	None	None
<b>Visiting room</b>	Light	The phones were not working	Light no telecommunication
<b>Toilet</b>	Acceptable	Acceptable	Acceptable
<b>Kitchen</b>	Available	Available	Available
<b>Kitchenware</b>	Available	Available	Available
<b>Walking area</b>	No roof	No roof	No walking area

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# ARMAVIR REGION

## Observations at the Armavir DF of the Armavir Regional Administration of the RA Police

The DF consisted of 4 cells each for 2 persons, a questioning room, a visiting room, a walking area and a toilet. The observation concluded that the light inside the cells was very poor, therefore it was impossible to read or write. There was no medical room, no kitchen medicine or linen. The tableware was in a bad condition. The toilet and the cells were in a bad condition and very unclean.

### Findings from the files

1. The DF «Duty Handover and Acceptance» file was available.
2. The «Registration of the Detainees» file was available.
3. The «Medical Examination and Treatment» file contained no records.
4. The «Informing the Relatives» file was available.
5. The «Body Injuries» file was available.
6. The «Comments and Suggestions» file was available.
7. The «Releasing of Detainees from the Cells» file was available.
8. The «Registration and Handing over of the Parcels» file was missing.
9. The «Registration of the Visits» file was available.
10. The «Food» file was available.
11. The «Detainees Phone Calls» file was available.
12. The «Suggestions, Requests and Complaints by the Detainees» file was missing

The complete description of the Armavir DF of the Armavir regional administration of The RA Police is provided in Appendix 11

### Suggestions

1. Solve the linen problem.
2. Redecorate one of the cells in order to use it as a medical room.
3. Check all the medicine.
4. Pay attention to the cleanness of the toilet.
5. Provide the DF with a kitchen.
6. Increase the number of the tableware and keep it clean.

## Observations at the Vagharshapat DF of the Armavir regional administration of the RA Police

The DF consisted of 4 cells each for 2 persons, a questioning room, a visiting room, a walking area and a toilet. After observation the Group found out that there was no medical room, no kitchen or medicine. The tableware was in a bad condition.

### Findings from the files

1. The DF «Duty Handover and Acceptance» file was available.
2. The «Registration of the Detainees» file was available.
3. The «Medical Examination and Treatment» file contained no records.
4. The «Informing the Relatives» file was available.

5. The «Body Injuries» file contained no records.
6. The «Comments and Suggestions» file was missing.
7. The «Releasing of Detainees from the Cells» file was available.
8. The «Registration and Handing over of the Parcels» file contained no records.
9. The «Registration of the Visits» file was available.
10. The «Food» file was available.
11. The «Detainees Phone Calls» file contained no records.
12. The «Suggestions, Requests and Complaints by the Detainees» file was missing

The complete description of the Vagharshapat DF of the Armavir regional administration of The RA Police is provided in Appendix 11.

### Suggestions

1. Redecorate one of the cells in order to use it as a medical room.
2. Provide the DF with a kitchen.
3. Increase the number of the tableware and keep it clean.

### Appendix 11

The complete description of the DFs in Armavir regional administration of the RA Police is given below:

<b>Town</b>	<b>Armavir DF</b>	<b>Vagharshapat DF</b>
<b>Staff</b>	Superintendent, 4 officers of the day	Superintendent, 4 officers of the day
<b>Number of cells</b>	4	4
<b>Sizes of cells</b>	3m x 2.5 m	3m x 2.5m
<b>Sizes of the windows</b>	0.40m x 0.50m	0.40m x 0.50 m
<b>Light</b>	Poor	Satisfactory
<b>Furnishing</b>	2 beds, 2 chairs, no linen	Satisfactory
<b>Questioning room</b>	Good	
<b>Medical room</b>	None	None
<b>Medicine</b>	None	Available
<b>Expired medicine</b>	Observed	observed
<b>Visiting room</b>	In a very good condition	In a very good condition
<b>Toilet</b>	In a very bad condition	In a good condition
<b>Bathroom</b>	In a very bad condition	In a good condition
<b>Kitchen</b>	Did not exist	Did not exist
<b>Tableware</b>	Was not clean	Was not enough
<b>Walking area</b>	No roof	No roof

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## RIGHT TO LIBERTY AND SECURITY

The observations conducted by the Group revealed that there are many cases of illegal arrests, and that these acts have become a disgraceful common experience. There have been many alert calls about people being kept illegally in police departments, but, unfortunately the Group was unable to find out anything about them, as they mostly found empty cells, thus facing a problem hard to solve. On the one hand the Group has free access to the DFs, on the other, they cannot obtain information on the illegally detained persons, because they were not kept at the DFs and there were no records of them in the files. The Group has free access only to the DFs. There were people who were kept for days in the rooms of the police operative employees and in the three-hour cells.

Regarding this matter see the suggestions of the Group regarding the Regulations of the Activities of the Public Monitoring Group.

We have observed those cases when the 72-hour period of detention had expired, and by the resolution of the court the detainees were not imprisoned, but the management of the DF had not let them go, from the point of view of violation of freedom and personal immunity. These cases of illegal detention are a violation of Article 16 of the RA Constitution. According to this article if the detainees are not imprisoned within 72 hours from the moment of their arrest, they are entitled to be let free immediately. Here are some examples extracted from this report:

### **1. The Charentsavan DF of the Kotayk regional administration of the RA Police**

The study of the file «Registration of the Detainees» revealed that two people: Ar. G. (from 23.03.06 till 05.04.06) and A. H. (from 24.03.06 till 05.04.06) were detained at the DF without legal grounds. In general, there was no written information in the DF about keeping detainees for more than 72 hours.

### **2. The Vardenis DF of the Gegharkunik regional administration of the RA Police**

The study of the file «Registration of the Detainees» revealed that K. Fr. was imprisoned on 25.05.06. The employees made a correction in the file (with another pen) and wrote 15.04.06. The mentioned person was kept in the DF till 23.05.06, which makes 42 hours. M. M. was arrested on 21.08.06 (upon a search warrant) and there were no records about his moving to another place or release. There was no record about him in the «Food» file. Does this imply that he did not receive any food for 42 days?

### **3. The Tchambarak DF of the Gegharkunik regional administration of the RA Police**

The study of the file «Registration of the Detainees» revealed that there were records from which it was clear that the detainees and imprisoned were kept in the DF from 7 to 30 days without legal grounds.

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#### **4. The Goris DF of the Syunik regional administration of the RA Police**

The study of the file «Registration of the Detainees» revealed that 30 people were kept as detainees at the DF for more than 72 hours from January till April 2006.

#### **5. The Sisian DF of the Syunik regional administration of the RA Police**

The study of the file «Registration of the Detainees» revealed that the detainee H. I. was arrested on 20.01.06 at 10:15 and was kept till 13:00, 24.01.06. The detainee A. O. was arrested on 28.02.06 at 20:30 and was kept till 15:00, 04.03.06.

#### **6. The Noyemberyan DF of the Tavush regional administration of the RA Police**

The study of the file «Registration of the Detainees» revealed that S. S. was kept at the DF from 29.05.06 till 07.06.06 based on an order for arrest. A. Ch. was kept as a detainee from 27.07.06 till 31.07.06. In the «Food» file there was no record about him. The Group was told that he was transferred to the hospital, but there was no record about that in the «Releasing Detainees from Cells» file, however there was a record of taking him for a walk for the same period of time.

#### **7. The Ijevan DF of the Tavush regional administration of the RA Police**

The study of the file «Registration of the Detainees» revealed that the arrested H.B. and V. A. were kept at the DF from 11.08.06 till 16.08.06 without any legal grounds. A.H. was imprisoned on 05.08.06 but till the date when the Group visited the site (16.08.06) he was kept at the DF without any reason.

#### **8. The Tashir DF of the Lori regional administration of the RA Police**

The study of the file «Registration of the Detainees» revealed that from January 1, 2006 till 10.09.06, the date when the Group visited the DF, there had been 15 detainees at the DF, although there were records about 4 detainees only, who had been either released or transferred to a penal institution. The «Registration of the Detainees» file contains no information about the whereabouts of the remaining 11 detainees. It is unknown whether they were transferred to another facility or whether they were released.

#### **9. The Akhuryan DF of the Shirak regional administration of the RA Police**

At the time of the visit at 15:00, the Group met Sh. M.. She was being transferred to the Abovyan penal institution. The detainee Sh. M. told the Group that she had been brought in the Gyumri police (textile) department on October 10 at 17:00 and later had been released. The next day, on October 11, upon the call from the police she had come to the same facility, where she had been kept for one day (she had slept on the chair) and in the morning she had been transferred to the Akhuryan DF. The detainee Sh. M. also told that the Group that in September too, the same year, she had been kept at the Gyumri police (textile) department, and for three nights she had slept sitting on the chair.

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## Illegal Detention

The observations conducted by the Group revealed that prisoners are being held at the DFs of the police system for up to 30 days. Regarding this issue, the Group has received various explanations from the management of the detention facilities. Sometimes the excuse is the lack of gasoline or the distributing vehicle, sometimes it is the participation of prisoners in the court procedures. Naturally not a single excuse is built on legal grounds, especially when the prisoners are kept from five to thirty days at a DF, where it is impossible to keep prisoners according to their status determined the law. As it has been mentioned, according to Article 137 point 2 of the RA criminal law a prisoner should not be kept for more than 3 days at the DF, excluding the cases when, because of the lack of transportation, the detainee cannot be taken to an isolation cell for questioning or to other detention facilities.

The Article 6 of the RA law «On Custody of Detainees and Prisoners» states that when it is impossible to move a prisoner every day, for investigation purposes and for conducting judicial inquiry outside the penal institution, the imprisoned can, by the decision of the investigator, the judge or the court, be moved to a DF for 3 days. The first part of the same article regulates that, if it is impossible to move a prisoner from a DF to a penal institution on time because of the lack of transportation means, the prisoner shall be kept at the DF on terms and conditions defined for a penal institution. Presently, the DFs of the RA Police system do not have the means to keep the prisoners in accordance with the regulations of the RA law «On Custody of Detainees and Prisoners». Unfortunately, without taking into consideration the above mentioned law, the management of the DF keeps the prisoners at the DF much longer than determined by the law. We deeply believe that this is a violation of the prisoners rights. The Group considers that the DFs must strictly be used for keeping detainees and not turn into a penal institution.

The Report includes the following cases:

### **The Kapan DF of the Syunik regional administration of the RA Police**

The imprisoned V. D. had been kept at the DF from 30.07.06 till 04.08.06 (resolution of the imprisonment passed on 01.08.06) and the imprisoned A. Gh. from 30.07.06 till 04.08.06 ( resolution of the imprisonment passed on 02.08.06). There was a resolution of the imprisonment of the mentioned persons but there was no reason to keep them at the DF.

The regional police deputy chief Mr. A. informed the Group that «once a resolution of the arrest has been passed, the police have the right to keep the detainee for 6 days».

### **The Egheghnadzor DF of the Vayots Dzor regional administration of the RA Police**

The Group checked the «Registration of the Detainees» file and found out that a certain detainee P. S., taken in on 24.05.06, had been moved from the DF on 08.06.06. A certain Ag. L., taken in on 29.05.06, had been moved on 08.06.06. A certain S. Gh. had been arrested on 26.06.06 and moved on 29.06.06 at 14:30. A certain A.A. had been arrested on 28.07.06 and moved on 02.08.06. The personal files of these detainees contained no documents to justify the reason why they had been kept in the DF.

### **The Vayk DF of the Vayotz Dzor regional administration of the RA Police**



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Ag. L. and B. S. were arrested on 27.07.06 and imprisoned on 30.07.06. According to the judge note they were kept in DF till 03.08.06.

**The Hrazdan DF of the Kotayk regional administration of the RA Police**

The detainees M. G. and G. K. were imprisoned on 14.07.06 but were kept at the DF till 26.07.06 without any legal grounds.

**The Sevan DF of the Gegharkunik regional administration of the RA Police**

The imprisoned A. G. and V. K. were kept at the DF from 09.08.06 till 16.08.06 based on the writings of the deputy judge A.Ch., but these people had been kept at the DF before that for seven days.

**The Dilijan DF of the Tavush regional administration of the RA Police**

The «Registration of the Detainees» file contained records from which it was obvious that the detainees have often been kept there for more than 72 hours, and the imprisoned have been held without corresponding warrants. These are acts of violation of the Constitution of the RA and the RA Criminal Law.

**The Noyemberyan DF of the Tavush regional administration of the RA Police**

The «Registration of the Detainees» file checks revealed that V. G. was kept as a prisoner for 6 days without any order or justification. M. A. was kept as a prisoner from 14.06.06 till 21.06.06 without any written warrant.

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## **Prevention of Torture and Inhuman or Degrading Treatment**

The Group has always paid much attention to the problem of torture and inhuman treatment or degrading treatment. The studies show that there have been cases of beating and inhuman treatment, which have often been referred to in the reports of international law organizations.

According to Article 17 of the RA Constitution no one should be exposed to torture, inhuman or degrading treatment or punishment. The detainees, prisoners and people deprived of their freedoms have the right to be respected and be treated with human dignity.

The report includes:

### **The Tchambarak DF of the Gegharkunik regional administration**

On July 12, 2006 the Group visited Tchambarak DF of the Gegharkunik region. During the visit the superintendent informed that for about two and a half months they have been keeping a person whose identity was not known. The superintendent told the Group that the person had been caught by the soldiers at the RA border and had been handed over to the police.

The above mentioned person had been kept at the Tchambarak DF of the Gegharkunik regional administration without any legal grounds or corresponding registration till the day the Group visited the DF (July 12, 2006).

According to the superintendent, the detainee tried to mutilate himself three times. For this reason, at daytime, he was moved to «the cell» (1,5 X 1,5 sqm) near the duty section, and at night, to the DF cell. There were no documents giving reason for his detention. His detention was not registered in any of the files, nor did he have a personal file. His personal hygiene was in a very bad condition, although the superintendent assured that his underwear was changed every week. The Group requested the RA Chief of Police in writing to take immediate actions to eliminate this violation of the law. As a result, the person was transferred from Tchambarak DF. The Group considers that the above mentioned person had been kept in inhuman conditions, which is the worst violation of the RA Constitution, as well as of other international contracts ratified by the RA.

### **The Goris DF of the Syunik regional administration of the RA Police**

While the Group was waiting at the police department, they noticed a man being taken away from the DF. The man had a bruise round his eye and looked very pale. When asked by the Group who the man was, the operative deputy chief of the police bluntly stated that no one had been taken away from the DF. The examination of the DF registers revealed no record of the above mentioned person in the «Registration of the Detainees» file. The members were given the «Registration of the Persons Brought in to the Police Station» file at the officer of the day room. The file contained a record of a certain N. D., brought in to the police station on 03.08.06 at 23:00, but no record about him being released. The visit paid by the Group to the Goris DF was on 04.08.06, which means that the above mentioned person had been detained illegally. The police employees stated that the person had not been kept at the DF, but at a 3-hour (temporary) confinement cell for about 12 -13 hours.

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## **The Vanadzor DF of the Lori regional administration of the RA Police**

The Group had a meeting with the convicted A.S. who stated that during his detention at the Vanadzor DF from September 25-29, 2005, he had been brutally beaten by the employees of the criminal investigation department of the Lori regional police and by the investigator of the Lori regional procurator office who was representing his case.

A. S. had reported that incident during his hearing at all the legal organizations of RA, which are the Lori regional court of first instance, at the RA inspecting court for criminal and military cases, and finally at the Palace of RA Court of Appeal for criminal and military cases. Nevertheless, there has been no inquiry into incident.

## **Food**

The RA government resolution N-587-N «On Defining the Minimum Ratio of Free Food for the Detainees», decreed on May 15, 2003, defines the minimum ratio of free food for the detainees as presented in Appendix 12.

### Appendix 12

N	Name of the Food	Quantity of the Food in grams per day
1	Bread	550
2	Meat (meat products)	90
3	Fish (without head)	100
4	Grains	120
5	Pasta	20
6	Vegetable oil	20
7	Sugar	40
8	Animal fat, margarine	45
9	Milk (milk powder)	100 (14.3)
10	Tea	1
11	Vegetable	250
12	Potato	550
13	Salt (table)	8
14	Juice	100
15	Tomato paste	3
16	Bay leaf	0.1

The pregnant women, breastfeeding mothers, minors, as well as sick persons (by the doctor instructions) get additionally:

17	Vegetable oil	20
18	Butter	25
19	Milk (milk powder)	100 (14.3)
20	Egg	1

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The Group has always paid attention to the nourishment of the detainees and during its visits it has conducted interviews with the detainees and the DF employees. The interviews and the studies of the «Food» files have revealed that the detainees are being fed only once a day, instead of three times.

The superintendents of detention facilities the Group that they receive 450 drams per detainee to purchase food for one whole day, and that the above mentioned amount is not sufficient to provide three meals a day. During one of the interviews with an employee of the Tavush DF, the officer had announced boastfully that they feed or purchase food for the detainees according to their wish, and that the detainees ask them to use those 450 drams to buy cigarettes for them, what the employees gladly do. We think that there is no need to make any comments on the case.

The Group considers that, in this report, it is pointless to discuss the quality of the food at the detention facilities, because there they have never actually seen any food product mentioned in the list of the minimum ratio.

The authorities of the DFs persistently explain that 450 drams is not sufficient to provide the detainees with the minimum ratio of food defined by the RA Government, as well as they have problems in finding stores that would agree to supply foodstuff for 450 drams and would like to sign a contract with them. The detainees also confirm that they get one meal per day and that the rest of the food they get in parcels from their relatives, but not always can the relatives bring food and not all detainees have relatives to provide them with food.

## **Parcels**

According to Article 22 of the RA Law «On the Custody of the Detainees and Prisoners», the detainees have the right to receive up to 20 kilograms of parcels. They may receive the parcels all at once or in parts.

The Group found out that, in those police departments where there are detention facilities, the list of the items and food products that the detainees are allowed to have, keep with them, receive in parcels or buy is not displayed where everybody would be able to read it. This causes unnecessary problems and nuisance for the relatives, because they do not know what items they are and are not allowed to put in parcels. At best, the list is available in the room and for the officer of the day but it is out of reach and sight of the relatives.

Generally, the «Registration and Handing over of the Parcels» files are either not recorded or the records are not complete. So, the Group has difficulty in figuring out the accuracy and the full picture of the registration and handing over of the parcels.

## **Walk and Walking Area**

According to Article 16 of the RA Law «On the Custody of the Detainees and Prisoners», the walk of the detainees is arranged at daytime, at a designated area. The duration of the walk must not be less than one hour a day. According to the inner regulations (point 10.4) of the detention facilities of the RA Police, the walking areas must be provided with exercise equipment. In none of the DFs has the Group seen a walking area that had an exercise

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machine or was equipped for physical exercise. Moreover, the walking areas did not have roofs, as required by the standards, to protect the detainees from the sun or rain during their walks.

The «Releasing of Detainees from the Cells» files do not contain proper or any records about the detainees being taken for a walk, therefore it is hard to find out whether the detainees really went for a walk or not. During the visits the Group has seen many walking areas that were full of construction waste or garbage, and it is hard to believe that the detainees take their walks in such walking areas.

## **The Personnel of the Detention Facilities and Their Problems**

After the observations the Group concluded that the employees of the detention facilities needed serious retraining. All those employees who have direct contact with the detainees must take additional training courses. The training courses must cover the international covenants ratified by the Republic of Armenia , as well as the standards, defined by the international covenants, of the basic conditions in which the detained people should be kept in custody and be treated.

The DF policemen mainly complain that despite the renovations of DFs, their working conditions do not improve and that their salaries are very low. There are no buffets, cafeterias or sitting-rooms for the employees. The Group considers that it is not an easy task to demand that the employees respect the rights of the detainees when their own working conditions are bad and the salaries are low.

## **Medical Services for the Detainees**

According to paragraph 21 of RA Law «On the Custody of Detainees and Prisoners», in case body injuries are detected on a detainee, the medical personnel of the detention facility must immediately run a medical checkup, and the results of the checkup must be recorded in his personal file. Both the patient and the investigator must be informed of the results. The Group has visited all the DFs of the republic but has never met the medical personnel mentioned in the law. From the interviews with the employees the Group has learnt that the detainees are checked visually by the DF officer of the day and if he detects body injuries, he calls the local emergency. But it is impossible to see or discover inner wounds or bleeding by a mere visual checkup.

The observations also revealed that most detention facilities do not follow the sanitary hygiene rules. The DFs are very unclean. There are no janitors; instead the officer of the day takes care of the cleaning, which we think is not the correct way to solve the problem. There is no difference between the medical rooms and the cells. The lack of sanitary conditions can cause infections of the wounds. The toilets are very unclean. There are bathrooms at most of the DFs. We consider that it would be a good idea to keep a file on the detainees and prisoners who use of the bathrooms (month, day, and time). In our opinion that kind of file is of great importance, because the existence of a bathroom does not necessarily mean that the detainees and, in some cases, prisoners who are held at the detention facility for up to 30 days make use of it.

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In none of the observed DFs is there a doctor and the detainees can not receive even the simplest medical care. At some DFs the officer of the day who does not have medical education and his only knowledge of medicine is how to take the temperature, performs the duties of a doctor. The DFs depend on the emergency medical services of regional and municipal hospitals. But we all know how important every second is when it comes to saving lives.

The observations at the medical rooms revealed that most of the available medicine was expired, which also speaks of the fact that there are no doctors at the DFs and how important it is to have one. Using expired medicine is dangerous; it may cause allergies or result in an anaphylactic shock.

Taking all these into consideration we suggest:

1. Provide all the DF s with medical rooms.
2. Open positions for a doctor (or at least a medical assistant) and a janitor.
3. Keep control on the medicine, its use, the instructions and warnings, as well as, the expiry dates.
4. Create a « Use of the Bathroom» file and keep a proper records.
5. Keep the medical rooms perfectly clean, by not simply sweeping, but also by using chloramines and antiseptic substances.

## **Suggestions**

### **Suggestions on the elimination and prevention of violations of human rights and freedoms at the DFs.**

The most often occurring violation is when the detainees are kept at the DF for more than 72 hours, without the resolution of the court of their long term detention. This is not only a violation of the standards specified by the RA criminal law, but is also a violation of the human rights for freedom and personal immunity defined by Article 9 of the International Agreement (henceforth Agreement) on «The Civil and Political Rights», which was ratified by the RA on 23.09.1993, and Article 5 of the European Convention (henceforth Convention) on «The Protection of Human Rights and Fundamental Freedoms», ratified by the RA on 26.04.2002. Article 5 guarantees the protection of human rights, fundamental freedoms, and inviolability, which particularly requires that a detainee be immediately taken to the judge and be granted the right for a trial within a reasonable period of time or be granted the right to be released until the trial begins.

The Group considers that first of all it is necessary to solve the problem of those employees who are responsible for these violations. Article 348 of the RA Criminal Code demands full responsibility for illegal arrest or imprisonment of a person. It is also important to inspect whether or not the requirements of Article 42 of the RA Law «On the Custody of Detainees and Prisoners» are met, according to which, if the maximum time of legal detention is over, the superintendent of the DF must release the detainee.

The government of the RA has undertaken the task to fulfill a number of positive obligations specified by Article 10 point 1 of the Agreement. These obligations include providing the detainees with food, basic medical care, satisfactory sanitary conditions and opportunities for maintaining their health condition (such as providing a walk for one hour per day).

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Furthermore, point 1 of Article 10 of the Agreement states that in case a person gets sick, it is not acceptable not to provide him with medical care.

These violations, according to the superintendents of the DF s, are, as a rule, caused by the lack of financial resources. They try to justify the absence of medical staff by the absence of a need for their services; when needed, they call the emergency.

The Group considers that this kind of attitude is not acceptable, because calling an emergency is not the solution of the problem of providing the detainees with basic medical care; not all detainees are in an extremely bad health condition (for example, dying). Article 21 point 5 of the RA Law «On the Custody of Detainees and Prisoners» states that in case a detainee has body injuries, he must undergo a medical examination by the DF doctor and the doctor chosen by the detainee can be present at the examination. This means that the Law clearly defines that the DF s must have medical staff.

The Group suggests that immediate action be taken to provide the detainees with food, basic medical care, and satisfactory sanitary conditions. The Group finds that the presence of at least one doctor in the DF is a must.

## **Suggestions on the activities of the Group**

According to article 128 of the RA criminal code, detention is the act of depriving a person of his freedom, of taking him to the court or before the investigation, of making a corresponding statement and of informing him about location and the conditions of his short-time detention defined by the Law. Article 6 point 36 of the same law explains that detention is the act of a compulsory deprivation from freedom which starts from the moment of arrest, followed by detention as pretrial measures and ends with the execution of the sentence of imprisonment passed by the court.

From the above mentioned definition of the Law it follows that if a person is actually deprived of his freedom and there is no court order for his detention as a pretrial measure, or a court resolution of depriving him from freedom for punitive purposes, then he must be considered as arrested, regardless whether a statement on his arrest has been made, or whether he has been informed about it or whether he is being kept in a facility determined by the law.

The above-mentioned definitions of the Judicial Codes are in accord with the definitions of International Agreement on the «Human Rights and Fundamental Freedoms». The Strasburg European Court for Human Rights in his resolutions for this or that country, has clarified many times that in order to consider a person arrested, it is absolutely not important whether he has been officially given the status of a detainee or, moreover, where he is being kept. The fact only that a person (even if he presented himself voluntarily) is under the control of legal bodies (police, procurator office, ANS, ANT, etc) and can not leave freely any secluded area (police department, procurator office, ANS, ANT, etc) is a case of arrest.

In this Report, the Group has presented cases when, in order to create obstacles to the activities of the Group, the detainees were transferred from the DF s to police departments. Besides, there are reports from detainees, law organizations, attorneys and other interested individuals that before being taken to the DF s, people are detained at the police departments, and often they are exposed to cruel treatment.

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On January 14, 2005, the RA Chief of Police with the A1-N order confirmed the regulations of the activities of the public monitoring group at the detention facilities of the police department. The first point of the Regulations defines that the Group is an inspecting body, which sees to that the rights and freedoms of those held at the detention facilities are respected. But, the Group has discovered that in many cases persons who must be kept in DF s are kept in the police departments. This, of course, does not change their status according to the regulations of international agreements. The Group considers that it is unproductive to conduct monitoring of the protection of rights and freedoms only at the DF s. For this reason the Group suggests that additional paragraphs be added to the Regulations of the activities of the Group in the RA Chief of Police Order N 1-N dated January 14, 2005, thus giving the Group the authority, for monitoring purposes, to have free access to the RA Police subdivisions (divisions, departments).



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## General Suggestions

The public monitoring group, conducting observations at the detention facilities of the police suggests:

1. Include female personnel in the DF staff. This suggestion is very important for protecting the rights of female detainees (personal inspections, accompaniment, etc.)
2. According to Article 137 point 2 of the RA criminal law a prisoner should not be kept for more than 3 days at the DF, excluding the cases when, because of the lack of transportation, the detainee cannot be taken to an isolation cell for questioning or to other detention facilities. Article 6 of the RA law «On Custody of Detainees and Prisoners» states that when it is impossible to move a prisoner every day, for investigation purposes and for conducting judicial inquiry outside the penal institution, the imprisoned can, by the decision of the investigator, the judge or the court, be moved to a DF for 3 days. The first part of the same article regulates that, if it is impossible to move a prisoner from a DF to a penal institution on time because of the lack of transportation means, the prisoner shall be kept at the DF on terms and conditions defined for a penal institution. The Group suggests that the regulations of the RA criminal code article 137 point 2 be followed, because this violation of the law takes place in all DF s of the Republic of Armenia.

Note:

*All names mentioned in this version have been intentionally abbreviated to initials for the purposes of confidentiality. The original report containing full names has been submitted to the RA Police.*

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# **COMMENTS**

**ON THE REPORT ON THE OBSERVATION BY  
THE PUBLIC MONITORING GROUP AT THE  
RA POLICE DETENTION FACILITIES**

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# **RA Police Detention Facility**

## **Yerevan**

1. Due to the fact that, at the time of the visit by the Group, only 6 of the 16 cells located on the second floor of the detention facility were occupied and the other 10 cells were vacant, the burnt electric bulbs had not been replaced. At present, all the bulbs of the detention facility have been replaced.

2. We, the police, comment on the results of registration file examinations, paragraphs 5, 7 and 11, « According to the order № 9 on «The Inner Regulations of the Detention Facilities of the Police System», issued by the Chief of Police of the Republic of Armenia on 11.08.2003, the following registration files shall be kept:

- a. Registration of the Detainees (Appendix 1),
- b. Releasing the Detainees from the Cells (Appendix 9),
- c. Registration of the Parcels (Appendix 11)
- d. Medical Examination or Medical Care of the Detainees (Appendix 12),
- e. Duty Handover and Acceptance (Appendix 14).

The body injuries are recorded in the «Medical Examination or Medical Care of the Detainees» file.

The «Releasing the Detainees from the Cells» file is recorded only when the detainees are removed from the detention facility zone.

When a detainee, in a written form, refuses to meet with relatives, the meeting may be replaced by a single, five minute long, phone call. The written application is attached to the detainees personal file. But there is no law specifying registration of phone calls.

## **RA Police Syunik Regional Administration**

### **The Sisian Detention Facility**

1. After the renovation works, the walking area has been put back into use; the questioning and visiting rooms are provided with sufficient electric illumination, and the daylight in the isolation cells is a must.

2. The water faucets in the cells are in order; the list of «The Rights and Obligations of Detainees» is available in the cells; in the corridor a first aid kit is available containing non expired medicine.

3. The medical examination of the detainees is conducted either in the section where the officer of the day sits or in any other room outside the detention facility zone.

4. Order № 8 does not require keeping such files as «Informing the Relatives», «Body Injuries», «Comments and Suggestions», «Registration of the Visits», «Detainees Phone Calls» or «Suggestions, Requests and Complaints by the Detainees».

5. H. I. was held at the DF from 20.01.2006 till 24.01.2006 on the grounds of a criminal investigation by the Russian Federation.

6. A. O. was held at the DF from 28.02.2006 till 04.03.2006 on the grounds of a criminal investigation. He was investigated in accordance with the Article 109, part 1 of the RA Criminal Law.

According to Article 137, paragraph 2 of the RA Criminal Law, a prisoner cannot be kept at a detention facility for more than 3 days unless his removal from the DF to an investigation room or another facility for the imprisoned, specified by the law, is impossible for the lack of

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transportation means. Thus, the two above mentioned individuals were held at the DF as exposed criminals under investigation, whose detention was for pretrial measures.

7. The variety and the ratio of food for the detainees is specified in the resolution № 587 passed by the government of the Republic of Armenia in 15.05.2003. In that particular case, the detainee had rejected his share of bread on his own free will, because he had received *lavash* kind of bread in a parcel and did not need other bread.

### **The Goris Detention Facility**

1. The questioning room is properly furnished. In the officer of the days room there is a first aid kit containing all necessary medicine in case of an emergency.

2. The medical examination of the detainees is conducted either in the section where the officer of the day sits or in any other room outside the DF zone. Because of the lack of 24 hour running water in the dining room, a water tank has been installed to provide the DF with drinking water.

3. During the January - April, 2006 period of time, only 15 detainees have been held at the DF and not 30, as it has been registered in the registration file № 1. Moreover, they have been kept there for a statutory period of time.

4. Order № 8 does not require keeping such files as «Informing the Relatives», «Body Injuries», «Comments and Suggestions», «Registration of the Visits», «Detainees Phone Calls» or «Suggestions, Requests and Complaints by the Detainees».

### **The Kapan Detention Facility**

1. The detainees are provided with linen upon their admittance to the detention facility. The visiting room is provided with sufficient electrical light.

2. The medical examination of the detainees is conducted either in the section where the officer of the day sits or in any other room outside the DF zone.

3. The detainees V. D., detained from 31.07.2006 till 04.08.2006, (arrest warrant issued on 02.08.2006) and A. Gh., detained from 30.07.2006 till 04.08.2006, (arrest warrant issued on 01.08.2006), have been kept at the DF in accordance with Article 137 of the RA Criminal Law.

4. Order № 8 does not require keeping such files as «Informing the Relatives», «Body Injuries», «Comments and Suggestions», «Registration of the Visits», «Detainees Phone Calls» or «Suggestions, Requests and Complaints by the Detainees».

### **The Meghri Detention Facility**

1. The cells are provided with daylight; a visiting room has been built; the door of the toilet has been fixed; the bathroom is fit for use; the questioning room has been furnished properly; a first aid kit has been put in the corridor. It contains medicine necessary in case of an emergency.

2. The medical examination of the detainees is conducted either in the section where the officer of the day sits or in any other room outside the DF zone.

3. The report that there is no visiting room and a bathroom is not true.

4. Order № 8 does not require keeping such files as «Informing the Relatives», «Body Injuries», «Comments and Suggestions», «Registration of the Visits», «Detainees Phone Calls» or «Suggestions, Requests and Complaints by the Detainees».

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## **RA Police Vayots Dzor Regional Administration**

### **The Yeghegnadzor Detention Facility**

1. The DF has a room designated for medical examinations. The room has a first aid kit containing all necessary medication in case of an emergency.
2. S. P. was taken into custody on 21.05.2006 (arrest warrant issued on 24.05.2006) and was kept at the DF till 08.06.2006. The long term detention was determined by the orders № 18/08.06, issued by the acting prosecutor of the Vayots Dzor region H. S. on 24.05.2006 and on 05.06.2006.
3. L. A. was taken into custody on 26.05.2006 (arrest warrant issued on 29.05.2006) and was kept at the DF till 08.06.2006. The long term detention was determined by the orders № 18/08.06, issued by the acting prosecutor of the Vayots Dzor region H. S. on 31.05.2006 and on 05.06.2006.
4. The detainee S. Gh., was taken into custody on 23.06.2006, (arrest warrant issued on 26.06.2006) and was transferred to a penal institution on 29.06.2006. A. A. was taken into custody on 25.07.2006, (arrest warrant issued on 28.07.2006) and was transferred to a penal institution on 02.08.2006. They were kept at the DF in accordance with Article 137 of the RA Criminal Law.
5. Order № 8 does not require keeping such files as «Informing the Relatives», «Body Injuries», «Comments and Suggestions», «Registration of the Visits», «Detainees Phone Calls» or «Suggestions, Requests and Complaints by the Detainees».

### **The Vayk Detention Facility**

1. The cells and the visiting room are provided with sufficient natural and electric light. There is a questioning room which is properly furnished. The DF has a sound alarm system.
2. The medical examination of the detainees is conducted either in the section where the officer of the day sits or in any other room outside the DF zone.
3. Order № 8 does not require keeping such files as «Informing the Relatives», «Body Injuries», «Comments and Suggestions», «Registration of the Visits», «Detainees Phone Calls» or «Suggestions, Requests and Complaints by the Detainees».

## **RA Police Kotayk Regional Administration**

### **The Hrazdan Detention Facility**

1. The chairs in the questioning room have been fastened to the floor.
2. The medical examination of the detainees is conducted either in the section where the officer of the day sits or in any other room outside the DF zone.
3. The detainees M. G. and G. K. were transferred to the Hrazdan DF from the A. penal institution for the purpose of participating in court sessions. They were transferred to the DF on 14.07.2006 and were held there till 26.07.2006. Their detention was based on the writ № 1-1-104, issued by the Kotayk region judge of first instance N. P. on 14.07.2006.
4. Order № 8 does not require keeping such files as «Informing the Relatives», «Body Injuries», «Comments and Suggestions», «Registration of the Visits», «Detainees Phone Calls» or «Suggestions, Requests and Complaints by the Detainees».

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### **The Charentsavan Detention Facility**

1. The cells at the DF are provided with both natural and electric lights. The detainees are provided with linen upon their admittance to the DF. Due to the lack of sufficient number of rooms, the questioning room is used also as a visiting room.
2. The medical examination of the detainees is conducted either in the section where the officer of the day sits or in any other room outside the DF zone.
3. The refreshment walks at the DF are realized in the daytime as scheduled by the superintendent.
4. The variety and the ratio of food for the detainees is specified in the resolution № 587 passed by the government of the Republic of Armenia in 15.05.2003.
5. The detainees A. G., brought in to the DF on 23.03.2006, and A. H., brought in on 24.03.2006, were there till 05.04.2006. Their detention was based on the writ № 83-08p-62, issued by the Kotayk region investigators office, senior investigator A. M. on 28.03.2006.
6. Order № 8 does not require keeping such files as «Informing the Relatives», «Body Injuries», «Comments and Suggestions», «Registration of the Visits», «Detainees Phone Calls» or «Suggestions, Requests and Complaints by the Detainees».

### **The Nairi Detention Facility**

1. The medical examination of the detainees is conducted either in the section where the officer of the day sits or in any other room outside the DF zone.
2. After the renovation works the questioning and visiting rooms are open for use. The humidity in the dining room has been eliminated. The telephone works.
3. Order № 8 does not require keeping such files as «Informing the Relatives», «Body Injuries», «Comments and Suggestions», «Registration of the Visits», «Detainees Phone Calls» or «Suggestions, Requests and Complaints by the Detainees».

### **The Abovyan Detention Facility**

1. The medical examination of the detainees is conducted either in the section where the officer of the day sits or in any other room outside the DF zone.
2. The cells at the DF are provided with both natural and electric lights.
3. The registration files are kept as regulated by the law.

## **RA Police Gegharkunik Regional Administration**

### **The Gavar Detention Facility**

1. The questioning and visiting rooms of the DF are provided with sufficient electric light.
2. After the renovation works the bathroom is fit for use; the humidity in the dining room has been eliminated; the telephone works. In the officer of the days room there is a first aid kit.
3. Order № 8 does not require keeping such files as «Informing the Relatives», «Body Injuries», «Comments and Suggestions», «Registration of the Visits», «Detainees Phone Calls» or «Suggestions, Requests and Complaints by the Detainees».

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### **The Martuni Detention Facility**

1. Order № 8 does not require keeping such files as «Informing the Relatives», «Body Injuries», «Comments and Suggestions», «Registration of the Visits», «Detainees Phone Calls» or «Suggestions, Requests and Complaints by the Detainees».

### **The Vardenis Detention Facility**

1. The visiting room of the DF is provided with proper furniture; the telephone works.
2. The variety and the ratio of food for the detainees is specified in the resolution № 587 passed by the government of the Republic of Armenia in 15.05.2003.
3. The list of «The Rights and Obligations of Detainees» is available in the cells.
4. The detainee K. F., upon the writ №1-15 issued by the judge of first instance of the Gegharkunik region V. M. on 10.05.2006, was transferred from a penal institution to the Vardenis DF on 16.05.2006, for the purpose of participating in a court session. Based on the writ № 1-15 issued by the same court on 17.05.2006, he was kept at the Vardenis DF till 23.05.2006.
5. M. M. was arrested on 21.08.2006 on the basis of an investigation warrant and was released on the same day upon the resolution by the Gegharkunik region prosecutors office investigator G. H.
6. R. B. was arrested on 23.08.2006 and was transferred to a penal institution on 29.08.2006. The detention was carried out in accordance with Article 137 of the RA Criminal Law.

### **The Tchambarak Detention Facility**

1. Due to the lack of sufficient number of rooms, the questioning room is being used also as a visiting room.
2. The medical examination of the detainees is conducted either in the section where the officer of the day sits or in any other room outside the DF zone.
3. On 11.05.2006 V. A., born in 1966 in the Cherepovets city of the RF Vologotsk region, was brought in to the Tchambarak DF. He told the police that on 07.05.2006 he had gone from Russia to the Dordlar village in the Gedabek region of the Republic of Azerbaijan. On 10.05.2006 he had left his uncle's house to take a walk, had got lost and had appeared in the territory of Armenia. The case had been reported to the National Security Service, who had ordered to detain A. at the Tchambarak DF.
4. Order № 8 does not require keeping such files as «Informing the Relatives», «Body Injuries», «Comments and Suggestions», «Registration of the Visits», «Detainees Phone Calls» or «Suggestions, Requests and Complaints by the Detainees».

### **The Sevan Detention Facility**

1. A. G. and V. K. were arrested on 05.08.2006 (detention warrant issued on 07.08.2006) based on the writ № 28-09-10, issued by the Gegharkunik region assistant procurator A. C. on 09.08.2006 and were kept at the DF till 16.08.2006 for the purpose of investigation.
2. On 07.11.2006 the Chief of Police of RA issued an order to stop the functioning of the Sevan DF because of unsatisfactory building conditions.

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## **RA Police Tavush Regional Administration**

### **The Dilijan Detention Facility**

1. The cells at the DF are provided with both natural and electric lights. Due to the lack of sufficient number of rooms, the questioning room is being used also as a visiting room.
2. The medical examination of the detainees is conducted either in the section where the officer of the day sits or in any other room outside the DF zone.
3. The detainee A. M., was kept at the DF from 19.05.2006 till 26.05.2006 upon the writs № 1-106-06 issued by the judge of first instance of the Tavush region A. K. on 18.05.2006 and 10.06.2006.
4. The detainee S. S., was kept at the DF from 19.05.2006 till 26.05.2006 upon the writ №1-84-06 issued by the judge of first instance of the Tavush region A. K. on 18.05.2006 and 10.06.2006.
5. Order № 8 does not require keeping such files as «Informing the Relatives», «Body Injuries», «Comments and Suggestions», «Registration of the Visits», «Detainees Phone Calls» or «Suggestions, Requests and Complaints by the Detainees».

### **The Tavush Detention Facility**

1. M. A. was arrested on 14.04.2006 (detention warrant issued on 17.04.2006) and was held at the DF till 26.04.2006 upon the writ № 51100506, issued by the Tavush region assistant procurator A. K. on 18.04.2006.
2. On 07.11.2006 the Chief of Police of RA issued an order to stop the functioning of the Tavush DF because of unsatisfactory building conditions.

### **The Ijevan Detention Facility**

1. Due to the lack of sufficient number of rooms, the questioning room is being used also as a visiting room.
2. The medical examination of the detainees is conducted either in the section where the officer of the day sits or in any other room outside the DF zone.
3. The members of the monitoring group have had interviews with the detainees H. B., V. A. and A. H. in the absence of the police officials. The above mentioned detainees have never received parcels while in custody at the DF.
4. The detainees H. B. and V. A. were kept at the DF from 11.08.2006 till 16.05.2006 upon the writ № 1-160 issued by the chairman of the court of first instance of the Tavush region S. M. on 11.08.2006.
5. A. H. was arrested on 10.08.2006 and not on 05.08.2006 as it is mentioned in the document, was imprisoned on 11.08.2006 and not on 08.08.2006 and on 16.08.2006, when the investigation was over, he was transferred to a penal institution.
6. Order № 8 does not require keeping such files as «Informing the Relatives», «Body Injuries», «Comments and Suggestions», «Registration of the Visits», «Detainees Phone Calls» or «Suggestions, Requests and Complaints by the Detainees».



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### **The Noyemberyan Detention Facility**

1. The cells and the questioning room at the DF are sufficiently provided with both natural and electric light. After the renovation works, the visiting room is available for use. The bathroom and the toilet are supplied with necessary items. The bathroom and toilet doors have been replaced with new ones. The dining room has been provided with all necessary items.
2. S. S. was arrested on 29.05.2006, was imprisoned on 31.05.2006 and upon a court order he was kept at the DF till 07.06.2006 and was transferred to a penal institution.
3. Detainee G. V., upon the writ № 1-15 issued by the Tavush region judge of first instance A. K. on 16.01.2006, was transferred from a penal institution to the Noyemberyan DF to participate in court sessions. Due to the cancellation of the court session, upon the court order № 1-15 issued on 24.01.2006, G. V. was transferred to a penal institution.
4. On the basis of the writ № 1-115, issued by the Tavush region judge of first instance A. K. on 09.06.2006, detainee M. A. was brought to the Noyemberyan DF from a penal institution and was kept there till 21.06.2006. After the investigation was over, he was taken back to the penal institution.
5. A. Ch. was imprisoned on 27.07.2006 and was in hospital in Noyemberyan till 31.07.2006, receiving hospital treatment. The fact was accordingly registered in the «Releasing the Detainees from the Cells» file.
6. Order № 8 does not require keeping such files as «Informing the Relatives», «Body Injuries», «Comments and Suggestions», «Registration of the Visits», «Detainees Phone Calls» or «Suggestions, Requests and Complaints by the Detainees».

### **RA Police Lori Regional Administration**

#### **The Vanadzor Detention Facility**

1. After the renovation works the cells of the DF are provided with sufficient natural and electric light. The visiting room has been redecorated and is available for use. There are no expired medicines in the DF. The toilet has been repaired and is fit for use.
2. The walking area meets the standards. In accordance with order № 8 issued by the Chief of Police of RA on 11.08.2003, they build stockade in the upper part of the walking area and cover it with a wire-net. No benches are designated for the walking area.
3. The variety and the ratio of food for the detainees is specified in the resolution № 587 passed by the government of the Republic of Armenia in 15.05.2003.
4. A. S. was held at the DF from 26.09.2006 till 29.09.2006. While in detention, he has had no complaints, neither oral nor in written.
5. The medical examination of the detainees is conducted either in the section where the officer of the day sits or in any other room outside the DF zone.
6. Order № 8 does not require keeping such files as «Informing the Relatives», «Body Injuries», «Comments and Suggestions», «Registration of the Visits», «Detainees Phone Calls» or «Suggestions, Requests and Complaints by the Detainees».

#### **The Spitak Detention Facility**

1. The cells and the questioning room at the DF are sufficiently provided with both natural and electric light. The chairs of the questioning room have been fastened to the floor.

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2. The walking area meets the standards. In accordance with order № 8 issued by the Chief of Police of RA on 11.08.2003, they build stockade in the upper part of the walking area and cover it with a wire-net. No benches are designated for the walking area.
  3. The medical examination of the detainees is conducted either in the section where the officer of the day sits or in any other room outside the DF zone.
  4. The variety and the ratio of food for the detainees is specified in the resolution № 587 passed by the government of the Republic of Armenia in 15.05.2003.
  5. Order № 8 does not require keeping such files as «Informing the Relatives», «Body Injuries», «Comments and Suggestions», «Registration of the Visits», «Detainees Phone Calls» or «Suggestions, Requests and Complaints by the Detainees».

### **The Tashir Detention Facility**

1. The list of the names of the monitoring group members is hanging on wall of the room of the officer of the day. The cells and the questioning room at the DF are sufficiently provided with both natural and electric light. The chairs of the questioning room have been fastened to the floor. The visiting room is properly furnished and meets the standards. Order № 8, issued by the RA Chief of Police on 11.08.2003, does not require installing a refrigerator in the DF. The toilet is in a satisfactory condition.
2. The medical examination of the detainees is conducted either in the section where the officer of the day sits or in any other room outside the DF zone.
3. The walking area meets the standards. In accordance with order № 8 issued by the Chief of Police of RA on 11.08.2003, they build stockade in the upper part of the walking area and cover it with a wire-net. No benches are designated for the walking area.
4. The variety and the ratio of food for the detainees is specified in the resolution № 587 passed by the government of the Republic of Armenia in 15.05.2003.
5. Order № 8 does not require keeping such files as «Informing the Relatives», «Body Injuries», «Comments and Suggestions», «Registration of the Visits», «Detainees Phone Calls» or «Suggestions, Requests and Complaints by the Detainees» .

### **The Tumanyan Detention Facility**

1. The list of the names of the monitoring group members is hanging on wall of the room of the officer of the day. The cells and the questioning room at the DF are sufficiently provided with both natural and electric light. The chairs of the questioning room have been fastened to the floor. The visiting room is properly furnished and meets the standards. Order № 8, issued by the RA Chief of Police on 11.08.2003, does not require installing a refrigerator in the DF. The toilet is in a satisfactory condition.
2. The medical examination of the detainees is conducted either in the section where the officer of the day sits or in any other room outside the DF zone.
3. The walking area meets the standards. In accordance with order № 8 issued by the Chief of Police of RA on 11.08.2003, they build stockade in the upper part of the walking area and cover it with a wire-net. No benches are designated for the walking area.
4. The variety and the ratio of food for the detainees is specified in the resolution № 587 passed by the government of the Republic of Armenia in 15.05.2003.
5. Order № 8 does not require keeping such files as «Informing the Relatives», «Body Injuries», «Comments and Suggestions», «Registration of the Visits», «Detainees Phone Calls» or «Suggestions, Requests and Complaints by the Detainees» .

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## **The Stepanavan Detention Facility**

The DF stopped functioning in 02.07.2004 due to the humidity caused by abundant underground waters.

## **RA Police Aragatsotn Regional Administration**

### **The Ashtarak Detention Facility**

1. The DF is in a very good condition.
2. Order № 8 does not require keeping such files as «Informing the Relatives», «Body Injuries», «Comments and Suggestions», «Registration of the Visits», «Detainees Phone Calls» or «Suggestions, Requests and Complaints by the Detainees».

### **The Aparan Detention Facility**

1. The DF is in a very good condition.
2. Order № 8 does not require keeping such files as «Informing the Relatives», «Body Injuries», «Comments and Suggestions», «Registration of the Visits», «Detainees Phone Calls» or «Suggestions, Requests and Complaints by the Detainees».

### **The Aragats Detention Facility**

1. The DF is in a very good condition.
2. Order № 8 does not require keeping such files as «Informing the Relatives», «Body Injuries», «Comments and Suggestions», «Registration of the Visits», «Detainees Phone Calls» or «Suggestions, Requests and Complaints by the Detainees».

### **The Talin Detention Facility**

1. The DF is in a very good condition.
2. Order № 8 does not require keeping such files as «Informing the Relatives», «Body Injuries», «Comments and Suggestions», «Registration of the Visits», «Detainees Phone Calls» or «Suggestions, Requests and Complaints by the Detainees».

## **RA Police Shirak Regional Administration**

The Amasia and Gh. DF s are presently out of service.

### **The Artik Detention Facility**

1. The walking area meets the requirements of Order № 8 issued by the Chief of Police of RA on 11.08.2003.
2. The medical examination of the detainees is conducted either in the section where the officer of the day sits or in any other room outside the DF zone.

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3. The visiting room is properly furnished and meets the standards.
  4. Order № 8 does not require keeping such files as «Informing the Relatives», «Body Injuries», «Comments and Suggestions», «Registration of the Visits», «Detainees Phone Calls» or «Suggestions, Requests and Complaints by the Detainees».

### **The Akhuryan Detention Facility**

1. The medical examination of the detainees is conducted either in the section where the officer of the day sits or in any other room outside the DF zone.
2. The walking area meets the requirements of Order № 8 issued by the Chief of Police of RA on 11.08.2003.
3. A. K., upon the court order issued by the Shirak region judge of first instance H. M., was transferred from a penal institution to the Akhuryan DF on 15.08.2006 for the purpose of participating in a court investigation. He was kept at the DF till 11.09.2006 and was released upon the court order.
4. A. H., upon the court order issued by the Shirak region judge of first instance H. M., was transferred from a penal institution to the Akhuryan DF on 12.09.2006 for the purpose of participating in a court session. He was kept at the DF till 25.09.2006 and after the session was over, he was transferred back to the penal institution.
5. There are corresponding documents on the cases when the detainees are held for more than three days at the Akhuryan DF written by the investigators concerned.
6. Order № 8 does not require keeping such files as «Informing the Relatives», «Body Injuries», «Comments and Suggestions», «Registration of the Visits», «Detainees Phone Calls» or «Suggestions, Requests and Complaints by the Detainees» .

### **The Maralik Detention Facility**

1. The renovation works are over and the DF is back into service.
2. Order № 8 does not require keeping such files as «Informing the Relatives», «Body Injuries», «Comments and Suggestions», «Registration of the Visits», «Detainees Phone Calls» or «Suggestions, Requests and Complaints by the Detainees» .

## **RA Police Ararat Regional Administration**

### **The Artashat Detention Facility**

1. After the renovation works at the DF, the dining room is being used.
2. The medical examination of the detainees is conducted either in the section where the officer of the day sits or in any other room outside the DF zone.
3. Order № 8 does not require keeping such files as «Informing the Relatives», «Body Injuries», «Comments and Suggestions», «Registration of the Visits», «Detainees Phone Calls» or «Suggestions, Requests and Complaints by the Detainees» .

### **The Masis Detention Facility**

1. The cells at the DF are provided with sufficient natural light. The visiting room is provided with electric light and has sound alarm system.

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2. Order № 8 does not require keeping such files as «Informing the Relatives», «Body Injuries», «Comments and Suggestions», «Registration of the Visits», «Detainees Phone Calls» or «Suggestions, Requests and Complaints by the Detainees».

### **The Vedi Detention Facility**

1. The cells at the DF are sufficiently illuminated. After some renovation, the room of the officer of the day and the medical examination room have been separated. The visiting room is provided with electric light and has sound alarm system.
2. There have been no cases of irrelevant, illegal detentions.
3. The imprisoned M. A. was held at the DF from 27.06.2006 till 06.07.2006 on the basis of a writ issued by the Ararat region prosecutor S. P. on 29.06.2006, for the purpose of conducting investigation procedures.
4. M. M. was arrested on 27.08.2006 (imprisonment order issued on 30.08.2006) and, upon the writ № 18/89M06, issued by the Ararat region prosecutor S. P. on 30.08.2006, was held at the DF till 05.09.2006 for investigation purposes.
5. The imprisoned K. D. and L. M. were kept at the DF from 14.12.2006 to 28.12.2006, till the court session was over. Their detention was based on Order № 3-526, issued by the Ararat region judge of first instance G. B. on 21.12.2006.
6. Order № 8 does not require keeping such files as «Informing the Relatives», «Body Injuries», «Comments and Suggestions», «Registration of the Visits», «Detainees Phone Calls» or «Suggestions, Requests and Complaints by the Detainees».

## **RA Police Armavir Regional Administration**

### **The Armavir Detention Facility**

1. The cells at the DF are sufficiently illuminated.
2. The medical examination of the detainees is conducted either in the section where the officer of the day sits or in any other room outside the DF zone.
3. The DF has a dining room and a first aid kit with all necessary medicine in case of an emergency.
4. The detainees receive linen upon their admittance to the DF. The toilet and the cells are clean.
5. Order № 8 does not require keeping such files as «Informing the Relatives», «Body Injuries», «Comments and Suggestions», «Registration of the Visits», «Detainees Phone Calls» or «Suggestions, Requests and Complaints by the Detainees» .

Note:

*These Comments have been officially handed over to the Observation Group on March 07, 2007, during a meeting organized at the RA Police.*