

2010 ANNUAL REPORT

ON THE ACTIVITIES OF THE GROUP OF PUBLIC OBSERVERS
MONITORING THE PLACES FOR HOLDING ARRESTED PERSONS IN
THE POLICE SYSTEM OF THE REPUBLIC OF ARMENIA

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Acronyms and Definitions

RoA	Republic of Armenia
PHAP	Place for Holding Arrested Persons
RoA MoJ PI	Republic of Armenia Ministry of Justice Penitentiary Institution (place for holding detained persons)
MD	Marz Department
CPI	Cases of Particular Importance
Arrest	“Arrest is the restraint of a person for preventing the committal of a crime by him or his escape after committing a crime.”
Detention	“Detention is a compulsion measure imposed by court in places and under conditions stipulated by law for holding a person detained.”
Apprehension	“Apprehension is the compulsory taking to the body conducting criminal proceedings of a person who fails to appear for the investigation without a valid reason.”
Investigator	“An officer of the Special Investigative Service, the Police, or the competent state body in the defense sector, who carries out preliminary investigation in a criminal case within the limits of his authority.”
Inquest Body	“The head and employees of the respective unit of the state body in which inquest authority is vested.”
Body Conducting Criminal Proceedings	“The court or, in pre-trial proceedings in a criminal case, the Inquest Body, the Investigator, or the Prosecutor.”
Investigative Action	“The interrogation of a suspect, accused person, victim, or witness, or the ordering of an expert examination, or the performance of inspections, searches, crime scene searches, and the like.”
Monitoring	“A process of exceptional or regular review of all materials related to a case.”
Regime Zone	“A zone in which cells are separated from the general administrative area.”

Introduction

Since regaining independence, the Republic of Armenia has undertaken a number of commitments in the field of human rights, including the commitments to refrain from torture or inhuman or degrading treatment. The Republic of Armenia ratified the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in 1993.

When entering into the Council of Europe in 2001, Armenia assumed a number of other commitments related to human rights, namely under Paragraphs 4(c) and 14(4) of Chapter 13 of *Opinion 221 of the Parliamentary Assembly of the Council of Europe* (see Annex 24).

The Republic of Armenia ratified the European Convention on Human Rights in 2002.

The protection of human rights in places of deprivation of liberty is particularly important in this context, because the system was for a long time closed to society. The authorities and the vast majority of the people believed that the system held “criminals,” and that human rights issues were mostly not to be discussed in such a situation. However, imprisonment *per se* is the punishment, and the conditions of imprisonment should not involve ill-treatment or humiliation of persons deprived of their liberty.

Article 3 of the European Convention for the Protection of Human Rights and Fundamental Freedoms provides: “*No one shall be subjected to torture or to inhuman or degrading treatment or punishment.*” It is a fundamental freedom and an absolute right that is not subject to any restriction.

Based on the foregoing, as well as Articles 7, 9, and 10 of the United Nations International Covenant on Civil and Political Rights (see Annexes 25, 26, and 27), Articles 3 and 5 of the European Convention on Human Rights (see Annexes 28 and 29), the UN Convention Against Torture, the Council of Europe Convention for the Prevention of torture, and Article 3 of the RoA Constitution (see Annex 30), the National Assembly of the Republic of Armenia enacted on 2 June 2006 the RoA Law on Holding Arrested and Detained Persons. Article 47 of the said Law prescribed public oversight of the activities of places for holding arrested and detained persons, as a result of which the heads of the authorized bodies were to form groups of public observers.

On 14 January 2005, the Police Chief of the Republic of Armenia approved the Procedure of the Activities of the Group of Public Observers Monitoring the Places for Holding Arrested Persons in the Police System of the Republic of Armenia (hereinafter, “the Procedure”). A year later, on 10 March 2006, the RoA Police Chief approved the composition of the Group of Public Observers Monitoring the Places for Holding Arrested Persons in the Police System of the

Republic of Armenia, with a total of 11 members representing various non-governmental organizations.

The Group of Public Observers Monitoring the Places for Holding Arrested Persons in the Police System of the Republic of Armenia is a monitoring body dealing with issues of respect for the rights and freedoms of persons held in the places for holding arrested persons in the police system. According to the Procedure, the members of the Group may make unhindered visits to places for holding arrested persons in the police system, meet with persons held in the PHAPs, become familiar with the internal legal acts regulating the activities of PHAPs, as well as the personal file and correspondence of a person held in a PHAP subject to such person's consent, with the exception of documents comprising state or official secrecy.

The Group began its monitoring in the PHAPs of the RoA Police in April 2006. To date, the Group has published three annual reports on the general conditions in PHAPs, inhuman or degrading treatment, and findings concerning torture cases. During 2010, the Group made 90 planned and 50 unplanned visits to the PHAPs of the RoA Police.

The Group of Observers is engaged in the protection of human rights, especially in Places for Holding Arrested Persons in the RoA Police, which are considered closed institutions.

Discovering and preventing cases of inhuman or degrading treatment or punishment in Places for Holding Arrested Persons is a key principle of the work of the Group of Observers.

Although infringements upon human rights are publicly condemned, they still occur, and their occurrence is due to misunderstanding and abuse of powers.

In the RoA Police system, human rights are violated at the time when persons are invited or apprehended to stations of the RoA Police, where the time periods for holding persons and their right to defense are violated. In such cases, the danger is greater when the person is deprived of freedom, is under preliminary detention, or is being interrogated. Based on public oversight of the PHAPs of the RoA Police, which has been producing positive results, it is possible and highly desirable to introduce such oversight of the stations of the RoA Police, as well. The Group of Observers has worked in this direction for four years, but in vein.

As to the cases of infringements upon the rights of persons held in Places for Holding Arrested Persons, the Group of Observers has found various infringements such as:

- ✓ No attention is paid to the issues of health care and services (none of the Marz (regional) PHAPs have health workers, some PHAPs do not have health posts, some PHAPs accommodate the health posts in other rooms, and expired medication is present in some PHAPs);
- ✓ Persons with acutely contagious diseases and mental disorders are held in PHAPs, contrary to the RoA legislation;

- ✓ Sanitation and hygiene rules are not met in the PHAPs (increasing the risk of infection);
- ✓ The same linen is used by different persons;
- ✓ Food is not provided three times a day;
- ✓ Persons held in PHAPs do not have adequate possibilities for outdoor exercise;
- ✓ Dirty kitchenware is provided and used (in some PHAPs, the kitchenware is not sufficient given the number of persons held in the PHAP);
- ✓ While in a PHAP, persons are deprived of communication with the external world;
- ✓ Parcels are received, but not necessarily transferred to the designated recipient (moreover, persons held in PHAPs are not allowed to keep parcels in their cells);
- ✓ Investigative actions are organized irregularly or outside of the PHAP territory (in some cases, also during the night hours, and can last from 8 to 48 hours);
- ✓ Some persons are held in a PHAP for a time exceeding the time stipulated by the RoA legislation;
- ✓ The ventilation system in the PHAPs is in an extremely poor condition; and
- ✓ Some PHAPs hold persons in very damp conditions or without sufficient lighting.

The list of examples of ill-treatment or inhuman or degrading treatment of persons held in PHAPs could be much longer. The state is obliged to undertake adequate measures to prevent such cases. Moreover, the state is obliged regularly to review the interrogation rules, instructions, methods, and practice, as well as the conditions in which detained and convicted persons are held, and their treatment. The Human Rights Commission has stated that regular review of the aforementioned issues is an effective means of preventing torture and ill-treatment.

The Report below contains further details of the findings of the Group of Observers during 2010.

The Working Group

1. **Suren Iskandaryan:** President of the “Yerevan Center for the Protection of Human Rights NGO,” Chairman of the Group of Observers
2. **Ani Nersisyan:** Member of the “Civil Society Institute” Non-Governmental Organization, member of the Group of Observers
3. **Grigor Arustamyan:** President of the “Law and Protection of Rights” NGO, member of the Group of Observers
4. **Nelli Harutyunyan:** Member of the “Helsinki Committee of Armenia” NGO, member of the Group of Observers
5. **Arayik Harutyunyan:** President of the “International Department for the Protection of Rights” NGO, member of the Group of Observers
6. **Hasmik Sahakyan:** Member of the “Afina Armenian Center for the Protection of the Rights of Women,” member of the Group of Observers
7. **Armen Fidanyan:** Member of the “Victorious Path of Armenians” NGO, member of the Group of Observers
8. **Gohar Khojoyan:** Member of the “Armenian Ognutyun Center for the Protection of the Rights of Persons with Disabilities,” member of the Group of Observers
9. **Hrachya Martirosyan:** Member of the “International Center for Legal Reform” NGO, member of the Group of Observers
10. **Haykuhi Tadevosyan:** Member of the “A.G.N.A.” Charitable NGO, member of the Group of Observers

Acknowledgments

The members of the Group of Public Observers Monitoring the Places for Holding Arrested Persons in the Police System of the Republic of Armenia are grateful to Open Society Foundations Armenia for constantly being by the side of the Group of Observers and for providing financial support.

For three years now, Open Society Foundations Armenia has provided the annual budget of the Group of Observers.

This financial support covers the Group's office expenses, the organization of planned and unplanned visits, the procurement of the necessary hardware, publications, salaries of the office staff, and the like. Importantly, Open Society Foundations Armenia extended financial support for organizing a workshop in 2010, during which the staff of the PHAPs and members of the Group of Observers were trained by experts on best practices in the areas of sanitation/hygiene and medical services in PHAPs, the requirements of the RoA legislation that are currently not met in the PHAPs were examined, and the "Introduction to Monitoring and Monitoring Methods" topic was presented to the new members of the Group.

The Group gratefully acknowledges also the OSCE Yerevan Office for supporting and providing financial assistance throughout the existence of the Group.

PHAPs Operating and Not Operating in the RoA Police System

There are a total of 40 operating and non-operating PHAPs in the RoA Police system. Two types of operating PHAPs exist:

1. The Yerevan PHAP of the Yerevan City Department of the RoA Police operates as a self-governing entity, which has all of the required staff positions, including a PHAP Head, deputies to the Head, medical workers, intelligence officers, duty officers, orderlies, and financial officers; and
2. All of the regional PHAPs in the RoA are subordinate to the respective police station of the place where they are located. Each of the Shirak MD Akhuryan PHAP of the RoA Police and the Lori MD Vanadzor PHAP of the RoA Police have two duty officers per day and one PHAP Head, whereas any other regional PHAP has one duty officer per day and a PHAP Head. The regional PHAPs do not have the other required staff, which creates certain difficulties in their work.

The following 33 PHAPs are currently operating in the RoA Police system:

Yerevan City Department of the RoA Police

1. Yerevan PHAP of the Yerevan City Department of the RoA Police
162A Khorenatsi, City of Yerevan

Ararat Marz Department of the RoA Police

2. Ararat PHAP of the Ararat Marz Department of the RoA Police
1 Komitas, Town of Vedi
3. Artashat PHAP of the Ararat Marz Department of the RoA Police
20 Shahumyan, Town of Artashat
4. Masis PHAP of the Ararat Marz Department of the RoA Police
30 Baghramyan, Town of Masis

Aragatsotn Marz Department of the RoA Police

5. Ashtarak PHAP of the Aragatsotn Marz Department of the RoA Police
26 A. Manukyan, Town of Ashtarak
6. Talin PHAP of the Aragatsotn Marz Department of the RoA Police
14 M. Gorki, Town of Talin
7. Aparan PHAP of the Aragatsotn Marz Department of the RoA Police

9 M. Guy, Town of Aparan

Armavir Marz Department of the RoA Police

8. Vagharshapat PHAP of the Armavir Marz Department of the RoA Police
15 Kamo, Town of Vagharshapat
9. Armavir PHAP of the Armavir Marz Department of the RoA Police
3 Ashugh Jivani, Town of Armavir

Gegharkunik Marz Department of the RoA Police

10. Gavar PHAP of the Gegharkunik Marz Department of the RoA Police
24 Sahakyan, Town of Gavar
11. Sevan PHAP of the Gegharkunik Marz Department of the RoA Police
2 Tumanyan, Town of Sevan
12. Vardenis PHAP of the Gegharkunik Marz Department of the RoA Police
10 Azgaldyan, Town of Vardenis
13. Martuni PHAP of the Gegharkunik Marz Department of the RoA Police
5 Myasnikyan, Town of Martuni
14. Chambarak PHAP of the Gegharkunik Marz Department of the RoA Police
122 Garegin Njeh, Town of Chambarak

Kotayk Marz Department of the RoA Police

15. Kotayk PHAP of the Kotayk Marz Department of the RoA Police
2 A. Zoravar, Town of Abovyan
16. Nairi PHAP of the Kotayk Marz Department of the RoA Police
2 Shirak, Town of Yeghvard
17. Hrazdan PHAP of the Kotayk Marz Department of the RoA Police
Hay Fidayinneri Street, Vanatur District, Town of Hrazdan

Lori Marz Department of the RoA Police

18. Tumanyan PHAP of the Lori Marz Department of the RoA Police
3 Yerevanyan Boulevard, Town of Alaverdi
19. Vanadzor PHAP of the Lori Marz Department of the RoA Police
3 M. Gosh, Town of Vanadzor
20. Tashir PHAP of the Lori Marz Department of the RoA Police
100 Pushkin, Town of Tashir

21. Spitak PHAP of the Lori Marz Department of the RoA Police

1A A. Manukyan, Town of Spitak

Shirak Marz Department of the RoA Police

22. Akhuryan PHAP of the Shirak Marz Department of the RoA Police

13 Shirak Road, Akhuryan Village

23. Ani PHAP of the Shirak Marz Department of the RoA Police

1 Yerkatughayinneri, Town of Maralik

24. Artik PHAP of the Shirak Marz Department of the RoA Police

4 M. Gorki, Town of Artik

Vayotz Dzor Marz Department of the RoA Police

25. Yeghegnadzor PHAP of the Vayotz Dzor Marz Department of the RoA Police

18 Mikoyan, Town of Yeghegnadzor

26. Vayk PHAP of the Vayotz Dzor Marz Department of the RoA Police

21 Shahumyan, Town of Vayk

Syunik Marz Department of the RoA Police

27. Kapan PHAP of the Syunik Marz Department of the RoA Police

2 Yerkatughayinneri, Town of Kapan

28. Meghri PHAP of the Syunik Marz Department of the RoA Police

1 Z. Andranik, Town of Meghri

29. Goris PHAP of the Syunik Marz Department of the RoA Police

5 Narekatsi, Town of Goris

30. Sisian PHAP of the Syunik Marz Department of the RoA Police

2 G. Njdeh, Town of Sisian

Tavush Marz Department of the RoA Police

31. Ijevan PHAP of the Tavush Marz Department of the RoA Police

12 Yerevanyan, Town of Ijevan

32. Dilijan PHAP of the Tavush Marz Department of the RoA Police

57 Myasnikyan, Town of Dilijan

33. Noyemberyan PHAP of the Tavush Marz Department of the RoA Police

2 Barekamutyan, Town of Noyemberyan

There are 7 PHAPs in the RoA Police system, which currently do not operate. They are as follows:

Aragatsotn Marz Department of the RoA Police

1. Aragats PHAP of the Aragatsotn Marz Department of the RoA Police: has not operated after the general repairs in the RoA Police PHAPs in 2005 and 2006 due to the lack of appropriate conditions and heating.

Tsaghkahovit Village

Kotayk Marz Department of the RoA Police

2. Charentzavan PHAP of the Kotayk Marz Department of the RoA Police: upon the demand of the Group of Observers, was closed in the fall of 2009 due to the lack of adequate conditions.

6 Khanjyan, Town of Charentzavan

Lori Marz Department of the RoA Police

3. Stepanavan PHAP of the Lori Marz Department of the RoA Police: has not operated after the general repairs in the RoA Police PHAPs in 2005 and 2006 due to the lack of appropriate conditions and high dampness.

1 Milionner, Town of Stepanavan

Shirak Marz Department of the RoA Police

4. Ashotzk PHAP of the Shirak Marz Department of the RoA Police: has not operated after the general repairs in the RoA Police PHAPs in 2005 and 2006 due to the lack of appropriate conditions and heating.

12-1 First Street, Ashotzk Village

5. Amasia PHAP of the Shirak Marz Department of the RoA Police: has not operated after the general repairs in the RoA Police PHAPs in 2005 and 2006 due to the lack of appropriate conditions and heating.

Unit 9, Second Street, Amasia Village

Vayotz Dzor Marz Department of the RoA Police

6. Jermuk PHAP of the Vayotz Dzor Marz Department of the RoA Police: has not operated after the general repairs in the RoA Police PHAPs in 2005 and 2006 due to the lack of appropriate conditions and an exercise yard.

Tavush Marz Department of the RoA Police

7. Tavush PHAP of the Tavush Marz Department of the RoA Police: upon the demand of the Group of Observers, was closed in the summer of 2008 due to the lack of adequate conditions.

3 D. Bek, Town of Tavush

As a result of the four years of work of the Group of Observers, the following PHAPs were closed and reopened:

- In 2010, the Vayk PHAP of the Vayots Dzor Marz Department of the RoA Police was closed for three months and reopened after completing the respective construction works.
- The Chambarak PHAP of the Gegharkunik Marz Department of the RoA Police was closed in 2008 and reopened in 2010 after completing the respective construction works.
- The Sevan PHAP of the Gegharkunik Marz Department of the RoA Police was closed in 2008 and reopened in 2009 after completing the respective construction works.
- The Charentzavan PHAP of the Kotayk Marz Department of the RoA Police, which was closed in 2008 and reopened in 2009, was closed down again in 2010 due to the lack of appropriate conditions.

Conditions in the PHAPs

Premises

The RoA Police places for holding arrested persons were left from the Soviet era; therefore, in certain respects, they do not meet either the requirements of the RoA legislation or the international standards. Partial or full renovation is performed in PHAPs from time to time, but eventually, new PHAPs need to be rebuilt, which will meet both the requirements of the RoA legislation and the international standards. Some examples are presented below.

Yerevan PHAP of the Yerevan City Department of the RoA Police

The Yerevan City PHAP annually holds 1,000 to 1,200 persons. The PHAP has two floors. It has a separate administrative section and 21 cells, each for two inmates. One of the cells had been converted to a warehouse, but is currently used as a laundry (Photo 1).

On the first floor, there are five cells, two investigative rooms, one health post equipped with the necessary medical supplies, a toilet, a bathroom, a visits room, and an exercise yard.

On the second floor, there are 15 cells, one toilet, a warehouse, an exercise yard, and a dining room, which is properly furnished.

Three of the aforementioned five cells on the first floor were renovated and appropriately furnished for holding minors and women. TV sets have been installed in these cells (Photos 2 and 3).

The PHAP does not have rooms for accepting parcels and for sanitary processing stipulated by the RoA legislation. One room for visits and two investigative rooms are insufficient for the adequate functioning of the PHAP.

Sisian PHAP of the Syunik Marz Department of the RoA Police

The Sisian PHAP is located in the Sisian Station of the RoA Police. The PHAP can only be entered through the Duty Post of the Police Station.

40 to 50 persons are held in the Sisian PHAP annually. There are three cells in the PHAP. Each cell is for one inmate. There is a health post, a shared toilet and bathroom, one investigative room, one room for visits, a dining room, and an exercise yard.

The PHAP does not have rooms for accepting parcels and for sanitary processing stipulated by the RoA legislation. One investigative room is insufficient for the adequate functioning of the PHAP.

Goris PHAP of the Syunik Marz Department of the RoA Police

The Goris PHAP is located in the Goris Station of the RoA Police. The PHAP can only be entered through the Duty Post of the Police Station.

70 to 80 persons are held in the Goris PHAP annually. There are three cells in the PHAP. Each cell is for one inmate. There is a health post that is combined with the Duty Officer's room for rest, a shared toilet and bathroom, one investigative room, one room for visits, a dining room, and an exercise yard.

The PHAP does not have rooms for accepting parcels and for sanitary processing stipulated by the RoA legislation. One investigative room is insufficient for the adequate functioning of the PHAP. A separate health post is needed.

Kapan PHAP of the Syunik Marz Department of the RoA Police

The Kapan PHAP is located in the Kapan Station of the RoA Police. The PHAP can only be entered through the Duty Post of the Police Station.

200 to 220 persons are held in the Kapan PHAP annually. There are five cells in the PHAP. Each cell is for two inmates. There is a health post, a shared toilet and bathroom, one investigative room, one room for visits, a dining room, and an exercise yard.

The PHAP does not have rooms for accepting parcels and for sanitary processing stipulated by the RoA legislation. One investigative room and one room for visits are insufficient for the adequate functioning of the PHAP.

Meghri PHAP of the Syunik Marz Department of the RoA Police

The Meghri PHAP is located in the Meghri Station of the RoA Police. The PHAP can only be entered through the Duty Post of the Police Station.

15 to 20 persons are held in the Meghri PHAP annually. There are two cells in the PHAP. Each cell is for two inmates. There is a health post, a shared toilet and bathroom, one investigative room, one room for visits, a dining room, and an exercise yard.

Besides, the health post is inside the regime zone, which is not permitted under the RoA legislation.

The PHAP does not have rooms for accepting parcels and for sanitary processing stipulated by the RoA legislation.

Yeghegnadzor PHAP of the Vayotz Dzor Marz Department of the RoA Police

The Yeghegnadzor PHAP is located in the Yeghegnadzor Station of the RoA Police. The PHAP can only be entered through the Duty Post of the Police Station.

50 to 60 persons are held in the Yeghegnadzor PHAP annually. There are three cells in the PHAP. Each cell is for one inmate. There is a health post, a shared toilet and bathroom, one investigative room, one room for visits, a dining room, and an exercise yard.

The PHAP does not have rooms for accepting parcels and for sanitary processing stipulated by the RoA legislation. One investigative room is insufficient for the adequate functioning of the PHAP.

Vayk PHAP of the Vayotz Dzor Marz Department of the RoA Police

The Vayk PHAP is located in the Vayk Station of the RoA Police. The PHAP can only be entered through the Duty Post of the Police Station.

40 to 50 persons are held in the Vayk PHAP annually. There are two cells in the PHAP. Each cell is for two inmates. There is a health post that is combined with the Duty Officer's room for rest, a shared toilet and bathroom, one investigative room, one room for visits, a dining room, and an exercise yard.

Besides, all the rooms of the PHAP are inside the regime zone, which is not permitted under the RoA legislation.

The PHAP does not have rooms for accepting parcels and for sanitary processing stipulated by the RoA legislation. The PHAP does not have a separate health post. One investigative room is insufficient for the adequate functioning of the PHAP.

Ararat PHAP of the Ararat Marz Department of the RoA Police

The Ararat PHAP is located in the Ararat Station of the RoA Police. The PHAP can only be entered through the Duty Post of the Police Station.

150 to 160 persons are held in the Ararat PHAP annually. There are four cells in the PHAP. Two of the cells are for two inmates each, and the other two are for one inmate each. There is a health post, a shared toilet and bathroom, one investigative room, one room for visits, a dining room, and an exercise yard.

The PHAP does not have rooms for accepting parcels and for sanitary processing stipulated by the RoA legislation. One investigative room and one room for visits are insufficient for the adequate functioning of the PHAP.

Artashat PHAP of the Ararat Marz Department of the RoA Police

The Artashat PHAP is located in the Artashat Station of the RoA Police. The PHAP can only be entered through the Duty Post of the Police Station.

200 to 220 persons are held in the Ararat PHAP annually. There are six cells in the PHAP. Each cell is for two inmates. There is a health post, a shared toilet and bathroom, one investigative room, one room for visits, a dining room, and an exercise yard.

The PHAP does not have rooms for accepting parcels and for sanitary processing stipulated by the RoA legislation. One investigative room and one room for visits are insufficient for the adequate functioning of the PHAP.

Masis PHAP of the Ararat Marz Department of the RoA Police

The Masis PHAP is located in the Masis Station of the RoA Police. The PHAP can only be entered through the Duty Post of the Police Station.

120 to 130 persons are held in the Ararat PHAP annually. There are four cells in the PHAP. Each cell is for two inmates. There is a health post, a shared toilet and bathroom, one investigative room, one room for visits, a dining room, and an exercise yard.

Besides, all rooms except for the room for visits are located within the regime zone. The PHAP exercise yard and its entrance are outside the PHAP territory, which is not permitted under the RoA legislation.

The PHAP does not have rooms for accepting parcels and for sanitary processing stipulated by the RoA legislation. One investigative room and one room for visits are insufficient for the adequate functioning of the PHAP.

Vagharshapat PHAP of the Armavir Marz Department of the RoA Police

The Vagharshapat PHAP is located in the Vagharshapat Station of the RoA Police. The PHAP can only be entered through the Duty Post of the Police Station.

470 to 500 persons are held in the Vagharshapat PHAP annually. There are four cells in the PHAP. Each cell is for two inmates. There is a health post, a shared toilet and bathroom, one investigative room, one room for visits, a dining room, and an exercise yard.

The PHAP does not have rooms for accepting parcels and for sanitary processing stipulated by the RoA legislation. One investigative room and one room for visits are insufficient for the adequate functioning of the PHAP.

Armavir PHAP of the Armavir Marz Department of the RoA Police

The Armavir PHAP is located in the Armavir Station of the RoA Police. The PHAP can only be entered through the Duty Post of the Police Station.

380 to 400 persons are held in the Armavir PHAP annually. There are four cells in the PHAP. Each cell is for two inmates. There is a health post, a toilet, a bathroom, one investigative room, one room for visits, a dining room, and an exercise yard.

Besides, all rooms except for the health post are located within the regime zone, which is not permitted under the RoA legislation.

The PHAP does not have rooms for accepting parcels and for sanitary processing stipulated by the RoA legislation. One investigative room and one room for visits are insufficient for the adequate functioning of the PHAP.

Noyemberyan PHAP of the Tavush Marz Department of the RoA Police

The Noyemberyan PHAP is located in the Noyemberyan Station of the RoA Police. The PHAP can only be entered through the Duty Post of the Police Station.

60 to 70 persons are held in the Noyemberyan PHAP annually. There are three cells in the PHAP. Each cell is for three inmates. The health post is combined with the investigative room. There is a toilet, a bathroom. The room for visits and the dining room do not correspond to the requirements of the RoA legislation. There is an exercise yard.

The PHAP does not have rooms for accepting parcels and for sanitary processing stipulated by the RoA legislation. The PHAP does not have rooms for visits, a dining room, and a separate health post.

One investigative room and one room for visits are insufficient for the adequate functioning of the PHAP.

Dilijan PHAP of the Tavush Marz Department of the RoA Police

The Dilijan PHAP is located in the Dilijan Station of the RoA Police. The PHAP can only be entered through the Duty Post of the Police Station.

50 to 60 persons are held in the Dilijan PHAP annually. There are four cells in the PHAP. Each cell is for two inmates. There is a health post, an investigative room, a combined toilet and bathroom, a dining room, and an exercise yard.

Besides, all rooms are located within the regime zone, which is not permitted under the RoA legislation.

The PHAP does not have rooms for accepting parcels and for sanitary processing, as well as visit rooms stipulated by the RoA legislation.

Ijevan PHAP of the Tavush Marz Department of the RoA Police

The Ijevan PHAP is located in the Ijevan Station of the RoA Police. The PHAP can only be entered through the Duty Post of the Police Station.

270 to 300 persons are held in the Ijevan PHAP annually. There are five cells in the PHAP. Two of the cells are for one inmate each and three are for two inmates each. There is a dining room, an exercise yard, a toilet, and a bathroom. The health post, the investigative room, and the room for visits are combined.

The PHAP does not have rooms for accepting parcels and for sanitary processing, as well as visit rooms and investigative rooms stipulated by the RoA legislation. There is no separate health post, either.

Akhuryan PHAP of the Shirak Marz Department of the RoA Police

The Akhuryan PHAP is located in the Akhuryan Station of the RoA Police. The PHAP can only be entered through the Duty Post of the Police Station.

130 to 150 persons are held in the Akhuryan PHAP annually. There are six cells in the PHAP. Five of the cells are for two inmates each, and one is for one inmate. There is an investigative room, a dining room, an exercise yard, and a combined toilet and bathroom. The health post and the room for visits are combined.

The PHAP does not have rooms for accepting parcels and for sanitary processing, as well as a health post stipulated by the RoA legislation.

One investigative room and one room for visits are not sufficient for the adequate operation of the PHAP.

Maralik PHAP of the Shirak Marz Department of the RoA Police

The Maralik PHAP is located in the Maralik Station of the RoA Police. The PHAP can only be entered through the Duty Post of the Police Station.

5 to 7 persons are held in the Maralik PHAP annually. There are four cells in the PHAP. Each cell is for one inmate. There is an investigative room, a room for visits, a health post, a dining room, an exercise yard, and a combined toilet and bathroom.

Besides, the exercise yard of the PHAP and its entryway are located outside the administrative perimeter of the PHAP, which is not permitted under the RoA legislation.

The PHAP does not have rooms for accepting parcels and for sanitary processing, as well as a separate health post stipulated by the RoA legislation.

Artik PHAP of the Shirak Marz Department of the RoA Police

The Artik PHAP is located in the Artik Station of the RoA Police. The PHAP can only be entered through the Duty Post of the Police Station.

24 to 27 persons are held in the Artik PHAP annually. There are four cells in the PHAP. Each cell is for one inmate. There is an investigative room, a room for visits, a health post, a dining room, an exercise yard, a toilet, and a bathroom.

The PHAP does not have rooms for accepting parcels and for sanitary processing stipulated by the RoA legislation.

Aparan PHAP of the Aragatsotn Marz Department of the RoA Police

The Aparan PHAP is located in the Aparan Station of the RoA Police. The PHAP can only be entered through the Duty Post of the Police Station.

14 to 17 persons are held in the Aparan PHAP annually. There are four cells in the PHAP. Three of the cells are for one inmate each, and one is for two inmates. There is a health post, a combined toilet and bathroom, an investigative room, a room for visits, a dining room, and an exercise yard.

The PHAP does not have rooms for accepting parcels and for sanitary processing stipulated by the RoA legislation.

Ashtarak PHAP of the Aragatsotn Marz Department of the RoA Police

The Ashtarak PHAP is located in the Ashtarak Station of the RoA Police. The PHAP can only be entered through the Duty Post of the Police Station.

275 to 300 persons are held in the Ashtarak PHAP annually. There are five cells in the PHAP. Four of the cells are for two inmates each, and one is for one inmate. There is a room for visits, a dining room, an exercise yard, and a combined toilet and bathroom. The investigative room is combined with the duty police officer's room. The health post is combined with the office of the PHAP Head.

Besides, one of the PHAP cells is located outside the regime zone, which is not permitted under the RoA legislation.

The PHAP does not have rooms for accepting parcels and for sanitary processing, as well as a separate investigative room and health post stipulated by the RoA legislation.

Talin PHAP of the Aragatsotn Marz Department of the RoA Police

The Talin PHAP is located in the Talin Station of the RoA Police. The PHAP can only be entered through the Duty Post of the Police Station.

15 to 30 persons are held in the Talin PHAP annually. There are three cells in the PHAP, each for two persons. There is a room for visits, an investigative room, a health post, a dining room, an exercise yard, and a combined toilet and bathroom.

The PHAP does not have rooms for accepting parcels and for sanitary processing stipulated by the RoA legislation.

Vardenis PHAP of the Gegharkunik Marz Department of the RoA Police

The Vardenis PHAP is located in the Vardenis Station of the RoA Police. The PHAP can only be entered through the Duty Post of the Police Station.

110 to 130 persons are held in the Vardenis PHAP annually. There are three cells in the PHAP, one for two persons and two for one person each. There is a health post, a combined toilet and bathroom, an investigative room, a room for visits, and an exercise yard.

The PHAP does not have rooms for accepting parcels and for sanitary processing stipulated by the RoA legislation, as well as a separate dining room.

One investigative room and one room for visits are not sufficient for the adequate operation of the PHAP.

Gavar PHAP of the Gegharkunik Marz Department of the RoA Police

The Gavar PHAP is located in the Gavar Station of the RoA Police. The PHAP can only be entered through the Duty Post of the Police Station.

180 to 190 persons are held in the Gavar PHAP annually. There are four cells in the PHAP, each for two persons. There is a health post, a dining room, an investigative room, a room for visits, a toilet, a bathroom, and an exercise yard.

The PHAP does not have rooms for accepting parcels and for sanitary processing stipulated by the RoA legislation.

One investigative room and one room for visits are not sufficient for the adequate operation of the PHAP.

Martuni PHAP of the Gegharkunik Marz Department of the RoA Police

The Martuni PHAP is located in the Martuni Station of the RoA Police. The PHAP can only be entered through the Duty Post of the Police Station.

80 to 90 persons are held in the Martuni PHAP annually. There are three cells in the PHAP, each for two persons. There is a health post, a dining room, an investigative room, a room for visits, a toilet, a bathroom, and an exercise yard.

The PHAP does not have rooms for accepting parcels and for sanitary processing stipulated by the RoA legislation.

One investigative room is not sufficient for the adequate operation of the PHAP.

Sevan PHAP of the Gegharkunik Marz Department of the RoA Police

The Sevan PHAP is located in the Sevan Station of the RoA Police. The PHAP can only be entered through the Duty Post of the Police Station.

280 to 300 persons are held in the Sevan PHAP annually. There are four cells in the PHAP, each for two persons. There is a health post, a dining room, an investigative room, a room for visits, a combined toilet and bathroom, and an exercise yard.

The PHAP does not have rooms for accepting parcels and for sanitary processing stipulated by the RoA legislation.

One investigative room and one room for visits are not sufficient for the adequate operation of the PHAP.

Chambarak PHAP of the Gegharkunik Marz Department of the RoA Police

The Chambarak PHAP is located in the Chambarak Station of the RoA Police. The PHAP can only be entered through the Duty Post of the Police Station.

One person is held in the Chambarak PHAP annually. There are four cells in the PHAP, each for two persons. There is a dining room, a combined toilet and bathroom, and an exercise yard. The room for visits is combined with the investigative room, and the health post is combined with the duty officer's room for rest.

The PHAP does not have rooms for accepting parcels and for sanitary processing stipulated by the RoA legislation, as well as a separate room for visits, a separate investigative room, and a separate health post.

Tashir PHAP of the Lori Marz Department of the RoA Police

The Tashir PHAP is located in the Tashir Station of the RoA Police. The PHAP can only be entered through the Duty Post of the Police Station.

30 to 35 persons are held in the Tashir PHAP annually. There are three cells in the PHAP, each for one person. There is a health post combined with the investigative room. There is a separate toilet and a separate bathroom. There is a room for visits, a dining room, and an exercise yard.

The PHAP does not have rooms for accepting parcels and for sanitary processing stipulated by the RoA legislation, as well as a separate investigative room and a separate health post.

One investigative room is not sufficient for the adequate operation of the PHAP.

Vanadzor PHAP of the Lori Marz Department of the RoA Police

The Vanadzor PHAP is located in the Vanadzor Station of the RoA Police. The PHAP can only be entered through the Duty Post of the Police Station.

270 to 300 persons are held in the Vanadzor PHAP annually. There are four cells in the PHAP, each for two persons. There is an investigative room, a room for visits, a dining room, a toilet, a bathroom, and an exercise yard.

The PHAP does not have rooms for accepting parcels and for sanitary processing stipulated by the RoA legislation, as well as a health post.

One investigative room and one room for visits are not sufficient for the adequate operation of the PHAP.

Spitak PHAP of the Lori Marz Department of the RoA Police

The Spitak PHAP is located in the Spitak Station of the RoA Police. The PHAP can only be entered through the Duty Post of the Police Station.

36 to 45 persons are held in the Spitak PHAP annually. There are three cells in the PHAP, each for two persons. There is an investigative room, a dining room, a toilet, a bathroom, and an exercise yard. The health post is combined with the room for visits.

The PHAP does not have rooms for accepting parcels and for sanitary processing stipulated by the RoA legislation, as well as a separate health post.

One investigative room is not sufficient for the adequate operation of the PHAP.

Tumanyan PHAP of the Lori Marz Department of the RoA Police

The Tumanyan PHAP is located in the Tumanyan Station of the RoA Police. The PHAP can only be entered through the Duty Post of the Police Station.

50 to 60 persons are held in the Tumanyan PHAP annually. There are four cells in the PHAP, of which two are for one person each, and two for two persons each. There is a room for

visits, a dining room, a toilet, a bathroom, and an exercise yard. The health post, the investigative room, and the police officer's room for rest are combined.

The PHAP does not have rooms for accepting parcels and for sanitary processing stipulated by the RoA legislation, as well as a separate investigative room, a separate room for visits, and a separate health post.

One investigative room is not sufficient for the adequate operation of the PHAP.

Nairi PHAP of the Kotayk Marz Department of the RoA Police

The Nairi PHAP is located in the Nairi Station of the RoA Police. The PHAP can only be entered through the Duty Post of the Police Station.

50 to 55 persons are held in the Nairi PHAP annually. There are four cells in the PHAP, of which three are for one person each, and one for two persons. There is a health post, a dining room, a toilet, and a bathroom. The investigative room and the room for visits are combined. There is a dining room and an exercise yard.

The PHAP does not have rooms for accepting parcels and for sanitary processing stipulated by the RoA legislation, as well as a separate investigative room and a separate room for visits.

One investigative room is not sufficient for the adequate operation of the PHAP.

Kotayk PHAP of the Kotayk Marz Department of the RoA Police

The Kotayk PHAP is located in the Kotayk Station of the RoA Police. The PHAP can only be entered through the Duty Post of the Police Station.

255 to 270 persons are held in the Kotayk PHAP annually. There are five cells in the PHAP, each for two persons. There is a dining room, a toilet, a bathroom, and an exercise yard. The health post, the duty officer's room for rest, the room for visits, and the investigative room are combined in two rooms.

The PHAP does not have rooms for accepting parcels and for sanitary processing stipulated by the RoA legislation, as well as a separate investigative room, a separate room for visits, and a separate health post.

One investigative room and one room for visits are not sufficient for the adequate operation of the PHAP.

Hrazdan PHAP of the Kotayk Marz Department of the RoA Police

The Hrazdan PHAP is located in the Hrazdan Station of the RoA Police. The PHAP can only be entered through the Duty Post of the Police Station.

350 to 370 persons are held in the Hrazdan PHAP annually. There are six cells in the PHAP, of which three for one person each, and three for two persons each. There is a dining room, a toilet, a bathroom, an exercise yard, a health post, a room for visits, and an investigative room.

The PHAP does not have rooms for accepting parcels and for sanitary processing stipulated by the RoA legislation.

One investigative room and one room for visits are not sufficient for the adequate operation of the PHAP.

Lighting

The natural and artificial lighting in the cells in 33 operating PHAPs of the RoA Police can be assessed as poor. Artificial lighting in the cells is obstructed by the attached security grid.

In late hours, under artificial lighting, no document can be read or written in any of the PHAPs.

As to natural lighting in the cells, the penetration of general natural light is hindered by both the position of the PHAP buildings and the two to four layers of security grids of various diameters. Moreover, in addition to the cell windows in the Yerevan PHAP of the Yerevan City Department, which open inwards and are accessible for the person held in the cell, who can, in case of need, use the window rather quickly to ventilate the cell (Photo 4), the window is inaccessible for all the other PHAPs in the regions, because, as was noted earlier, the windows are covered by several grids of different diameters (Photos 5 and 6). It would be easier to mention the PHAPs in which natural lighting is good than the ones in which it is bad, because there are fewer PHAPs in which natural lighting is good. For instance, there is good lighting in the following 27 of the 143 PHAPs operating in the RoA.

- 12 cells of the Yerevan PHAP of the Yerevan City Department of the RoA Police;
- 3 cells of the Goris PHAP of the Syunik Marz Department of the RoA Police;
- 3 cells of the Sisian PHAP of the Syunik Marz Department of the RoA Police;
- 5 cells of the Hrazdan PHAP of the Kotayk Marz Department of the RoA Police; and
- 4 cells of the Gavar PHAP of the Gegharkunik Marz Department of the RoA Police.

Further details are presented in the tables reflecting the findings of the monitoring, including data on different weathers of the year. The tables present light in lux; natural lighting is considered sufficient if it is 42 lux or more.

Humidity

Humidity is present to varying extents in all 33 operating PHAPs of the RoA Police. In warm weather, humidity is contemplated around 60 to 30 percent, and in transition and cold weather, 45 to 30 percent. However, the situation in the functioning cells of the PHAPs can be considered poor, because the findings of the monitoring for different weather seasons and the visible dampness in cells support the conclusion that, while there is humidity in the cells, the lack of ventilation causes the air in the cells to be dry, which is more harmful for human health than the reported high degree of humidity. Hence, much greater attention should be paid to the correct organization of ventilation in the PHAPs. There are three degrees of humidity in the PHAPs.

Average Humidity

Ararat PHAP, Armavir PHAP, Vagharshapat PHAP, Alaverdi PHAP, half of the Yerevan PHAP, Sisian PHAP, Kapan PHAP, Meghri PHAP, Tashir PHAP, Spitak PHAP, Talin PHAP, Martuni PHAP, Sevan PHAP, Vayk PHAP, Yeghegnadzor PHAP, Ashtarak PHAP, Artik PHAP, Nairi PHAP, and Hrazdan PHAP.

High Humidity

Artashat PHAP, half of the Yerevan PHAP, Goris PHAP, Vanadzor PHAP (Photo7), Aparan PHAP (Photo 8), Gavar PHAP, Vardenis PHAP, Chambarak PHAP, Akhuryan PHAP, Dilijan PHAP, Noyemberyan PHAP, Ijevan PHAP, and Kotayk PHAP.

Very High Humidity

- Maralik PHAP of the Shirak Marz Department of the RoA Police.
The table in the findings of the monitoring (page 132) shows not high humidity, where 28% humidity was reported as a result of temperature of 30 degrees centigrade above zero, 49% humidity as a result of 24 degrees, and 62% as a result of 16 degrees. Moreover, it is visible that the PHAP is completely damaged due to humidity (Photos 9, 10, 11, and 12), and repairs do not yield any results. Therefore, the operation of this PHAP should be discontinued.
- Masis PHAP of the Ararat Marz Department of the RoA Police.
The table in the findings of the monitoring (page 94) shows not high humidity, where 27% humidity was reported as a result of temperature of 32 degrees centigrade above zero, 24% humidity as a result of 37 degrees, and 38% as a result of 19 degrees. Moreover, it is visible that the PHAP is completely damaged due to humidity (Photos 13, 14, 15, and

16). and repairs do not yield any results. Therefore, the operation of this PHAP should be discontinued.

Temperature

According to the Internal Regulation of the Places for Holding Arrested Persons in the RoA Police System, the air temperature in a solitary cell should not be below 18 degrees Centigrade above zero. As a result, individual heating systems have been installed in the PHAPs. However, there are PHAPs that still do not have heating systems, including the Vanadzor, Armavir, and Noyemberyan PHAPs of the RoA Police. In the Nairi PHAP, work is underway.

Furthermore, the required temperature is not always provided in the heated PHAPs. For example, the temperature reported during the monitoring in November was 15 to 17 degrees centigrade above zero (pages 106 and 111) in the cells of the Kotayk PHAP of the RoA Police, 16 degrees centigrade above zero in October (pages 130 and 132) in the cells of the Artik and Maralik PHAPs of the RoA Police, 15 to 17 degrees centigrade above zero in November (pages 142 and 152) in the cells of the Ashtarak and Talin PHAPs of the RoA Police, and 15 degrees centigrade above zero in October (pages 158 and 166) in the cells of the Martuni and Chambarak PHAPs of the RoA Police.

Food

During the monitoring in 2010, the Group of Observers remained focused on the provision of food to arrested persons. During the visits, the Group had numerous conversations with arrested persons and the PHAP staff. The conversations and the overview of the documents concerning PHAP food revealed that the arrested persons are fed only once a day, even though there is a requirement to feed them three times a day.

Members of the Group of Observers find, on the basis of the available information, that food is a very sensitive issue in the RoA Police places for holding arrested persons.

- The RoA Government Decree 587-N dated 15 May 2003 defines the following minimum rations of free food to be provided to persons held in places for holding arrested persons:

#	Food Item	Food Ration per Day (grams)
1.	Bread	550
2.	Meat and meat produce	90
3.	Fish, headless	100
4.	Cereals	120
5.	Pasta	20
6.	Vegetable oil	20
7.	Sugar/granulated sugar	40
8.	Vegetable oil (margarine)	45
9.	Milk (powder milk)	100 (14.3)
10.	Tea	1
11	Vegetables	250
12.	Potatoes	550
13.	Baking salt	8
14.	Juice	100
15.	Tomato paste	3
16.	Bay leaf	0.1
The following supplements shall be given to pregnant or breastfeeding mothers, minors, or persons that are ill (upon prescription by a doctor):		
17.	Vegetable oil	20
18	Butter	25
19.	Milk (powder milk)	100 (14.3)
20.	Chicken egg	1 egg

However, the estimated cost of providing the aforementioned food products is currently reimbursed at 450 drams, which in reality does not correspond to the needs. To provide the food listed above to a person held in a PHAP, 1,000 to 1,200 drams would be realistically needed. Moreover, the Group of Observers has for four years now

recommended to the RoA Police revising this cost estimate, and the RoA Police has responded every year that the amount would be increased during the next year.

- Another significant issue is related to the procurement of the food, because a proper canteen would have to be found within the vicinity of the PHAP, which would be ready to provide some food at 450 drams.

Moreover, the monitoring shows that canteens are present in not all of the towns and villages in which there are PHAPs. However, the monitoring has found contracts in such places, which the Group of Observers considers superficial. Here is an example:

“There is no such canteen in the vicinity of the Maralik PHAP of the Shirak Marz Department of the RoA Police, as noted also by the PHAP administration; however, immediately after this issue was raised, a contract with some company emerged, which was not sufficient to resolve the issue.”

- Another sensitive issue is related to the amount contemplated for the food of the police officers on duty in the PHAP for 24 hours: the amount paid to a duty police officer for a 24-hour period is about 1,000 drams, which is the equivalent of 450-500 drams for the average work time.

In addition, the food heating rooms in the PHAPs are in a depleted and unhygienic state (there are no food heaters, the dishes are at times dirty and lacking, and there are no supplies for washing the dishes). Moreover, there is a PHAP that does not have any room for heating the food.

Medical Services

Medical services are among the most painful issues in the RoA Police places for holding arrested persons. Some of the PHAP health posts are combined with other rooms of the PHAP, which is unacceptable. There are PHAPs in which the health post is within the regime zone. In some PHAP health posts, there is no bedding, and the medication is stored in various boxes and other places.

Medical services in the PHAPs are in the following condition:

- Of the operating PHAPs of the RoA Police, the Yerevan City Department Yerevan PHAP is the only PHAP that has appropriate conditions and a medical nurse. The remaining 32 PHAPs do not have this staff position, which negatively affects their work. First aid is provided by means of ambulances, which face difficulties in the regions to the weather conditions and long distances.

Leaving first aid to the PHAP's daily officer on duty is not a correct decision, because the police officer on duty does not have the requisite medical education or basic knowledge. In addition to not having medical personnel, there are concerns in relation to Paragraph 180 of the Internal Regulation of the RoA Police Places for Holding Arrested Persons (as approved by the RoA Government on 5 June 2008), which requires the RoA Police Medical Department to approve a list of drugs, which include drugs that can only be prescribed by medical professionals. Examples of such drugs are listed below.

Painkiller, spasmolytic, and fever medication			
Analgin (pills and ampoules)	Askofen (pills)	Tempalgin (pills)	Aspirin (pills)
Paracetamol (pills)	Citramon (pills)	Spasmalgon (pills and ampoules)	No-shpa (pills and ampoules)
Gastrointestinal medication			
Ranitidin (pills)	Omeprazol (pills)	Maalox (pills)	Almagel (suspension)
Festal (pills)	Cerukal (pills)	Loperamid (pills)	
Cough medication			
Libexin (pills)	Broncholitin (pills)	Bromhexin (pills)	Ambroxol (pills)
Allergy medication			
Suprastin (pills)		Tavigil (pills)	
Hypertension medication			
Kaptopril (pills)		Nifedipin (pills)	
Bandaging supplies			
Cotton	Syringes	Healing supplies	Thermometer
Sterile bandage		Non-sterile bandage	Spirit solution of iodine, 5%
Levomikol (ointment)		Streptocid (ointment)	Medical spirit, 96%

- The monitoring by the Group of Observers found that the PHAPs completely disregard the requirements of Article 21 of the RoA Law on Holding Arrested and Detained Persons (adopted on 6 February 2002), which provides: *“At least one medical general practitioner shall work in a place for holding detainees.”*
- The monitoring by the Group of Observers found that the PHAPs completely disregard Paragraph 179 of the Internal Regulation of the RoA Police Places for Holding Arrested Persons (as approved by the RoA Government on 5 June 2008), which provides: *“It shall be prohibited to hold in a PHAP arrested persons with mental disorders, acute infectious diseases, or need for specialized medical assistance. Such persons shall, based on a written report by a PHAP medical worker or an ambulance doctor, be transferred to specialized or civilian health care institutions by decision of the Head of the Police authority.”*

In addition, the Group of Observers found about 30 violations of the aforementioned paragraph during 2010.

Sanitation and Hygiene

The monitoring by the Group of Observers found that none of the PHAPs operating in Armenia have a professional approach to sanitation and hygiene. For instance:

- The poor conditions in the PHAP toilets are due not to use and depletion over time, but rather, to the failure to maintain sanitation and hygiene. There are PHAPs in which more persons are held every year, but their sanitation and hygiene are better than in some PHAPs in which fewer persons are held.
- The PHAPs have several arrested and detained persons use and reuse 80% of the bedding without washing, which contributes to the spreading of infections or various diseases. Moreover, there is no regulation of washing the bedding of the PHAPs operating in the regions of the RoA; the PHAP administration is left to act according to its conscience, which is the reason for the current situation.
- Another problem is due to the water supply schedule in the regional PHAPs, as well as the absence of reserve water tanks stipulated by the RoA legislation, which makes bathing and maintaining sanitation/hygiene difficult for persons held in PHAPs.
- None of the PHAPs operating in the RoA have disinfection rooms, which causes non-fulfillment of Paragraph 182 of the Internal Regulation of the RoA Police Places for Holding Arrested Persons (as approved by the RoA Government on 5 June 2008).
- None of the PHAPs operating in the RoA comply with Paragraph 183 of the Internal Regulation of the RoA Police Places for Holding Arrested Persons (as approved by the RoA Government on 5 June 2008), which provides: *“Wet cleaning of solitary cells and other rooms shall be performed in the PHAP every day using disinfectants. In the food heating room, such cleaning shall be performed after each distribution of food.”*

Communication with the External World

The monitoring by the Group of Observers showed that the communication of persons held in the PHAPs with the external world is in some ways and to some extent limited.

For instance:

- Very few of the PHAPs have literature that is accessible to the person held in the PHAP.
- Of the PHAPs operating in the RoA, the RoA Police Gegharkunik MD PHAPs are the only ones to have radio receivers.
- Even in the PHAPs in which there are magazines, they are very old, and their existence is a sheer formality.
- Visits with relatives are to some extent restricted, because visits create an additional burden for the single officer performing duty each day. The figures in the monitoring tables regarding parcels and visits make the general situation more understandable.
- As to access to the telephone for persons held in the PHAP, it is subject to Paragraph 65 of the Internal Regulation of the RoA Police Places for Holding Arrested Persons, which provides: "Based on the written waiver of the visit by the arrested person, the visit may be replaced with one telephone conversation lasting up to 10 minutes, unless prohibited by the body conducting criminal proceedings." One could conceive a situation in which a resident of the Town of Meghri is held in the RoA Police Tavush MD Noyemberyan PHAP, and his relative cannot visit him: if waiver of the visit is not sought in writing and granted, the person will not have the right to a telephone call.

Outdoor Exercise

The monitoring by the Group of Observers showed that the PHAP exercise yards are in a relatively good condition. Moreover, the RoA Police has followed the opinion of the Group of Observers and installed appropriate cover in a few of the PHAP exercise yards as protection from different weather conditions. This measure has been fully implemented and serves its purpose.

However, despite the condition of the exercise yards, the organization of outdoor exercise is very inadequate and in part superficial. The Group of Observers has found, for instance, that:

- A person entered into the PHAP later than the time he was taken out for exercise;
- A person was in court, participating in a court hearing, but there is a record claiming that the person was taken out for exercise during the same time;
- According to the journal, one police officer on duty took 10 persons out concurrently for exercise.

In some cases, persons held in the PHAP are not taken out for exercise at all, which became obvious when the exercise yards were examined (Photos 17 and 18). The PHAP administration claimed that they did not wish to have outdoor exercise.

Findings of the Monitoring in the Yerevan PHAP of the Yerevan City Department of the RoA Police

The monitoring by the Group of Observers during 2010 found that the PHAP as a whole was in a fully depleted state up to April. After April, partial repairs were performed, and the situation in the health post, toilet/bathroom, dining room, and some cells was improved. In August, three cells in the PHAP were separated, and appropriate repairs were performed for these cells to serve only minors and women. In August, a “stone cross” was installed in the PHAP, with a sanctuary, which was consecrated by the Armenian Apostolic Church.

This PHAP has been disinfected and is tidy. The PHAP dining room has all the necessary furniture, including four refrigerators. Recently, the PHAP obtained a washing machine, which allows washing the linen on the premises.

During one of the visits, the Group found that the taps in cells number 10, 15, and 20, and the electrical lighting in cell number 6 were not working.

Violations

Various violations have been identified during the conversations with the persons held in the PHAP, as well as from the review of the journals, such as:

1. Cases of Unlawful Holding in Police Stations

- S. H. said that he was apprehended on 15 February 2010 to the Erebouni Police Station. He was arrested and moved to the PHAP on 18 February 2010 and detained on 20 February 2010. However, according to the Journal of Records of Persons Held in the PHAP, he was recorded at 22:20 on 17 February 2010. (See Appendix 1)
- From 17 to 19 February 2010, A. A. was held in the Nor Nork Police Station, but the arrest protocol was filed only at 0:05 on 20 February 2010, and he was formally admitted to the PHAP at 2:00 on 20 February 2010. (See Appendix 1)

2. Unlawful Investigative Actions

- From 7:00 to 22:00 on 8 June 2010, M. M. was taken from the PHAP for performing investigative actions, but according to the oral statement of the arrested person, he was held in the Shengavit Police Station during all that time. (See Appendices 2 and 3)
- From 12:00 on 8 June to 13:00 on 9 June 2010, A. N. was taken from the PHAP for performing investigative actions, but according to the oral statement of the arrested

person, he was held in the Kentron Police Station during all that time. (See Appendices 2 and 3)

- G. G. was taken away from the PHAP for performing investigative actions from 13:20 to 23:50 on 31 July 2010, and the same repeated on 2 August 2010 from 11:40 to 22:50. (See Appendices 2 and 3)
- A. S. was taken away from the PHAP for performing investigative actions from 13:30 on 3 August to 3:40 on 4 August 2010. (See Appendices 2 and 3)
- A. S. was taken away from the PHAP for performing investigative actions from 11:30 on 3 August to 3:40 on 4 August 2010. (See Appendices 2 and 3)
- A. D. was taken away from the PHAP for performing investigative actions at 11:10 on 4 August 2010 and was brought back only at 22:30. (See Appendices 2, 3, and 4)
- V. G. was taken away from the PHAP for performing investigative actions from 12:20 on 6 August to 3:35 on 7 August 2010. (See Appendices 2 and 3)
- V. G. was taken away from the PHAP for performing investigative actions from 12:20 on 6 August to 3:35 on 7 August 2010.
- A. T. was taken away from the PHAP for performing investigative actions from 14:05 to 22:45 on 8 August 2010. (See Appendices 2 and 3)
- G. A. was taken away from the PHAP for performing investigative actions from 15:05 to 23:05 on 9 August 2010. (See Appendices 2 and 3)
- L. G. was taken away from the PHAP for performing investigative actions from 13:00 on 19 August to 00:10 on 20 August 2010. (See Appendices 2 and 3)
- A. V. and A. A. were taken away from the PHAP for performing investigative actions from 15:10 on 27 September to 00:45 on 28 September 2010. (See Appendix 3)
- N. I. was taken away from the PHAP for performing investigative actions from 11:50 on 5 November to 00:55 on 6 November 2010. The investigator issued a letter stating that the arrested person was being taken away for investigative actions and would be returned by the end of the day, i.e. on 5 November 2011. Moreover, the same person was taken away from the PHAP for performing investigative actions from 6:30 to 23:40 on 6 November 2011. (See Appendices 2 and 3)
- V. A. was taken away from the PHAP for performing investigative actions from 11:00 on 2 November to 4:00 on 3 November 2010. (See Appendices 2 and 3)
- A. A. was taken away from the PHAP for performing investigative actions from 13:55 on 1 November to 00:45 on 2 November 2010. (See Appendices 2 and 3)
- H. G. was taken away from the PHAP for performing investigative actions from 10:30 on 27 October to 0:10 on 28 October 2010. (See Appendices 2 and 3)

- M. S. was taken away from the PHAP for performing investigative actions from 1:55 on 26 October 2010, but the time of return to the PHAP was not specified. (See Appendix 4)
- G. H. was taken away from the PHAP for performing investigative actions from 11:30 to 21:00 on 15 September 2010. (See Appendices 2 and 3)
- A. G. was taken away from the PHAP for performing investigative actions from 10:30 to 23:00 on 1 November 2010. (See Appendices 2 and 3)
- A. N. was taken away from the PHAP for performing investigative actions from 0:55 to 23:25 on 1 November 2010. (See Appendices 2 and 3)
- V. A. was taken away from the PHAP for performing investigative actions from 16:00 on 1 November to 1:15 on 2 November 2010, and from 11:00 on 2 November to 4:00 on 3 November 2010. (See Appendices 2 and 3)
- H. A. was taken away from the PHAP for performing investigative actions from 16:10 on 2 November to 4:00 on 3 November 2010. (See Appendices 2 and 3)
- R. M. was taken away from the PHAP for performing investigative actions from 14:00 on 6 November to 00:50 on 7 November 2010. (See Appendices 2 and 3)
- G. A. was taken away from the PHAP for performing investigative actions from 3:30 to 22:00 on 14 November 2010. (See Appendices 2 and 3)
- V. G. was taken away from the PHAP for performing investigative actions from 2:15 to 22:30 on 17 November 2010. (See Appendices 2 and 3)
- S. A. was taken away from the PHAP for performing investigative actions from 19:05 on 3 December to 17:55 on 4 December 2010. (See Appendices 2 and 3)
- H. M. was taken away from the PHAP for performing investigative actions from 22:30 on 7 December to 16:00 on 8 December 2010. (See Appendices 2 and 3)
- S. V. was taken away from the PHAP for performing investigative actions from 12:15 on 15 November to 2:00 on 16 November 2010. (See Appendices 2 and 3)
- A. G. was taken away from the PHAP for performing investigative actions from 12:15 to 23:25 on 15 November 2010. (See Appendices 2 and 3)
- D. G. was taken away from the PHAP for performing investigative actions from 12:15 on 18 November to 00:40 on 19 November 2010. (See Appendices 2 and 3)

3. Irregular Transfer of Arrested Persons to the PHAP following Arrest

- R. V. was arrested at 13:00 on 21 July 2010, but was transferred and admitted to the PHAP at 22:10 on 21 July 2010. (See Appendix 5)
- V. S. was arrested at 21:00 on 22 July 2010, but was transferred and admitted to the PHAP at 22:10 on 23 July 2010. (See Appendix 5)

- A. S. was arrested at 21:30 on 25 July 2010, but was transferred and admitted to the PHAP at 4:40 on 26 July 2010. (See Appendix 5)
- N. M. was arrested at 11:00 on 27 July 2010, but was transferred and admitted to the PHAP at 20:10 on 27 July 2010. (See Appendix 5)
- E. H. was arrested at 16:00 on 27 July 2010, but was transferred and admitted to the PHAP at 3:15 on 28 July 2010. (See Appendix 5)
- A. A. was arrested at 19:30 on 29 July 2010, but was transferred and admitted to the PHAP at 19:30 on 30 July 2010. (See Appendix 5)
- H. A. was arrested at 12:30 on 27 June 2010, but was transferred and admitted to the PHAP at 19:30 on 29 June 2010. (See Appendix 5)
- G. G. was arrested at 23:05 on 28 June 2010, but was transferred and admitted to the PHAP at 23:10 on 29 June 2010. (See Appendix 5)
- A. G. was arrested at 21:10 on 28 June 2010, but was transferred and admitted to the PHAP at 23:20 on 29 June 2010. (See Appendix 5)
- A. G. was arrested at 23:15 on 28 June 2010, but was transferred and admitted to the PHAP at 23:50 on 29 June 2010. (See Appendix 5)
- A. N. was arrested at 17:30 on 1 July 2010, but was transferred and admitted to the PHAP at 2:00 on 2 July 2010. (See Appendix 5)
- A. U. was arrested at 22:30 on 3 July 2010, but was transferred and admitted to the PHAP at 13:20 on 4 July 2010. (See Appendix 5)
- S. K. was arrested at 22:10 on 3 July 2010, but was transferred and admitted to the PHAP at 13:20 on 4 July 2010. (See Appendix 5)
- H. K. was arrested at 18:30 on 3 July 2010, but was transferred and admitted to the PHAP at 13:20 on 4 July 2010. (See Appendix 5)
- N. T. was arrested at 12:00 on 13.07.2010, but was transferred and admitted to the PHAP at 21:00 on 13 July 2010. (See Appendix 5)
- O. H. was arrested at 22:10 on 13 July 2010, but was transferred and admitted to the PHAP at 17:40 on 14 July 2010. (See Appendix 5)
- S. H. was arrested at 12:10 on 14 July 2010, but was transferred and admitted to the PHAP at 20:40 on 14 July 2010. (See Appendix 5)
- A. M. was arrested at 15:30 on 20 July 2010, but was transferred and admitted to the PHAP at 00:55 on 21 July 2010. (See Appendix 5)
- A. H. was arrested at 14:00 on 5 May 2010, but was transferred and admitted to the PHAP at 22:10 on 5 May 2010. (See Appendix 5)
- A. A. was arrested at 3:30 on 30 April 2010, but was transferred and admitted to the PHAP at 20:55 on 30 April 2010. (See Appendix 5)

- A. M. was arrested at 20:00 on 28 April 2010, but was transferred and admitted to the PHAP at 18:25 on 29 April 2010. (See Appendix 5)
- M. I. was arrested at 3:30 on 30 April 2010, but was transferred and admitted to the PHAP at 20:45 on 30 April 2010. (See Appendix 5)
- K. A. was arrested at 9:00 on 29 April 2010, but was transferred and admitted to the PHAP at 18:05 on 29 April 2010. (See Appendix 5)
- R. K. was arrested at 23:30 on 13 April 2010, but was transferred and admitted to the PHAP at 19:30 on 14 April 2010. (See Appendix 5)
- M. H. was arrested at 15:50 on 10 September 2010, but was transferred and admitted to the PHAP at 22:30 on 11 September 2010. (See Appendix 5)
- G. T. was arrested at 0:30 on 12 September 2010, but was transferred and admitted to the PHAP at 18:15 on 12 September 2010. (See Appendix 5)
- A. A. was arrested at 18:10 on 25 September 2010, but was transferred and admitted to the PHAP at 7:35 on 26 September 2010. (See Appendix 5)
- H. T. was arrested at 23:55 on 25 September 2010, but was transferred and admitted to the PHAP at 22:10 on 26 September 2010. (See Appendix 5)
- M. P. was arrested at 21:30 on 25 September 2010, but was transferred and admitted to the PHAP at 7:20 on 26 September 2010. (See Appendix 5)
- A. V. was arrested at 20:10 on 25 September 2010, but was transferred and admitted to the PHAP at 7:10 on 26 September 2010. (See Appendix 5)
- H. O. was arrested at 24:00 on 16 September 2010, but was transferred and admitted to the PHAP at 15:25 on 17 September 2010. (See Appendix 5)
- M. H. was arrested at 13:50 on 10 September 2010, but was transferred and admitted to the PHAP at 22:30 on 11 September 2010. (See Appendix 5)
- G. T. was arrested at 0:30 on 12 September 2010, but was transferred and admitted to the PHAP at 18:15 on 12 September 2010. (See Appendix 5)
- A. T. was arrested at 16:00 on 15 September 2010, but was transferred and admitted to the PHAP at 1:20 on 16 September 2010. (See Appendix 5)
- A. V. was arrested at 20:10 on 25 September 2010, but was transferred and admitted to the PHAP at 7:20 on 26 September 2010. (See Appendix 5)
- M. P. was arrested at 21:30 on 25 September 2010, but was transferred and admitted to the PHAP at 7:20 on 26 September 2010. (See Appendix 5)
- A. A. was arrested at 18:10 on 25 September 2010, but was transferred and admitted to the PHAP at 7:35 on 26 September 2010. (See Appendix 5)
- G. P. was arrested at 13:30 on 9 October 2010, but was transferred and admitted to the PHAP at 1:30 on 10 October 2010. (See Appendix 5)

- P. P. was arrested at 15:00 on 26 October 2010, but was transferred and admitted to the PHAP at 0:10 on 27 October 2010. (See Appendix 5)
- H. G. was arrested at 16:00 on 26 October 2010, but was transferred and admitted to the PHAP at 1:10 on 27 October 2010. (See Appendix 5)

The aforementioned list of violations could go on much longer, and it would be impossible to single out conduct by the investigative unit of any community, because these violations have been committed by investigative units of all the communities, the Investigative Service of the RoA Ministry of Defense, the CPI, and the Investigative Department of the State Revenue Committee. The Group of Observers has presented information about these violations to the RoA Police in a current report. The current report and the reply of the RoA Police are available in the “Current Reports” section.

4. As a result of reviewing the “Medical Examination or Medical Assistance Journal of Arrested Persons,” it was found that 56 of the 190 arrested persons were admitted to the PHAP with bodily injuries.

5. Holding in PHAPs Persons Prohibited by the RoA Legislation

- K. B., who had a mental disorder, was arrested at 22:50 on 25 August 2010, detained at 19:30 on 26 August 2010, and transferred to the RoA MoJ Nubarashen PI at 10:25 on 27 August 2010. (See Appendix 6)
- A. M., who had a mental disorder, was arrested at 20:00 on 28 April 2010, transferred to the PHAP on 29 April 2010, and released only two days later, 22:20 on 30 April 2010. (See Appendix 6)
- V. S., who had a mental disorder, was arrested at 22:00 on 18 June 2010, admitted to the PHAP at 3:20 on 19 June 2010, detained at 0:05 on 22 June 2010, and transferred to the PI at 10:30 on 22 June 2010. (See Appendix 6)
- S. G., who was suffering from tuberculosis, was arrested at 19:00 on 30 June 2010, admitted to the PHAP at 23:30 on 30 June 2010, detained at 20:39 on 2 July 2010, and transferred to the PI at 10:30 on 3 July 2010. (See Appendix 6)
- K. B., who was suffering from tuberculosis, was arrested at 18:00 on 19 March 2010, admitted to the PHAP at 23:50 on 19 March 2010, detained on 22 March 2010, and transferred to the PI at 11:00 on 23 March 2010. (See Appendix 6)

Results of the Comparison

The comparison showed that general improvements have been made in the PHAP, and the situation there is now adequate.

General Information on Persons Held in the Yerevan PHAP of the Yerevan City Department of the RoA Police

Data for 2010	9 Months	12 Months
Arrested persons	651	888
Detained persons	0	0
Other Information		
Medical examination	651	888
Medical assistance	216	245
Bodily injury	163	175
Visit	56	66
Telephone conversation	3	6
Bathing	33	38
Parcel	708	881
Outdoor exercise	253	268
Services of an advocate	28	30

Information on Humidity (ph), Temperature (°C), and Natural Lighting (lux) in the Yerevan PHAP of the Yerevan City Department of the RoA Police

2010	September			December		
	Humidity	Temp.	Lighting	Humidity	Temp.	Lighting
Cell 1	39.7%	+25 ⁰ C	38 lux	38.8%	+20 ⁰ C	18.7 lux
Cell 2	39.8%	+25 ⁰ C	36.8 lux	40%	+19 ⁰ C	16 lux
Cell 3	39.7%	+25 ⁰ C	30 lux	41.2%	+20 ⁰ C	1.5 lux
Cell 4	40.6%	+25 ⁰ C	19.3 lux	41.2%	+20 ⁰ C	1.5 lux
Cell 5	40.2%	+25 ⁰ C	21.8 lux	41%	+20 ⁰ C	2 lux
Cell 6	38.7%	+26 ⁰ C	56.3 lux	52%	+19 ⁰ C	34.3 lux
Cell 7	38.6%	+26 ⁰ C	70.4 lux	41.2%	+19 ⁰ C	28.3 lux
Cell 8	38.4%	+26 ⁰ C	75.5 lux	52.1%	+19 ⁰ C	29.7 lux
Cell 9	38.2%	+26 ⁰ C	69.5 lux	56%	+19 ⁰ C	23.5 lux
Cell 10	37.8%	+26 ⁰ C	69.8 lux	56%	+19 ⁰ C	26 lux
Cell 11	37.4%	+26 ⁰ C	73 lux	57.4%	+19 ⁰ C	30.7 lux
Cell 12	37.4%	+26 ⁰ C	64.8 lux	57.3%	+18 ⁰ C	21 lux
Cell 13	Serves as a warehouse			Serves as a laundry		
Cell 14	37.3%	+26 ⁰ C	25.5 lux	58%	+18 ⁰ C	4.7 lux
Cell 15	37.2%	+26 ⁰ C	26.3 lux	54.4%	+18 ⁰ C	7.8 lux
Cell 16	37.2%	+26 ⁰ C	27.5 lux	48%	+20 ⁰ C	10.5 lux
Cell 17	37%	+26 ⁰ C	28.3 lux	44.5%	+20 ⁰ C	23.5 lux
Cell 18	36.9%	+26 ⁰ C	30 lux	44.5%	+20 ⁰ C	23.5 lux
Cell 19	36.6%	+26 ⁰ C	44.8 lux	45.6%	+20 ⁰ C	293 lux
Cell 20	36.6%	+26 ⁰ C	57 lux	46.7%	+20 ⁰ C	472 lux
Cell 21	36.4%	+26 ⁰ C	47.5 lux	47.7%	+19 ⁰ C	428 lux
Dining room	36.1%	+26 ⁰ C	73.3 lux	62.5%	+19 ⁰ C	19 lux
Room for visits	39.4%	+26 ⁰ C	53.8 lux	42%	+20 ⁰ C	21 lux
Investigative room	39.6%	+26 ⁰ C	27.5 lux	42.3%	+20 ⁰ C	15 lux
Investigative room	40%	+26 ⁰ C	23.5 lux	42.3%	+20 ⁰ C	15.4 lux
Health post	40.0%	+26 ⁰ C	29.5 lux	38%	+20 ⁰ C	21 lux

Findings of the Monitoring in the Syunik Marz

Sisian PHAP of the Syunik Marz Department of the RoA Police

June 2010

The Group of Observers found during the visit that personal hygiene supplies are present in the cells. The bedding in the cells was clean. The performance of the medical examination was inadequate. The room for visits, the investigative room, the health post, the dining room, and the toilet were in a good condition. The PHAP administration explained that the food was supplied on the basis of a contract, but the contract was not available in the PHAP. The PHAP administration promised to present a photocopy of the food supply contract during the next visit.

Results of the Comparison

The general review of the PHAP showed that the toilet/bathroom short door and ventilation issues had been addressed. Appropriate items of personal hygiene had been supplied in the cells, and the PHAP was generally relatively clean.

August 2010

The general review of the PHAP showed that, of the bedding in the cells, the pillow covers were dirty (Photo 19). The health post bedding, too, was dirty. The performance of the medical examination was inadequate. The dishes were generally dirty. None of the 32 arrested and detained persons admitted to the PHAP had exercised their rights to visits, telephone calls, bathing, parcels, or having an advocate.

Violations

The review of the PHAP journals revealed the following:

- D. G. was arrested at 15:45 on 19 January 2010, and E. D. was arrested at 17:25 on 19 January 2010. The decision on detention of these two persons was recorded in the Journal of Records of Persons Held in the PHAP at 15:00 on 21 January 2010, whereas the review of the Journal of Removal of Arrested Persons from the Cells showed that both of these arrested persons had been taken out of the cells and transferred to court for purposes of imposing a preventive measure around 18:00 to 19:00. (See Appendix 4)

- M. A. was arrested at 13:00 on 16 February 2010, and detained at 11:00 on 19 February 2010, but the Journal of Removal of Arrested Persons from the Cells did not contain any record of transfer to court. (See Appendix 4)
- R. A. was arrested at 12:35 on 12 May 2010. According to the Journal of Records of Persons Held in the PHAP, he was detained at 12:35 on 14 May 2010, but the Journal of Removal of Arrested Persons from the Cells showed that he was taken out of the cell and transferred to court at around 10:30 to 10:45 on 14 May 2010. (See Appendix 4)
- According to letter 7/40218 of S. Hakobyan, the Head of the Sisian Investigative Division of the Syunik MD of the RoA Police, M. A. was transferred for performing investigative actions from 2:30 to 22:00 on 17 February 2010. (See Appendices 2 and 3)
- M. A. was transferred from the PHAP from 12:00 to 22:00 on 16 February 2010, and investigative actions were performed. (See Appendices 2 and 3)
- From 11:30 on 30 March to 3:30 on 31 March 2010, M. M. and A. G. were transferred from the PHAP, and investigative actions were performed. (See Appendices 2 and 3)
- From 20:15 on 7 April to 10:55 on 8 April 2010, M. A. was transferred from the PHAP, and investigative actions were performed with him. (See Appendices 2 and 3)
- A. H. was transferred from the PHAP from 18:00 on 8 July to 10:00 on 9 July 2010 for the purpose of performing investigative actions. (See Appendices 2 and 3)
- A. B. was admitted to the PHAP as a detainee at 23:50 on 3 June 2010. H. M. was admitted to the PHAP as a detainee at 14:30 on 7 June 2010. M. M. was admitted to the PHAP at 14:33 on 7 June 2010. There were no records on the admission to the PHAP of G. B. and A. N. (regarding neither the date nor the time). As to the transfer of all five of these detainees to the PI, only the time (19:00) was mentioned, but not the date. (See Appendices 4 and 7)
- The Journal of Records of Persons Held in the PHAP contained a record on M. A.'s admission to the PHAP and transfer to the PI, but no information on the date and time of admission to the PHAP and the transfer to the PI. (See Appendix 4)
- A. H. was transferred from the PHAP from 18:00 on 8 July 2007 for the performance of investigative actions and kept until 10:00 on 9 July 2010. (See Appendices 2 and 3)

Results of the Comparison

Though the PHAP administration had promised to present a photocopy of the food supply contract to the Group of Observers, nothing was actually presented. No solution is being found for the problem related to records of the medical examination in the PHAP. The comparison showed that the bedding and the dishes were still dirty.

October 2010

The general review of the PHAP revealed that the bedding in the cells was dirty, with the exception of the bedding in cell 1. The dishes were dirty. The health post, the room for visits, the dining room, the toilet/bathroom, and the investigative room were in a good condition.

Violations

The review of the general journals revealed that, of 15 possible options to take out for exercise, only six had been actually used. (See Appendix 8)

Results of the Comparison

The comparison showed that the only issue is that the bedding is not washed, but the other deficiencies identified in the past have been fully overcome.

General Information on Persons Held in the Sisian PHAP of the Syunik Marz Department of the RoA Police

<i>Data for 2010</i>	<i>6 Months</i>	<i>8 Months</i>	<i>10 Months</i>
Arrested persons	13	13	18
Detained persons	9	19	21
<i>Other Information</i>			
Medical examination	0	8	13
Medical assistance	7	7	7
Bodily injury	0	0	0
Visit	0	0	0
Telephone conversation	0	0	0
Bathing	0	0	0
Parcel	0	0	3
Outdoor exercise	18	26	31
Services of an advocate	0	0	0

Information on Humidity (ph), Temperature (°C), and Natural Lighting (lux) in the Sisian PHAP of the Syunik Marz Department of the RoA Police

2010	June			August			October		
	Humidity	Temp.	Lighting	Humidity	Temp.	Lighting	Humidity	Temp.	Lighting
Cell 1	35.9%	+27°C	52 lux	30.4%	+30°C	78.8 lux	30.7%	+19°C	76.8 lux
Cell 2	34.2%	+27°C	56.8 lux	30.5%	+28°C	64.3 lux	32.3%	+19°C	77.3 lux
Cell 3	33.6%	+28°C	56.3 lux	30.7%	+28°C	58.8 lux	30.6%	+18°C	79.3 lux
Dining room	33.9%	+29°C	54.8 lux	30.9%	+29°C	64.3 lux	30.6%	+18°C	76 lux
Room for visits	32.9%	+29°C	0 lux	27.2%	+29°C	0 lux	30.7%	+18°C	0 lux
Investigative room	33.6%	+30°C	63 lux	27.2%	+29°C	53.5 lux	31.2%	+18°C	58 lux
Health post	32.8%	+30°C	75 lux	27.4%	+29°C	80.5 lux	37%	+19°C	76 lux

Goris PHAP of the Syunik Marz Department of the RoA Police

June 2010

As was mentioned above, the PHAP has three cells, each for two places, but the dishes were enough for five persons and were in a very poor condition. The linen in the cells was dirty. Only the towels were clean. The investigative room, the dining room, the health post, the bathroom, and the toilet were all in a good condition. The necessary quantity of medication was available in the health post. Anyone admitted to the PHAP underwent a medical examination that was registered appropriately in the Medical Examination or Medical Assistance Journal of Arrested Persons. The water supply to the PHAP cells and bathroom was broken and did not operate.

Violations

The following became clear from reviewing the PHAP journals:

- H. M., being fugitive, was arrested on 11 February 2010. On 12 February 2010, he was transferred to court for confirming the preventive measure, after which he was readmitted to the PHAP, and after being held for a day, on 13 February, he was transferred to a PI on a Saturday, despite the fact that PIs do not work during the week-end. Moreover, there was no need to hold for a day, because the RoA Ministry of Justice Goris PI is next door to the Goris Police Station.

Results of the Comparison

The comparison revealed that an external examination is performed and appropriate records are made in the Medical Examination or Medical Assistance Journal of Arrested Persons, which is further confirmed by the arrested person's signature. The health post was separated, and the medication had been provided.

August 2010

The general overview of the PHAP showed that the water heater in the bathroom did not work, the natural and electrical lighting in the cells was very poor, the canteen was in a depleted condition, and the washbasin was practically non-existent. The linen in the general PHAP cells was used and dirty. The sewerage system did not work in either the cells or the bathroom/toilet. The tap in cell 3 was broken.

Violations

The following transpired from the review of the PHAP journals:

- K. A., wanted by the Russian Federation, was apprehended to the Syunik MD Goris Police Station and was admitted to the PHAP without an arrest protocol or any other document, where he was held from 15:10 to 17:00 on 1 June 2010, only after which he was transferred to the RoA MoJ Goris PI. The administration had accepted the Russian Federation decision declaring the person wanted as a basis for admitting him to the PHAP. ([See Appendix 10](#))

Results of the Comparison

Even though the PHAP is designed for six persons, the dishes were not even sufficient for five persons. Like the previous visit, the condition of the dishes was very poor. During this visit, too, the linen in the cells was dirty ([Photo 20](#)). As to the taps, the system remained broken. Moreover, a few hours after the visit, the PHAP administration informed the Group of Observers that all the deficiencies had been addressed. In follow-up, the members of the Group of Observers paid another visit to the Goris PHAP and found that only the broken tap, sewerage, and water heater had been fixed, but the problems of dirty linen, insufficient dishes, and the poor condition of the dining room had not been solved.

October 2010

The Group of Observers found during the visit that the linen in the cells and the health post was dirty. The room for visits, the dining room, the investigative room, and the bathroom/toilet were in a good state, but the socket in the bathroom was open, posing a security risk.

Violations

The review of the general journals showed:

- A. Z., who had a mental disorder, was held in the PHAP from 18:30 on 8 October to 18:00 on 11 October 2010. ([See Appendix 6](#))
- The PHAP did not have a Journal for Recording Parcels. ([See Appendix 13](#))

Results of the Comparison

The comparison revealed that no solution was being provided to the persisting problem of dirty linen in the cells.

**General Information on Persons Held in the Goris PHAP of the Syunik Marz
Department of the RoA Police**

Data for 2010	6 Months	8 Months	10 Months
Arrested persons	4	7	14
Detained persons	21	34	41
Other Information			
Medical examination	14	29	43
Medical assistance	2	2	3
Bodily injury	0	0	1
Visit	0	0	2
Telephone conversation	0	0	0
Bathing	0	0	0
Parcel	0	0	0
Outdoor exercise	17	22	36
Services of an advocate	0	0	0

**Information on Humidity (ph), Temperature (°C), and Natural Lighting (lux) in the
Goris PHAP of the Syunik Marz Department of the RoA Police**

2010	June			August			October		
	Humidity	Temp.	Lighting	Humidity	Temp.	Lighting	Humidity	Temp.	Lighting
Cell 1	35.9%	+27°C	100 lux	25.3%	+31°C	102 lux	36.6%	+17°C	147 lux
Cell 2	34.2%	+27°C	78 lux	25.3%	+31°C	77.8 lux	35.4%	+17°C	82 lux
Cell 3	33.6%	+28°C	76 lux	25.3%	+31°C	77.5 lux	35.3%	+18°C	82 lux
Dining room	33.9%	+30°C	53.3 lux	25.3%	+31°C	67 lux	34.7%	+17°C	73 lux
Room for visits	32.9%	+29°C	48.3 lux	25.3%	+31°C	32 lux	34.5%	+19°C	37 lux
Investigative room	33.6%	+30°C	210 lux	25.3%	+31°C	222 lux	37.6%	+18°C	190 lux
Health post	32.8%	+29°C	34.8 lux	25.3%	+31°C	31.8 lux	36.9%	+18°C	35.3 lux

Kapan PHAP of the Syunik Marz Department of the RoA Police

June 2010

The visit revealed that the PHAP had five cells, each for two persons, but there were dishes for only nine persons. Items of personal hygiene were available in the cells, but there was no linen. Medical examinations were properly performed and the results were recorded in the Medical Examination or Medical Assistance Journal of Arrested Persons. The investigative room, the health post, the room for visits, the exercise yard, and the dining room were in a good condition, but the health post was inside the PHAP regime zone. The administration promised to move the health post out of the regime zone.

Violations

The overview of the general journals of the PHAP revealed the following:

- Medical assistance had been rendered to M. P. on 20 February 2010, which was properly recorded in the Medical Examination or Medical Assistance Journal of Arrested Persons. However, there was no record in the Journal of Taking Arrested Persons out of Cells. (See Appendix 4)
- According to entry number 667 in the Journal of Taking Arrested Persons out of Cells regarding G. K., he was transferred to court at around 16:00 to 16:15 on 15 May 2010 for imposing a preventive measure. Entry 668 in the Journal read with regard to the same person that he was taken out for exercise from 17:00 to 18:00, while the Journal of the Record of Persons Held in the PHAP read that the detention decision was rendered and recorded in the journal at 17:10. (See Appendix 4)
- Arrested person M. B., who was in the PHAP at the time of the visit, did not complain about the general conditions in the PHAP, but said that he had a public defender who had seen him when he was in the Kapan Police Station, but had not appeared thereafter on two occasions when he had been interrogated by the investigator.

Results of the Comparison

The Group of Observers found that the PHAP had obtained additional dishes, separated the health post from the room for rest of the duty officer, though it was still within the regime zone, and fixed the broken lighting. Despite some disinfection in the bathroom/toilet, the situation there was still very poor. The notice of the rights and responsibilities of arrested and detained persons had been posted in the cells.

August 2010

During the regular visit, the Group found no items of personal hygiene and towels in the cells. Medical examinations were properly performed and the results were recorded in the Medical Examination or Medical Assistance Journal of Arrested Persons. The health post, the investigative room, the room for visits, and the dining room were in a good condition. The conditions in the bathroom/toilet had still not improved in any way. The dishes were dirty. Moreover, the linen of not only the persons held in the PHAP, but also the PHAP duty officer, was dirty.

Violations

The overview of the general journals of the PHAP revealed the following:

- M. B., S. K., and H. B. had been convoyed to the Goris PI on 6 August 2008, but strikingly, it was done at 1:10am. ([See Appendix 9](#))

Results of the Comparison

The comparison revealed that the health post had been moved out of the regime zone and properly furnished. During the previous visit, the situation in the PHAP had been better.

October 2010

It transpired during the visit that the linen in the cells was clean. The health post had been moved back into the regime zone. The room for visits, the dining room, the investigative room, the health post, and the bathroom/toilet were in a good condition.

Violations

No violations were found in the examination of the general journals of the PHAP during the visit.

Results of the Comparison

The comparison revealed that all of the deficiencies found in the past had been addressed. However, for a reason that could not be understood, the place of the health post was changing every once in a while. The explanation provided during an earlier visit was that the health post should be outside the regime zone, and so, the health post was moved out of the regime zone; but then, again, during this visit, it was found within the regime zone.

**General Information on Persons Held in the Kapan PHAP of the Syunik Marz
Department of the RoA Police**

Data for 2010	6 Months	8 Months	10 Months
Arrested persons	12	12	21
Detained persons	80	105	147
Other Information			
Medical examination	92	105	142
Medical assistance	2	13	37
Bodily injury	0	0	0
Visit	5	6	14
Telephone conversation	1	1	29
Bathing	4	16	46
Parcel	39	56	73
Outdoor exercise	127	169	225
Services of an advocate	6	6	14

**Information on Humidity (ph), Temperature (°C), and Natural Lighting (lux) in the
Kapan PHAP of the Syunik Marz Department of the RoA Police**

2010	June			August			October		
	Humid.	Temp.	Lighting	Humid.	Temp.	Lighting	Humid.	Temp.	Lighting
Cell 1	30%	+31°C	35 lux	19.4%	+35°C	40 lux	28,2%	+21°C	47 lux
Cell 2	33%	+31°C	27,8 lux	19.4%	+35°C	25.5 lux	27%	+22°C	28,5 lux
Cell 3	30%	+31°C	32,5 lux	19.7%	+35°C	37 lux	27%	+21°C	36 lux
Cell 4	30%	+31°C	34,3 lux	19.8%	+35°C	35 lux	27,2%	+20°C	36,2 lux
Cell 5	34%	+31°C	40,3 lux	20.2%	+35°C	45 lux	29,6%	+20°C	41,5 lux
Dining room	30%	+33°C	0 lux	20.7%	+35°C	0 lux	31,7%	+20°C	0 lux
Room for visits	30%	+33°C	0 lux	20.6%	+35°C	0 lux	31,3%	+20°C	0 lux
Investigative room	30%	+32°C	18.8 lux	20.8%	+35°C	18.8 lux	31,9%	+19°C	22 lux
Health post	30%	+30°C	62,7 lux	20.3%	+35°C	65.3 lux	20,9%	+20°C	68,3 lux

Meghri PHAP of the Syunik Marz Department of the RoA Police

June 2010

It became clear during the visit that the necessary quantity of dishes and medication had been supplied. The linen in the cells was clean. Medical examinations were not properly performed, and the results thereof were not recorded in the Medical Examination or Medical Assistance Journal of Arrested Persons. The review of the PHAP journals and the general review of the PHAP did not reveal any shortcomings.

Results of the Comparison

In general, the PHAP had sufficient medication. As in the whole Marz, the Meghri PHAP, too, had an installed card phone. A ventilation system had been installed in the bathroom/toilet.

August 2010

The regular visit found no items of personal hygiene in the PHAP. The towels were dirty. The electrical lighting in the bathroom/toilet did not work. The dishes were dirty. The PHAP administration promised to address these deficiencies in a short period of time. Moreover, no violations were found during the present visit.

October 2010

The linen in the cells was dirty. The natural and electrical lighting in the cells was good. The tap in cell 2 did not work. The chair in the investigative room was not attached to the floor. A medical bed sheet was not available in the health post. The table in the dining room was dirty. Four of the cups, too, were dirty (Photo 21).

Results of the Comparison

The comparison showed that, over time, the shortcomings in this PHAP had grown.

**General Information on Persons Held in the Meghri PHAP of the Syunik Marz
Department of the RoA Police**

Data for 2010	6 Months	8 Months	10 Months
Arrested persons	4	7	8
Detained persons	0	0	2
Other Information			
Medical examination	0	3	3
Medical assistance	0	0	0
Bodily injury	0	0	0
Visit	0	0	0
Telephone conversation	0	0	0
Bathing	0	0	0
Parcel	1	6	7
Outdoor exercise	4	14	19
Services of an advocate	0	0	0

**Information on Humidity (ph), Temperature (°C), and Natural Lighting (lux) in the
Meghri PHAP of the Syunik Marz Department of the RoA Police**

2010	June			August			October		
	Humid.	Temp.	Lighting	Humid.	Temp.	Lighting	Humid.	Temp.	Lighting
Cell 1	19.7%	+36°C	27.3 lux	21.7%	+34°C	14 lux	30,2%	+21°C	26,5 lux
Cell 2	19.8%	+36°C	31.8 lux	21.7%	+34°C	12 lux	29,5%	+20°C	23,3 lux
Dining room	19.9%	+36°C	27.8 lux	21.5%	+34°C	30 lux	31,2%	+19°C	24,8 lux
Room for visits	20%	+36°C	0 lux	21.5%	+34°C	0 lux	30,5%	+20°C	0 lux
Investigative room	20%	+36°C	45.3 lux	21.5%	+34°C	44,8 lux	32,3%	+20°C	56,4 lux
Health post	19.7%	+36°C	12.5 lux	21.5%	+34°C	5.8 lux	29,1%	+22°C	9,6 lux

Findings of the Monitoring in the Armavir Marz

Armavir PHAP of the Armavir Marz Department of the RoA Police

February 2010

It was found during the visit that the linen in the cells had not been replaced, and the used dirty linen had been provided to the persons newly admitted to the PHAP, even though clean linen for 32 persons was available in the PHAP warehouse. The general situation in the PHAP was adequate. The necessary quantity of medication had been supplied to the health post. Medical examinations were not properly performed, and the results thereof were not recorded in the Medical Examination or Medical Assistance Journal of Arrested Persons.

Violations

The overview of the general journals of the PHAP revealed the following:

- L. I. was admitted to the PHAP on 19 February 2010, but the time of admission was not recorded. (See Appendix 4)
- V. A. was admitted to the PHAP from a PI at 18:20 on 18 January 2010 and was held in the PHAP until 9:50 on 26 January 2010. (See Appendix 7)
- M. S. was arrested at 23:50 on 18 January 2010, but was transferred from the PHAP to a PI at 9:50 on 26 January 2010. (See Appendix 7)
- J. N. was arrested at 22:25 on 10 February 2010 and detained at 10:30 on 12 February 2010, but was transferred from the PHAP to a PI on 16 January 2010. (See Appendix 7)

Results of the Comparison

The comparison revealed that all the identified shortcomings were eliminated.

April 2010

It transpired from the visit that the holding conditions in the PHAP were adequate.

Violations

The review of the general PHAP journals revealed the following:

- A. A. was arrested on 18 March and detained on 20 March 2010, but was transferred from the PHAP to a PI only on 24 March 2010. (See Appendix 7)

- S. M. was arrested on 18 March and detained on 20 March 2010, but was transferred from the PHAP to a PI on 24 March 2010. ([See Appendix 7](#))
- H. M. was arrested on 13 April and detained on 15 March 2010, but was transferred from the PHAP to a PI on 20 April 2010. ([See Appendix 7](#))
- V. V. was transferred to the PHAP once after going on a hunger strike while in the PI and was held in the PHAP from 16 to 17 March 2010. The second time, he was held there from 23 to 27 March 2010. On 23 March 2010, he received medical assistance, which was recorded by a doctor in the Medical Examination or Medical Assistance Journal of Arrested Persons. In this regard, the PHAP Head orally informed that the Police Station Head and, subsequently, the prosecutor had been notified, and that the prosecutor had compiled a protocol on the hunger strike, but neither the protocol nor a copy thereof could be obtained at the time of the visit. ([See Appendix 12](#))

Results of the Comparison

The comparison revealed that the general conditions in the PHAP had been improved.

September 2010

It was found during the visit that the linen in the PHAP and the PHAP in general were clean and disinfected, but the dishes were not clean.

Violations

The review of the general PHAP journals revealed the following:

- A. A. was arrested at 19:10 on 6 September 2010 and released based on the investigator's letter on 7 September 2010. However, the Journal of Removal of Arrested Persons from the Cells did not contain any record of such person. ([See Appendix 4](#))
- G. S. was transferred to the PHAP from a PI at 10:55 on 17 August 2010 for participation in a court hearing, and after being held for six days, was transferred to the PI at 10:10 on 23 August 2010. ([See Appendix 7](#))
- K. Z. and G. G. were transferred to the PHAP from a PI at 15:00 on 11 August 2010 for participation in a court hearing and, according to the Journal of Removal of Arrested Persons from the Cells, were transferred at 11:00 on 12 August 2010 to court for a hearing, following which there was no record of their return. The Journal of Records of Persons Held in the PHAP contained a record showing that the aforementioned detainees

had been transferred to the PI at 12 August 2010, but the transfer hours were not mentioned. Moreover, there was another record about these persons, according to which they were admitted to the PHAP at 13:10 on 3 August 2010 and taken back to the PI at 9:50 on 5 August 2010. Whereas, the Journal of Removal of Arrested Persons from the Cells contained a record according to which they had been transferred to court at 9:50 on 5 August 2010. ([See Appendix 7](#))

- V. G. was admitted to the PHAP as a detainee from the PI at 23:50 on 19 July 2010, and after being held for 4 days, was released at 10:40 on 23 July 2010. ([See Appendix 7](#))
- A. P. was arrested at 19:50 on 23 April 2010 and, according to the Journal of Records of Persons Held in the PHAP, was detained at 18:00 on 26 April 2010, but this record was erased and replaced with “18:05,” whereas the Journal of Removal of Arrested Persons from the Cells contained a record showing that he was transferred to court at 18:00 on 26 April 2010 for imposing a preventive measure. ([See Appendix 4](#))
- V. V. was admitted from the PHAP from a PI at 13:40 on 23.04.2010 and, after four days, on 27 April 2010, was transferred to the PI at 9:50. ([See Appendix 7](#))
- H. M. was arrested and admitted to the PHAP at 19:05 on 13 April 2010, detained on 15 April 2010, and after five days, on 20 April 2010, was moved to the PI at 10:10. Moreover, the Journal of Removal of Arrested Persons from the Cells did not contain any record on this person at any time after 17 April 2010. ([See Appendices 4 and 7](#))
- V. V. and H. S. were admitted to the PHAP from a PI at 16:05 on 16 April 2010, and four days later, on 20 April 2010, were taken back to the PI at 10:00. ([See Appendix 7](#))
- G. G. and N. E. were admitted to the PHAP from a PI at 13:45 on 26 March 2010, and after four days, on 30 March 2010, were transferred back to the PI at 9:30. ([See Appendix 7](#))
- A. A. and S. M. were arrested at 20:25 on 18 March, detained on 20 March, and only after four days, at 16:50 on 24 March 2010, transferred to a PI. The Journal of Removal of Arrested Persons from the Cells did not contain any record on the detention and transfer to court of the aforementioned persons. ([See Appendices 4 and 7](#))
- S. A. was admitted to the PHAP from a PI at 15:00 on 15 March 2010, and was transferred to a PI only after four days, at 9:30 on 19 March 2010. ([See Appendix 7](#))
- K. E., who was wanted, was arrested at 10:55 on 25 February 2010, and for confirming the imposition of detention as a preventive measure, was transferred to court at 13:08 on 26 February 2010, after which he was transferred to a PI only after four days, at 10:00 on 2 March 2010. The Journal of Removal of Arrested Persons from the Cells contained another record that showed that this person had been transferred to court at 14:45 on 1 March 2010. It could not be established whether the preventive measure was confirmed on 26 February or 1 March 2010. Anyhow, the person was held as a detainee for one

extra day during the confirmation on 26 February 2010 (see Appendix 7), and if the confirmation was on 1 March 2010, then it was done after 98 hours, whereas it must have been confirmed within 72 hours, because the person had the status of an arrested person. (See Appendix 11)

Results of the Comparison

The comparison shows that the PHAP has not addressed the issues of heating or having a basin, table, and chairs in the cells.

October 2010

The Group found out during the visit that the linen in the cells was dirty, but the PHAP generally was clean and disinfected.

The review of the general PHAP journals showed that K. P. had been arrested at 12:30 on 15 September 2010 by A. Martirosyan, investigator of the Armavir Investigative Unit. As a consequence of the arrest period lapsing and the investigator failing to seek court-ordered release or imposition of a detention measure or imposing such a measure himself, at 12:20 on 18 September 2010, police lieutenant colonel N. Hakhnazaryan, acting head of the Armavir Police Station of the Armavir MD of the RoA Police rendered a decision on releasing the person.

Violations

The review of the general PHAP journals did not reveal any violations.

November 2010

It was found during the visit that the linen in the cells was, as usual, dirty, although clean linen was available in the warehouse. The PHAP in general was disinfected and clean.

Results of the Comparison

The comparison showed that the PHAP continued to fail to provide clean linen to the persons held in the PHAP.

**General Information on Persons Held in the Armavir PHAP of the Armavir Marz
Department of the RoA Police**

Data for 2010	2 Months	4 Months	9 Months	10 Months	11 Months
Arrested persons	18	27	44	51	59
Detained persons	33	88	210	256	308
Other Information					
Medical examination	0	0	110	145	201
Medical assistance	5	5	21	22	36
Bodily injury	0	0	3	6	7
Visit	0	0	0	1	3
Telephone conversation	0	0	0	0	0
Bathing	0	0	42	43	47
Parcel	67	139	372	412	473
Outdoor exercise	10	41	148	171	204
Services of an advocate	0	0	0	0	4

**Information on Humidity (ph), Temperature (°C), and Natural Lighting (lux) in the
Armavir PHAP of the Armavir Marz Department of the RoA Police**

2010	April			September			October			November		
	Hum.	Temp.	Light.	Hum.	Temp.	Light.	Hum.	Temp.	Light.	Hum.	Tem.	Light.
Cell 1	46%	+23°C	34 lux	26%	+31°C	30 lux	27%	+20°C	36 lux	44%	+16°C	25 lux
Cell 2	45%	+23°C	30 lux	26%	+31°C	31 lux	27%	+20°C	35 lux	43%	+17°C	25.5 lux
Cell 3	45%	+23°C	27 lux	26%	+31°C	30 lux	27%	+20°C	36 lux	42%	+20°C	19.3 lux
Cell 4	44%	+23°C	34 lux	24%	+31°C	27 lux	28%	+20°C	35 lux	41%	+20°C	27.8 lux
Dining room	43%	+22°C	0 lux	30%	+27°C	0 lux	29%	+21°C	0 lux	38%	+21°C	0 lux
Room for visits	43%	+23°C	20 lux	31%	+28°C	25 lux	30%	+21°C	21 lux	38%	+21°C	13.5 lux
Investigative room	42%	+21°C	51 lux	31%	+30°C	53 lux	30%	+20°C	62 lux	39%	+21°C	46.5 lux
Health post	44%	+23°C	27 lux	29%	+29°C	25 lux	30%	+21°C	31 lux	39%	+20°C	26.3 lux

February 2010

The PHAP has four cells, each for two persons, but there were only seven sets of dishes. The linen in the PHAP was dirty. There were not towels. Cupboards for everyday items had been installed in the cells. The rooms for investigative visits, the health post, and the dining room were in a good condition. The necessary quantity of medication was available in the health post. During a meeting with an arrested person in the PHAP, it became clear that the search protocol had been given to him, something that is rarely encountered.

Violations

During the examination of the PHAP, members of the Group of Observers found out that, in spite of having two arrested and detained persons in cell number 3, the inspection hole on the cell door was open, which was in breach of the security rules.

The review of the journals revealed the following:

- A. M. received medical assistance on 28 January 2010. The invited doctor made a record in the Medical Examination or Medical Assistance Journal of Arrested Persons, according to which the arrested person had hernia around his left inguen, due to which the invited doctor had provided a Spasmalgon pill. The choice of the medication provided for this condition requires further investigation.
- The examination of the Journal of Records of Persons Held in the PHAP showed that 10 persons were held concurrently in the PHAP, even though the PHAP has capacity only for 8 persons.
- The conversation with the three inmates in the PHAP during the visit revealed that two of them had received parcels, but the Journal for Recording Parcels did not contain any records of such parcels. (See Appendix 13)

Results of the Comparison

The comparison revealed that appropriate furniture and linen had been provided to the health post.

April 2010

The regular visit found that the linen in the cells was dirty, and towels were still missing. The necessary quantity of dishes was present. The PHAP generally was in a good condition.

Results of the Comparison

The comparison showed that the problems of dirty linen and the absence of towels were still not being addressed.

September 2010

The regular visit found that the linen was still dirty. The quantity of dishes, which had been sufficient during a previous visit, was again insufficient. The investigative room, the room for visits, the health post, and the dining room were in a good condition. The toilet/bathroom was disinfected and clean.

Violations

The examination of the PHAP and the journals showed that, although the PHAP had a capacity for 8 persons, 9-16 persons had been held there from time to time. For example:

- 10 persons were held in the PHAP as at 19 January 2010;
- 12 persons were held in the PHAP as at 22 January 2010;
- 16 persons were held in the PHAP as at 26 January 2010;
- 10 persons were held in the PHAP as at 29 January 2010;
- 15 persons were held in the PHAP as at 9 February 2010;
- 11 persons were held in the PHAP as at 10 February 2010;
- 13 persons were held in the PHAP as at 11 February 2010;
- 11 persons were held in the PHAP as at 12 February 2010;
- 11 persons were held in the PHAP as at 16 February 2010;
- 10 persons were held in the PHAP as at 17 February 2010;
- 10 persons were held in the PHAP as at 18 February 2010;
- 13 persons were held in the PHAP as at 23 February 2010;
- 9 persons were held in the PHAP as at 2 March 2010;
- 9 persons were held in the PHAP as at 9 March 2010;
- 9 persons were held in the PHAP as at 18 March 2010;
- 10 persons were held in the PHAP as at 26 March 2010;
- 12 persons were held in the PHAP as at 9 April 2010;
- 9 persons were held in the PHAP as at 10 April 2010;

- 10 persons were held in the PHAP as at 12 April 2010;
- 11 persons were held in the PHAP as at 20 April 2010;
- 12 persons were held in the PHAP as at 22 April 2010;
- 9 persons were held in the PHAP as at 25 April 2010;
- 10 persons were held in the PHAP as at 2 July 2010;
- 12 persons were held in the PHAP as at 10 August 2010;
- 12 persons were held in the PHAP as at 11 August 2010;
- 11 persons were held in the PHAP as at 26 August 2010; and
- 9 persons were held in the PHAP as at 27 August 2010;

Moreover, the aforementioned number of persons did not sleep in the PHAP, but were held there for one to five hours. The number of arrested persons in the cells at night did not exceed eight, but it is impossible to hold 16 persons for even one hour. Furthermore, the members of the Group of Observers found out from the general examination that the situation was due not to the fault of the PHAP administration, but to the fact that several judges scheduled court hearings on the same days and demanded the PIs to send detainees on the same day.

Results of the Comparison

The comparison showed a certain improvement in the PHAP conditions, but medical examinations were neither being carried out nor recorded as appropriate.

October 2010

It became clear during the visit that, as usual, the linen in the cells was dirty, and there were no towels. Natural and electrical lighting in the cells was very poor. The quantity of dishes had declined further, and the available dishes were dirty. The toilet/bathroom needed disinfection, and the water heater did not work due to the inadequacy of water pressure and the lack of a pump, so bathing was impossible. Moreover, the linen of the police officer on duty, as well as the linen in the cells was dirty.

Violations

The review of the general PHAP journals revealed the following:

- The majority of the detainees held in the PHAP were transferred to the PHAP three days prior to the trial based on a letter from the judge, which creates problems for both the PHAP administration and the convoy.

Results of the Comparison

The comparison showed that the linen was still not being washed, the missing dishes were not being provided, and the condition in the toilet/bathroom during the period in question had deteriorated.

November 2010

The linen in the cells was dirty, and there were no towels. The natural and electrical lighting in the cells was poor due to the existence of security grids. The toilet and bathroom were shared, lacking hygiene conditions, and needing general ventilation. A second chair in the investigative room was missing.

Violations

The conversations with persons held in the PHAP revealed that arrest and search protocols had not been provided to them. The review of the journals revealed the following:

- According to the Journal of Removal of Arrested Persons from the Cells, M. M. was taken to a court hearing from 15:20 to 17:30 on 21 October 2010. According to the same Journal, he was taken out for exercise from 16:30 to 17:30 on 21 October 2010. (See Appendices 4 and 8)
- For unclear reasons, A. S. was transferred from the PHAP for investigation purposes from 15:05 to 21:30 on 25 October 2010 upon demand by A. Terteryan, operations officer of the Vagharshapat Police of the Armavir MD of the RoA Police, and the transfer was made by the same operations officer. Furthermore, a request by the investigator or prosecutor is required for the transfer of a person from the PHAP.

Results of the Comparison

The comparison showed that the missing dishes had been provided, and the dishes were clean. The toilet/bathroom was still in poor condition, and nothing had been done to address the problems of linen and towels.

General Information on Persons Held in the Vagharshapat PHAP of the Armavir Marz Department of the RoA Police

Data for 2010	2 Months	4 Months	9 Months	10 Months	11 Months
Arrested persons	16	33	70	72	80
Detained persons	69	142	288	339	391
Other Information					
Medical examination	0	0	0	0	32
Medical assistance	2	4	7	7	7
Bodily injury	0	0	0	0	0
Visit	3	4	11	13	14
Telephone conversation	0	0	0	0	0
Bathing	0	0	5	5	6
Parcel	44	93	962	1018	1064
Outdoor exercise	145	348	520	635	752
Services of an advocate	0	5	10	11	11

Information on Humidity (ph), Temperature (°C), and Natural Lighting (lux) in the Vagharshapat PHAP of the Armavir Marz Department of the RoA Police

2010	April			September			October			November		
	Hum.	Temp.	Light.	Hum.	Temp.	Light.	Hum.	Temp.	Light.	Hum.	Temp.	Light.
Cell 1	44%	+24°C	8 lux	24%	+35°C	11 lux	37%	+20°C	12 lux	42%	+20°C	18 lux
Cell 2	43%	+26°C	30 lux	24%	+35°C	28 lux	37%	+21°C	29.3 lux	41%	+20°C	29 lux
Cell 3	41%	+26°C	8.5 lux	24%	+35°C	11 lux	36%	+23°C	14 lux	40%	+21°C	14 lux
Cell 4	46%	+26°C	7.5 lux	24%	+35°C	10 lux	36%	+21°C	11.7 lux	40%	+21°C	19 lux
Dining room	44%	+25°C	52 lux	24%	+30°C	61 lux	36%	+20°C	64.3 lux	41%	+20°C	48 lux
Room for visits	45%	+25°C	0 lux	24%	+30°C	0 lux	36%	+19°C	0 lux	41%	+20°C	0 lux
Investigative room	45%	+24°C	0 lux	25%	+30°C	0 lux	36%	+19°C	0 lux	41%	+20°C	0 lux
Health post	43%	+26°C	28 lux	25%	+30°C	27 lux	37%	+20°C	21.3 lux	41%	+20°C	26 lux

Findings of the Monitoring in the Lori Marz

Alaverdi PHAP of the Lori Marz Department of the RoA Police

March 2010

It became clear during the visit that there was a sufficient quantity of clean linen and dishes in the PHAP. The natural lighting in the cells was poor due to the small windows. The PHAP does not have a health post, but there is a sufficient quantity of medication. The toilet/bathroom, the investigative room, the room for visits, and the dining room were in a good condition.

Violations

The review of the PHAP journals during the visit did not reveal any actual violations, with the exception of the failure to record the results of the medical examinations.

September 2010

The health post, the investigative room, and the room for rest of the police officer were combined in one room. The PHAP in general was clean and disinfected. Half of the ceiling in cell 1 and the corridor was damaged due to the breakdown of the sewerage on the second floor of the Police Station (Photos 22 and 23). The administration promised to address the existing deficiency in a very short period of time.

Results of the Comparison

The comparison showed that improvements were underway in the PHAP.

**General Information on Persons Held in the Alaverdi PHAP of the Lori Marz
Department of the RoA Police**

<i>Data for 2010</i>	<i>3 Months</i>	<i>9 Months</i>
Arrested persons	11	25
Detained persons	4	12
<i>Other Information</i>		
Medical examination	10	11
Medical assistance	1	4
Bodily injury	0	0
Visit	0	0
Telephone conversation	0	0
Bathing	1	5
Parcel	8	10
Outdoor exercise	29	59
Services of an advocate	3	3

**Information on Humidity (ph), Temperature (°C), and Natural Lighting (lux) in the
Alaverdi PHAP of the Lori Marz Department of the RoA Police**

<i>2010</i>	<i>September</i>		
	<i>Humid.</i>	<i>Temp.</i>	<i>Lighting</i>
Cell 1	15.2%	+28 ⁰ C	6.5 lux
Cell 2	15.4%	+28 ⁰ C	7 lux
Cell 3	15.6%	+30 ⁰ C	7 lux
Cell 4	16%	+31 ⁰ C	7 lux
Dining room	16.1%	+22 ⁰ C	0 lux
Room for visits	16%	+23 ⁰ C	0 lux
Investigative room	14.4%	+31 ⁰ C	0 lux
Health post	14.4%	+31 ⁰ C	0 lux

Vanadzor PHAP of the Lori Marz Department of the RoA Police

March 2010

It was found during the visit that the linen in the cells was dirty. The quantity of dishes was sufficient. Natural lighting was very poor in all the cells of the PHAP due to the low quality of the windows. The cells were furnished with cupboards for everyday items. Both of the arrested persons in the PHAP had received the arrest and search protocols. The PHAP did not have a health post, but the appropriate quantity of medication was available. The PHAP was in a generally good condition.

Violations

The review of the PHAP journals showed the following:

- S. O. Arakelyan, the prosecutor of the Lori Marz, had issued a letter according to which H. G. and M. P. were to be held in the PHAP from 5 to 14 March 2010. (See Appendix 7)
- Medical examination of persons admitted to the PHAP was not performed and records were not being made in the Medical Examination or Medical Assistance Journal of Arrested Persons.

Results of the Comparison

The comparison revealed that the heating issue was not resolved and, although two arrested persons that were in the PHAP, the temperature of 18 degrees centigrade required by law was not secured.

July 2010

It became clear during the visit that the linen was still dirty. A PHAP as large as this one does not have a health post, even though there is an idle cell outside the regime zone, which could be converted and used as a health post. The investigative room is in a depleted state due to high humidity.

Violations

The review of the PHAP in general and of the journals revealed the following:

- Members of the Group of Observers noticed that the booklets and brochures provided by the Group, which were used to inform arrested persons of their rights, were not present in the cells or even the PHAP. When asked why they were not being provided to the arrested persons in order for the latter to become familiar with their rights, the acting head

of the PHAP, Mr. Ayvazyan, said the following: "It is not needed for the arrested and detained persons, because we explain their rights to them."

- External examination of persons admitted to the PHAP is not performed, and the Medical Examination or Medical Assistance Journal of Arrested Persons is not filled out.
- The review of the journals revealed that, in spite of having 151 arrested and detained persons, only two visits had been organized, and even those two visits were granted as a result of the intervention of the Group of Observers.
- The availability of hot water in the bathroom is related to heating; from 2006 till now, the PHAP does not have hot water in the bathroom for the arrested and detained persons to exercise their right to bathe.
- From 1 January to 28 February 2010, none of the 29 arrested or detained persons went for outdoor exercise. Moreover, with 29 persons, there were 41 options for outdoor exercise. Subsequently, other arrested and detained persons were not taken for outdoor exercise even for short periods of time.
- All of the 20 recorded visits by advocates had taken place with the participation of an investigator.

Results of the Comparison

The comparison showed that the general conditions were becoming increasingly worse, and that the required journals were not being adequately filed.

September 2010

During the visit, it became clear that the PHAP for eight persons had only six dirty cups and seven dirty plates.

Violations

A conversation with an arrested person in the PHAP revealed that he had received the arrest protocol, but not the search protocol.

The review of the PHAP journals revealed the following:

- According to the Journal of Removal of Arrested Persons from the Cells, A. S. had been transferred to the Stepanavan Police Station at 8:50 on 21 August 2010 for the performance of investigative actions, whereas, according to the Journal of Records of Persons Held in the PHAP, he had been removed and taken to the Stepanavan Police

Station, after which, according to the Journal of Records of Persons Held in the PHAP, he had been readmitted at 15:30 on 21 August 2010. (See Appendix 4)

- P. B. was arrested at 14:50 on 11 May 2010. At 14:50 on 14 May 2010, he had been transferred from the PHAP to a PI, but a record had been made in the Medical Examination or Medical Assistance Journal of Arrested Persons made at 19:20 on 12 May 2010 by invited doctor Simonyan, according to which P. B. had pain due to broken leg bones and complained of heavy breathing and general nausea, for which he had been given a Spasmalgon pill.

Results of the Comparison

General improvements had been made in the PHAP, but there was still no health post. As was mentioned, there was an idle cell that could be used as a health post.

October 2010

As usual, the linen in the cells was dirty (Photo 24). This PHAP, designed to hold eight persons, had a total of seven cups, nine deep plates, seven regular plates, and three dirty forks. The natural and electrical lighting in the cells was very poor. The natural lighting was poor due to the small size of the windows and the bars. The humidity in the investigative room had damaged the walls. The PHAP still did not have a health post and did not record the results of external examinations. The general toilet/bathroom was in a good condition, but needed ventilation. The PHAP sewerage system did not work. The water taps in cells number 2 and 4 did not work.

Violations

The review of the general PHAP journals revealed the following:

- V. M., who was wanted, was apprehended to the Vanadzor Police Station and transferred to the PHAP at 1:50 on 5 October 2010. At 17:20 on 5 October 2010, he was transferred to the Vanadzor PI without performing any action (i.e. without filing an arrest protocol and confirming detention as a preventive measure). (See Appendix 10)

Results of the Comparison

The comparison revealed that the linen was still dirty, and there was a shortage of dishes. The external examinations were not being recorded, and the general situation in the PHAP had deteriorated further. However, the PHAP administration suggested that they would very soon eliminate all the shortcomings and provide for a health post.

**General Information on Persons Held in the Vanadzor PHAP of the Lori Marz
Department of the RoA Police**

Data for 2010	3 Months	7 Months	9 Months	10 Months
Arrested persons	28	64	72	81
Detained persons	40	87	103	111
Other Information				
Medical examination	0	0	0	0
Medical assistance	2	11	14	14
Bodily injury	0	0	1	1
Visit	0	2	2	2
Telephone conversation	0	0	0	0
Bathing	0	0	0	0
Parcel	16	58	60	70
Outdoor exercise	42	81	94	113
Services of an advocate	18	20	22	26

**Information on Humidity (ph), Temperature (°C), and Natural Lighting (lux) in the
Vanadzor PHAP of the Lori Marz Department of the RoA Police**

2010	July			September			October		
	Humid.	Temp.	Lighting	Humid.	Temp.	Lighting	Humid.	Temp.	Lighting
Cell 1	28.1%	+31 ⁰ C	12.5 lux	25.4%	+30 ⁰ C	14 lux	56.1%	+23 ⁰ C	18.5 lux
Cell 2	28.2%	+31 ⁰ C	21.3 lux	25%	+27 ⁰ C	12.5 lux	55.4%	+23 ⁰ C	19.8 lux
Cell 3	28.2%	+31 ⁰ C	13.5 lux	25.2%	+27 ⁰ C	9.5 lux	54.7%	+22 ⁰ C	18.3 lux
Cell 4	28.6%	+31 ⁰ C	7.5 lux	25.2%	+27 ⁰ C	6 lux	55%	+22 ⁰ C	8 lux
Dining room	28.1%	+31 ⁰ C	0 lux	27.1%	+30 ⁰ C	0 lux	55.9%	+24 ⁰ C	0 lux
Room for visits	28.4%	+31 ⁰ C	54.3 lux	29%	+26 ⁰ C	53 lux	56%	+24 ⁰ C	45 lux
Investigative room	28.3%	+31 ⁰ C	0 lux	26.5%	+28 ⁰ C	0 lux	56.5%	+24 ⁰ C	0 lux
Health post	x	x	x	x	x	x	x	x	x

Tashir PHAP of the Lori Marz Department of the RoA Police

July 2010

It was found during the visit that the PHAP had clean linen, but the dishes were dirty. Natural lighting in the cells was very poor, because the windows were covered with grid bars of three different diameters. The health post was combined with the investigative room and had a sufficient quantity of medication. The toilet/bathroom, the room for visits, and the dining room were in a good condition. The exercise yard was fully covered with grass, and it could be assumed that no one was ever taken out for exercise.

Violations

The review of the PHAP journals revealed the following:

- V. S. was admitted to the PHAP on 9 July 2010 from the Stepanavan Police Station of the Lori MD of the RoA Police. According to the Journal of Removal of Arrested Persons from the Cells, V. S. was had been transferred to the Stepanavan Police Station at 14:05 on 11 July 2010 based on the investigator's letter, from which he was not brought back. It is not clear what happened to him afterwards. (See Appendices 2 and 3)
- M. K. was admitted to the PHAP on 25 May 2010 from the Stepanavan Police Station of the Lori MD of the RoA Police. On 28 May 2010, he was transferred to the Stepanavan Police Station based on the investigator's letter for performing investigative actions, from which he was not brought back. It is not clear what happened to him afterwards. (See Appendices 2 and 3)
- A. D. was admitted to the PHAP on 6 March 2010 from the Stepanavan Police Station of the Lori MD of the RoA Police. On 9 March 2010, he was transferred to the Stepanavan Police Station based on the investigator's letter for performing investigative actions. It is not clear what happened to him afterwards. (See Appendices 2 and 3)
- V. S. was transferred from the PHAP from 10:30 to 21:20 on 9 July 2010 for the performance of investigative actions. (See Appendices 2 and 3)
- A. S. was transferred from the PHAP at 11:00 on 11 March 2010 for the performance of investigative actions, and was not brought back. It is not clear what happened to him afterwards. (See Appendices 2 and 3)
- E. N. and A. T. were transferred from the PHAP at 10:50 on 22 February 2010 for the performance of investigative actions, and were not brought back. It is not clear what happened to them afterwards. (See Appendices 2 and 3)

Results of the Comparison

The comparison revealed that the general water supply network had been repaired, the heater in the bathroom worked, appropriate medication had been supplied, and the conditions in general had improved.

September 2010

The visit revealed that the linen in the cells was dirty ([Photo 25](#)), and the medication was in the duty police officer's room, rather than in the health post. Some of this medication was overdue. Appropriate external examinations were neither performed nor recorded. A heater for food was not available in the dining room. The dishes were dirty, lying on the floor, and included one spoon, four cups, one fork, and four plates ([Photo 26](#)). In case of using water in the toilet or the bathroom, water leaked from the corridor floor. The washbasin in cell number 3 was in a depleted condition.

Violations

The review of the PHAP journals revealed the following:

- A. R. was transferred from the Tashir PHAP to the Tumanyan Police Station, but a record thereof was not made in the Journal of Removal of Arrested Persons from the Cells.
- The Medical Examination or Medical Assistance Journal of Arrested Persons did not contain any record of persons admitted to the PHAP with bodily injuries, but the examination of the medication revealed that [Revanol](#) medication (overdue and in very poor condition) was available, and when the duty police officer was asked about the poor condition of the medication, he explained that they had received an inmate with scratches, to whom they had provided assistance.
- According to the Medical Examination or Medical Assistance Journal of Arrested Persons, assistance had been rendered to three individuals, but records thereof could not be found in the Journal of Removal of Arrested Persons from the Cells.

Results of the Comparison

It was revealed that none of the shortcomings identified during the previous visit had been addressed.

October 2010

The visit revealed a very worrisome situation in terms of the natural lighting in all the cells. As mentioned earlier, the cell windows were very small and covered with three layers of security bars, which hindered the flow of natural light into the cells. The PHAP, which was designed for three persons, had one spoon, one fork, four cups, and four plates. A food heater was not available in the dining room.

Results of the Comparison

The comparison revealed that the linen was clean. The medication box was placed in the health post, as appropriate, and there was no overdue medication. The problem of dishes had not been addressed.

General Information on Persons Held in the Tashir PHAP of the Lori Marz Department of the RoA Police

<i>Data for 2010</i>	<i>7 Months</i>	<i>8 Months</i>	<i>10 Months</i>
Arrested persons	12	13	13
Detained persons	8	9	9
<i>Other Information</i>			
Medical examination	0	3	3
Medical assistance	3	3	3
Bodily injury	0	0	0
Visit	0	0	0
Telephone conversation	0	0	0
Bathing	0	0	0
Parcel	5	5	5
Outdoor exercise	18	18	18
Services of an advocate	0	0	0

Information on Humidity (ph), Temperature (°C), and Natural Lighting (lux) in the Tashir PHAP of the Lori Marz Department of the RoA Police

<i>2010</i>	<i>July</i>			<i>September</i>			<i>October</i>		
	<i>Humid.</i>	<i>Temp.</i>	<i>Lighting</i>	<i>Humid.</i>	<i>Temp.</i>	<i>Lighting</i>	<i>Humid.</i>	<i>Temp.</i>	<i>Lighting</i>
Cell 1	32.5%	+27 ⁰ C	3.8 lux	28.2%	+25 ⁰ C	4 lux	50.8%	+23 ⁰ C	4.2 lux
Cell 2	32.5%	+27 ⁰ C	3.8 lux	28.2%	+25 ⁰ C	4 lux	50.5%	+23 ⁰ C	4.2 lux
Cell 3	32.5%	+27 ⁰ C	4.3 lux	27.6%	+22 ⁰ C	7.5 lux	50.5%	+23 ⁰ C	5 lux
Dining room	32.3%	+28 ⁰ C	95 lux	27.7%	+24 ⁰ C	70.5 lux	51.7%	+23 ⁰ C	68 lux
Room for visits	32.4%	+27 ⁰ C	0 lux	29.5%	+24 ⁰ C	0 lux	53.8%	+23 ⁰ C	0 lux
Investigative room	32.6%	+28 ⁰ C	211 lux	30%	+26 ⁰ C	220 lux	50.5%	+23 ⁰ C	180 lux
Health post	32.6%	+28 ⁰ C	211 lux	30%	+26 ⁰ C	220 lux	50.5%	+23 ⁰ C	180 lux

Spitak PHAP of the Lori Marz Department of the RoA Police

March 2010

The general examination of the PHAP revealed that the linen in the cells was dirty. As to dishes, this PHAP, designed for six persons, had six cups, three spoons, and three plates. Natural lighting in the cells was poor, because the windows were small and covered with a very thick grid. Cupboards for everyday items were present in the cells. The PHAP did not have a health post, but had the sufficient quantity of medication. The toilet/bathroom, the investigative room, the room for visits, and the dining room were in a good condition.

July 2010

This regular visit revealed that the linen was again dirty. The dishes were sufficient. The health post had the necessary furniture, although it was combined with the room for visits. The general conditions in the PHAP had improved. There was no food heater in the dining room.

Violations

The review of the journals revealed that the Journal of Records of Persons Held in the PHAP was not being filed adequately. As a rule, all investigative actions were performed outside the PHAP, and the meeting with the advocate would normally take place in the presence of the investigator.

Results of the Comparison

The comparison revealed that a health post had been provided by means of combining it with another room. The water tap in cell number 1 had been repaired. A food heater, however, had not been put in place. External examinations were adequately performed, and the results were recorded in the Medical Examination or Medical Assistance Journal of Arrested Persons.

September 2010

All the linen in the PHAP was again dirty. The cells did not have either cupboards for everyday items or appropriate niches. The general conditions in the PHAP were good, but ventilation was needed, because the unpleasant smell from the toilet could be felt everywhere in the PHAP.

Violations

It became clear during the visit that the daily duty police officer was absent from the PHAP.

The review of the PHAP journals revealed the following:

- G. N., who was held in the PHAP for three days from 17 to 20 July 2010, was in bad health, and an ambulance was called four times to provide medical assistance to him. He received appropriate medication, but was not taken to a health care institution. Moreover, of those four times, only one was recorded in the Journal of Removal of Arrested Persons from the Cells. (See Appendix 4)
- Even though the PHAP had held 26 arrested and detained persons during the period from 1 January to the date of this visit, only 14 persons had undergone external examination, and only 12 of them had been recorded in the respective journal, however, without specifying the date and time of such examinations.

Results of the Comparison

The comparison revealed that the linen was not being washed. A food heater had been installed in the dining room.

October 2010

It was revealed during the visit that the PHAP was disinfected and clean. No change had taken place after the previous visit.

Results of the Comparison

The comparison revealed that the linen was clean. The PHAP in general was in clean state. The water taps in cell number 1 and in the bathroom did not work. The administration promised to replace them with new ones during a very short time period.

General Information on Persons Held in the Spitak PHAP of the Lori Marz Department of the RoA Police

<i>Data for 2010</i>	<i>3 Months</i>	<i>7 Months</i>	<i>8 Months</i>	<i>10 Months</i>
Arrested persons	3	9	9	9
Detained persons	3	14	17	17
<i>Other Information</i>				
Medical examination	0	17	14	14
Medical assistance	0	1	7	7
Bodily injury	0	0	1	1
Visit	0	0	0	0
Telephone conversation	0	0	0	0
Bathing	0	0	10	10
Parcel	1	6	6	6
Outdoor exercise	6	25	28	28
Services of an advocate	0	2	3	3

**Information on Humidity (ph), Temperature (^oC), and Natural Lighting (lux) in the
Spitak PHAP of the Lori Marz Department of the RoA Police**

2010	July			September			October		
	Humid.	Temp.	Lighting	Humid.	Temp.	Lighting	Humid.	Temp.	Lighting
Cell 1	30.9%	+28 ⁰ C	8.5 lux	27.8%	+27 ⁰ C	4.5 lux	46.6%	+22 ⁰ C	7 lux
Cell 2	30.5%	+28 ⁰ C	9 lux	27.7%	+27 ⁰ C	4 lux	46.5%	+22 ⁰ C	7.5 lux
Cell 3	30.5%	+29 ⁰ C	7.3 lux	27.4%	+27 ⁰ C	4 lux	46.3%	+22 ⁰ C	6 lux
Dining room	30.4%	+28 ⁰ C	0 lux	26.8%	+26 ⁰ C	0 lux	46.6%	+23 ⁰ C	0 lux
Room for visits	31%	+28 ⁰ C	10.3 lux	28.4%	+26 ⁰ C	8.5 lux	45.8%	+22 ⁰ C	12 lux
Investigative room	31%	+28 ⁰ C	0 lux	28.8%	+27 ⁰ C	0 lux	46%	+22 ⁰ C	0 lux
Health post	31%	+28 ⁰ C	10.3 lux	28.4%	+26 ⁰ C	8.5 lux	45.8%	+22 ⁰ C	12 lux

Findings of the Monitoring in the Ararat Marz

Masis PHAP of the Ararat Marz Department of the RoA Police

January 2010

It was revealed during the visit that the natural lighting in the cells was very poor. In cells number 4 and 5, the electrical lighting was broken. The PHAP generally was humid. The investigative room was completely covered with dust ([Photo 27](#)), and the socket was open. The medical sheet was dirty. The room for visits, too, was in a very poor condition. The toilet/bathroom failed to meet the basic requirements of sanitation and hygiene. The dining room was in a relatively good condition, but dishes were available for only six persons, although the PHAP was designed for 11 persons.

Violations

The general review of the PHAP revealed that the booklet published by the Group of Observers was placed underneath the garbage can in the duty officer's room.

The review of the journals revealed that no records had been made in the Medical Examination or Medical Assistance Journal of Arrested Persons

Cell number 5 was outside the regime zone and was properly furnished.

Results of the Comparison

The comparison showed that the situation in the PHAP had deteriorated, and the Group agreed with the administration during the visit that the shortcomings should be addressed in a short period of time.

June 2010

The PHAP generally lacked linen. Only dirty towels were available. There was a very small quantity of medication. The room for visits and the toilet/bathroom were in a very poor condition. This PHAP, designed for 11 persons, had only three cups and six spoons. As in the past, cell number 5 continued to operate outside the regime zone.

Violations

During the visit, the Group met with an arrested person held in the PHAP and found out that he had not received either the arrest protocol or the search protocol.

At the time of the visit, arrested person A. B. had been held in the PHAP for two days, but had not received any linen. He also said that he had received a parcel, which, however, had not been recorded in the Journal for Recording Parcels. (See Appendices 4, 13, and 14)

Moreover, A. B. stated that he had requested the investigator to provide an advocate, but the investigator had promised to provide an advocate after the end of the 72-hour period. (See Appendix 15)

Results of the Comparison

The comparison revealed that nothing had changed in the PHAP since the last visit, and the Group of Observers mentioned it in the current report to the RoA Police Chief, proposing to take measures, details of which are presented in the “Current Reports” Section.

September 2010

It was revealed during the visit that the PHAP had obtained the necessary quantity of dishes, linen, and medication. The conditions in the toilet/bathroom remained very poor and lacked basic hygiene. The general conditions in the PHAP could be considered adequate.

Results of the Comparison

The comparison revealed that all the shortcomings identified earlier had been eliminated, with the exception of the toilet/bathroom that needed disinfection.

October 2010

The repeat visit revealed that the linen in the cells was dirty. The niches in the cells for everyday items were covered with mold due to humidity. The sheet in the health post was dirty. The medication box contained some overdue medication. The water heater in the bathroom worked, but did not serve its purpose due to the absence of water pressure and a pump. The toilet was still not disinfected, and the cups still dirty. The window in cell number 2 was broken in spite of the October weather. (Photo 28)

Violations

The general review of the PHAP journals revealed the following:

- A. B. was transferred to the PHAP from a PI at 14:20 on 27 September 2010 for participation in a court hearing, but 14:20 was also mentioned as the time of his return. (See Appendices 4 and 7)
- V. K. was transferred to the PHAP from a PI at 13:40 on 28 September 2010 for participation in a court hearing, but his return date and time were not specified. (See Appendices 4 and 7)

Results of the Comparison

The comparison revealed that the toilet was still not disinfected, and that the situation in the PHAP had deteriorated relative to the previous visit.

November 2010

It became clear during the visit that the materials provided by the Group of Observers, which contained information about the rights of the arrested persons, were not disseminated among the persons held in the PHAP for the latter to learn about their rights. The examination of the general conditions in the PHAP revealed that the linen was clean, but the natural and electrical lighting in the cells was very poor. Some medication was overdue. The toilet/bathroom was in a bad condition, and even disinfection would apparently not produce any results.

Violations

The general examination revealed that the documents that had to be in the PHAP were missing: in particular, there were no requests of investigators regarding the performance of investigative actions, and no copies of court decisions on imposing detention as a preventive measure. The PHAP administration explained that they are sent to the PI together with the personal file of the inmate.

The examination of the registers revealed that the removal of inmates from cells for medical assistance purposes was not being recorded in the Journal of Removal of Arrested Persons from the Cells.

Results of the Comparison

The comparison revealed that the health post sheet had been replaced with a new one, the dining room was dirty, the toilet was still not disinfected, and the broken window in cell number 2 had been repaired, but the windows of the other cells were so dirty that the natural light did not penetrate.

**General Information on Persons Held in the Masis PHAP of the Ararat Marz
Department of the RoA Police**

Data for 2010	1 Month	6 Months	9 Months	10 Months	11 Months
Arrested persons	6	19	31	41	46
Detained persons	0	35	47	58	65
Other Information					
Medical examination	0	4	24	33	43
Medical assistance	0	3	4	5	9
Bodily injury	0	0	0	0	1
Visit	0	0	5	5	6
Telephone conversation	0	0	0	0	0
Bathing	0	0	3	3	3
Parcel	2	19	25	25	25
Outdoor exercise	10	123	148	159	171
Services of an advocate	0	0	2	2	3

**Information on Humidity (ph), Temperature (°C), and Natural Lighting (lux) in the
Masis PHAP of the Ararat Marz Department of the RoA Police**

2010	April			September			October			November		
	Hum.	Temp.	Light.	Hum.	Temp.	Light.	Hum.	Temp.	Light.	Hum.	Temp.	Light.
Cell 1	26%	+32°C	48 lux	23%	+37°C	30 lux	38%	+18°C	36 lux	43%	+19°C	36 lux
Cell 2	28%	+32°C	72 lux	23%	+37°C	62 lux	34%	+19°C	63 lux	42%	+19°C	59 lux
Cell 3	26%	+31°C	71 lux	22%	+36°C	70 lux	35%	+18°C	61 lux	42%	+19°C	60 lux
Cell 4	27%	+31°C	54 lux	23%	+36°C	53 lux	35%	+19°C	58 lux	41%	+20°C	50 lux
Dining room	x	x	x	x	x	x	x	x	x	x	x	x
Room for visits	26%	+32°C	38 lux	23%	+35°C	43 lux	36%	+17°C	51 lux	44%	+18°C	44 lux
Investigative room	26%	+32°C	76 lux	24%	+35°C	80 lux	34%	+18°C	72 lux	43%	+19°C	77 lux
Health post	26%	+32°C	75 lux	23%	+35°C	79 lux	34%	+18°C	81 lux	41%	+20°C	81 lux

Artashat PHAP of the Ararat Marz Department of the RoA Police

January 2010

It was found during the visit that the general conditions in the PHAP were good. Some quantity of medication was available. Bathing was impossible due to low water pressure and the absence of a tank and a pump. The dishes in the dining room were laid out in a very poor condition, and there was no food heater.

Violations

The review of the general PHAP journals revealed the following.

Records on the transfer of detained persons to the PIs were not made in the Journal of Removal of Arrested Persons from the Cells. (See Appendices 7 and 4)

Results of the Comparison

The comparison revealed that cover had been installed in the exercise yard, the health post had been furnished, and the sufficient quantity of medication had been supplied.

June 2010

The regular visit found that the linen in the cells was dirty, and there were no towels. The investigative room and the health post were in a good condition. The appropriate quantity of medication was present in the health post. The toilet/bathroom and dining room were disinfected and clean. Sufficient quantity of dishes was available in the dining room.

Results of the Comparison

Agreement was reached with the PHAP administration on eliminating the existing shortcomings in a very short period of time.

September 2010

The linen in the cells was clean, but there were still no towels. Natural and electrical lighting in the cells was very poor. The toilet/bathroom was in a very dirty and bad state. The other rooms in the PHAP were generally in an adequate state.

Results of the Comparison

The comparison revealed that the dirty linen discovered during the previous visit had been replaced with clean linen, but there were still no towels. The toilet/bathroom, which had previously been clean, was in an unhygienic state.

October 2010

The PHAP was generally in a very good state, and there were no shortcomings, with the exception of the broken window in cell number 4 (Photo 29).

Results of the Comparison

The comparison revealed that the shortcomings identified in the past had been eliminated.

November 2010

The visit revealed that the linen in the cells was clean, and the PHAP in general was in a disinfected and clean state. The water tap in cell number 4 did not work.

Violations

The general review of the PHAP journals revealed the following:

- S. G. had been taken to the investigative room at 10:00 on 30 October 2010 for the performance of investigative actions, but there was no record of returning him. The PHAP administration commented that *the investigator, having forgotten a paper, did not perform any investigative actions, and had immediately returned S.G. to the cell.* However, the non-performance of investigative actions and the return of the arrested person to the cell after a short time period do not provide a reason for failing to make the required records in the journal. (See Appendix 4)
- G. I., who was wanted, was admitted to the PHAP without an arrest protocol. *The PHAP administration commented that G. I. had turned himself in to the Artashat Police Station, which was the reason for not compiling an arrest protocol.* However, the fact that an accused person turns himself in does not justify his admission to the PHAP without any basis. (See Appendix 10)

Results of the Comparison

The comparison showed that partial repairs had been performed in the toilet. The window in cell number 4 had been replaced. The PHAP heating worked.

General Information on Persons Held in the Artashat PHAP of the Ararat Marz Department of the RoA Police

Data for 2010	1 Month	6 Months	9 Months	10 Months	11 Months
Arrested persons	3	28	39	66	68
Detained persons	7	52	117	130	141
Other Information					
Medical examination	0	71	144	165	177
Medical assistance	0	12	22	24	24
Bodily injury	0	0	9	9	9
Visit	0	0	4	4	4
Telephone conversation	0	0	7	10	13
Bathing	0	0	0	0	0
Parcel	0	55	90	99	106
Outdoor exercise	11	45	100	115	124
Services of an advocate	0	0	5	5	5

Information on Humidity (ph), Temperature (°C), and Natural Lighting (lux) in the Artashat PHAP of the Ararat Marz Department of the RoA Police

2010	April			September			October			November		
	Hum.	Temp.	Light.	Hum.	Temp.	Light.	Hum.	Temp.	Light.	Hum.	Temp.	Light.
Cell 1	30%	+31°C	10 lux	24%	+34°C	14 lux	38%	+19°C	17 lux	38%	+21°C	13.8 lux
Cell 2	29%	+31°C	6 lux	24%	+34°C	8 lux	38%	+20°C	9.7 lux	38%	+21°C	8 lux
Cell 3	28%	+31°C	5 lux	24%	+33°C	8 lux	38%	+20°C	8.8 lux	39%	+21°C	9.3 lux
Cell 4	28%	+31°C	6 lux	22%	+33°C	7 lux	38%	+19°C	7.5 lux	38%	+22°C	10 lux
Cell 5	27%	+31°C	5 lux	22%	+34°C	4 lux	38%	+19°C	3.3 lux	39%	+21°C	4.4 lux
Cell 6	27%	+31°C	9 lux	22%	+35°C	8 lux	38%	+19°C	10 lux	38%	+21°C	11 lux
Dining room	28%	+31°C	24 lux	22%	+30°C	23 lux	38%	+18°C	21 lux	38%	+21°C	20.8 lux
Room for visits	28%	+31°C	27 lux	24%	+30°C	28 lux	38%	+19°C	26 lux	39%	+21°C	26.3 lux
Investigative room	28%	+31°C	27 lux	24%	+30°C	25 lux	38%	+18°C	24 lux	39%	+22°C	22 lux
Health post	28%	+31°C	142 lux	24%	+30°C	106 lux	38%	+18°C	134 lux	39%	+21°C	116 lux

Ararat PHAP of the Ararat Marz Department of the RoA Police

June 2010

It was found during the visit that the PHAP was disinfected and clean, but the linen in the health post was dirty (Photo 30). Sufficient quantity of medication was available. The investigative room, the room for visits, and the toilet/bathroom were in a good condition. The electrical lighting in the dining room did not work. Sufficient dishes were available, but there were no spoons.

Results of the Comparison

The comparison showed that the conditions in the PHAP had improved. However, natural and electrical lighting in the PHAP was very poor.

September 2010

It was found during the visit that the room for visits did not have a two-way device for communicating with relatives (Photo 31). The window glass in cell number 4 was broken, and the window glass in the other cells was very dirty, hindering the penetration of natural light into the cells (Photos 32 and 33).

Violations

An interview with arrested person A. A. found in the PHAP during the visit revealed that, after arrest, the arrest and search protocols had not been provided to him.

Results of the Comparison

The comparison revealed that nothing had been done to restore natural and electrical lighting in the PHAP. The electrical lighting in the dining room had been fixed, and the linen in the cells was clean.

October 2010

It was found during the visit that the floor in cell number 2 had completely rotten due to humidity. As in previous visits, the window glass in cell number 4 had not been fixed, and the window glass in the other cells was so dirty that it hindered the penetration of natural light into the cells. There was no linen in the cells. The water heater in the bathroom did not work. The dining room was dirty.

Violations

The review of the PHAP journals revealed the following:

- K. H. had received a parcel from relatives on 30 September 2010. There was an application on receiving the parcel, but no record had been made in the Journal for Recording Parcels. (See Appendices 4 and 13)
- M. F. was admitted to the PHAP at 21:00 on 14 May 2010 based on an arrest protocol compiled by V. Hakobyan, senior investigator of the Investigative Unit of the RoA Ministry of Defense Garrison number 8. The external examination at the time of admission to the PHAP found bruises on different parts of M. F.'s body, including a bruise on the right side of the face, a scratch and a bruise near the left eye, a scratch on the left ear, scratches on the right and left parts of the spine, scratches on the elbows, bruises on the right and left knees and legs, a bruise on the left side of the lips, a bruise on the right side of the heat, and a bruise on the right side of the jaw. At 20:50 on 17 May 2010, he was released based on a decision by the same investigator. The Group of Observers wrote a letter to S. Ohanyan, the RoA Minister of Defense, regarding this case. Further details are available in the "Current Reports" section.
- The review of the PHAP found that a person who was held in the PHAP during the visit had not been given any linen. When asked why the arrested person had not been given any line, the PHAP head said: "We think he is mentally ill and might damage himself." However, there was no document showing a mental illness. (See Appendix 14)

Results of the Comparison

The comparison revealed that a two-way device for communication was still not available. The issues of the broken window in cell number 4 and the dirty windows in other cells had not been addressed.

November 2010

It was found during the visit that the linen in the cells was clean, but the cells still lacked natural and electrical lighting. The investigative room was clean, but in need of renovation. The PHAP in general was dirty.

Violations

The review of the PHAP journals revealed the following:

- The Medical Examination or Medical Assistance Journal of Arrested Persons did not specify the date and time of providing medical assistance to six persons. (See Appendix 4)
- A. K., according to the journals and PHAP documents about him, had been apprehended to the Criminal Intelligence Unit of the Ararat Police Station at 20:30 on 20 October 2010

by police intelligence officer K. Hovhannisyan, and an apprehension protocol had been prepared. Later, on the same day, a second apprehension protocol on the same person had been prepared. The second apprehension protocol mentioned 22:50 as the time of apprehension. The second apprehension protocol had been prepared by the same intelligence officer, but, according to the Journal of Records of Persons Held in the PHAP, he had been admitted to the PHAP at 23:20 on 20 October 2010.

Results of the Comparison

The comparison revealed that the PHAP heating worked. A communication device was not available in the room for visits. The water heater in the bathroom worked. The dishes in the dining room were dirty. The broken window glass in cell number 4 had been fixed.

General Information on Persons Held in the Ararat PHAP of the Ararat Marz Department of the RoA Police

<i>Data for 2010</i>	<i>6 Months</i>	<i>9 Months</i>	<i>10 Months</i>	<i>11 Months</i>
Arrested persons	21	37	42	46
Detained persons	49	66	83	93
<i>Other Information</i>				
Medical examination	57	84	106	120
Medical assistance	0	6	6	8
Bodily injury	0	1	1	2
Visit	0	0	0	0
Telephone conversation	0	0	0	0
Bathing	0	0	0	0
Parcel	42	63	72	92
Outdoor exercise	96	131	160	179
Services of an advocate	0	15	21	27

Information on Humidity (ph), Temperature (°C), and Natural Lighting (lux) in the Ararat PHAP of the Ararat Marz Department of the RoA Police

<i>2010</i>	<i>April</i>			<i>September</i>			<i>October</i>			<i>November</i>		
	<i>Hum.</i>	<i>Temp.</i>	<i>Light.</i>	<i>Hum.</i>	<i>Temp.</i>	<i>Light.</i>	<i>Hum.</i>	<i>Temp.</i>	<i>Light.</i>	<i>Hum.</i>	<i>Temp.</i>	<i>Light.</i>
Cell 1	27%	+32°C	35 lux	29%	+42°C	34 lux	41%	+20°C	33 lux	45%	+18°C	29 lux
Cell 2	27%	+31°C	22 lux	29%	+42°C	20 lux	42%	+21°C	18 lux	44%	+18°C	20 lux
Cell 3	26%	+32°C	28 lux	28%	+41°C	31 lux	40%	+21°C	30 lux	44%	+19°C	24 lux
Cell 4	27%	+31°C	25 lux	30%	+40°C	27 lux	42%	+20°C	24 lux	43%	+19°C	26 lux
Dining room	27%	+31°C	14 lux	28%	+40°C	13.4 lux	43%	+19°C	11 lux	42%	+19°C	14 lux
Room for visits	26%	+32°C	19 lux	28%	+40°C	19.3 lux	40%	+21°C	18 lux	46%	+18°C	22 lux
Investigative room	26%	+32°C	73 lux	28%	+38°C	82 lux	44%	+29°C	87 lux	41%	+20°C	90 lux
Health post	27%	+32°C	29 lux	28%	+38°C	24.3 lux	40%	+21°C	25 lux	41%	+19°C	25 lux

Findings of the Monitoring in the Kotayk Marz

Kotayk PHAP of the Kotayk Marz Department of the RoA Police

February 2010

It was found during the visit that the linen in the cells was dirty. The condition of the dining room was adequate, and the necessary quantity of dishes was available. The room for visits, the investigative room, and the toilet/bathroom were disinfected and clean. The health post was combined with the investigative room. The necessary quantity of medication was present.

Violations

In meetings with arrested and detained persons held in the PHAP during the visit, it was established that none of them had received the search or arrest protocols or the detention decision, respectively.

The general review of the journals showed that investigative actions were being performed irregularly, for instance:

- A. H. had been transferred out of the PHAP for performing investigative actions from 13:25 to 23:00 on 20 January 2010 and from 12:45 to 23:30 on 21 January 2010. (See Appendices 2 and 3)
- H. A. had been transferred out of the PHAP for performing investigative actions from 13:25 to 23:00 on 20 January 2010. (See Appendices 2 and 3)
- H. N. had been transferred out of the PHAP for performing investigative actions at 15:15 on 2 February 2010, but there was no record of returning him. (See Appendices 2, 3, and 4)
- H. Y. had been transferred out of the PHAP for performing investigative actions at 15:55 on 15 February 2010, but there was no record of returning him. (See Appendices 2, 3, and 4)

Results of the Comparison

The comparison revealed that the general situation in the PHAP had improved, but records in the journals were being made inadequately.

July 2010

The repeat visit found that the linen in the cells was clean. The necessary quantity of dishes was available. The general situation in the PHAP was adequate.

Violations

The finding was the same as in the previous visit, which found that the arrested and detained persons held in the PHAP were not receiving arrest and search protocols and detention decisions.

Results of the Comparison

The comparison revealed that the general situation in the PHAP had improved, and all the shortcomings had been eliminated.

October 2010

During the visit, the PHAP was disinfected and clean. However, humidity in the PHAP was too high.

Results of the Comparison

The comparison revealed that the situation in the PHAP was the same as during the previous visit.

November 2010

It was found during the visit that the water taps in cells number 1 and 2 did not work, and the sewerage system in cell number 1 was damaged. The second sewerage system in the toilet did not work. The linen in the PHAP was generally clean. The towel in the dining room was dirty. Although the PHAP was designed for 10 persons, the dining room had only five deep plates, five ordinary plates, and 10 spoons of varying sizes.

The PHAP generally looked neat and clean.

Violations

The review of the PHAP journals revealed the following:

- A. G., who was wanted, was apprehended to the Kotayk Police Station of the Kotayk MD of the RoA Police, after which he was transferred to the PHAP at 1:30 on 12 October 2010 without any basis for admission to the PHAP (i.e. without an arrest protocol). (See Appendix 10)

- A. K., who was wanted, was apprehended to the Kotayk Police Station of the Kotayk MD of the RoA Police, after which he was transferred to the PHAP at 7:55 on 12 November 2010 without any basis for admission to the PHAP (i.e. without an arrest protocol). (See Appendix 10)
- A. S., who was wanted, was apprehended to the Kotayk Police Station of the Kotayk MD of the RoA Police, after which he was transferred to the PHAP at 21:45 on 27 September 2010 without any basis for admission to the PHAP (i.e. without an arrest protocol). (See Appendix 10)

General Information on Persons Held in the Kotayk PHAP of the Kotayk Marz Department of the RoA Police

Data for 2010	2 Months	7 Months	10 Months	11 Months
Arrested persons	15	29	33	42
Detained persons	49	147	196	218
Other Information				
Medical examination	64	173	228	252
Medical assistance	1	1	7	9
Bodily injury	0	5	8	10
Visit	1	5	6	7
Telephone conversation	0	0	1	1
Bathing	9	24	31	34
Parcel	1	14	37	60
Outdoor exercise	69	167	221	245
Services of an advocate	0	1	6	8

Information on Humidity (ph), Temperature (°C), and Natural Lighting (lux) in the Kotayk PHAP of the Kotayk Marz Department of the RoA Police

2010	July			October			November		
	Hum.	Temp.	Light.	Hum.	Temp.	Light.	Hum.	Temp.	Light.
Cell 1	28.3%	+30°C	7 lux	39.7%	+26°C	6 lux	49.5%	+17°C	5.25 lux
Cell 2	28.4%	+30°C	6.5 lux	38.9%	+26°C	7.7 lux	49.8%	+16°C	6.25 lux
Cell 3	28.3%	+30°C	6.25 lux	39.6%	+26°C	8.5 lux	49.8%	+16°C	7.5 lux
Cell 4	28.4%	+30°C	6.25 lux	39.7%	+26°C	7.5 lux	49.8%	+16°C	8.25 lux
Cell 5	28.3%	+30°C	11.3 lux	39.8%	+26°C	10 lux	49.6%	+16°C	12.5 lux
Dining room	28.3%	+30°C	0 lux	39.7%	+25°C	0 lux	50.1%	+17°C	0 lux
Room for visits	28.6%	+30°C	18.3 lux	39.7%	+26°C	13 lux	50.1%	+17°C	15.4 lux
Investigative room	28.4%	+30°C	15.3 lux	39.7%	+26°C	14.5 lux	49.8%	+17°C	14.5 lux
Health post	28.4%	+30°C	15.3 lux	39.7%	+25°C	14.5 lux	49.8%	+17°C	14.5 lux

Nairi PHAP of the Kotayk Marz Department of the RoA Police

February 2010

It was found during the visit that the linen in cell number 1 was dirty, and there were no towels. Due to high humidity in the investigative room, the electrical lighting had never worked. Cell number 1 had been converted to a health post, but had not been fully furnished. The room for visits and the investigative room had been combined, but lacked proper furniture. The toilet/bathroom was disinfected, but lacked hot water. The dining room lacked a food heater, but had a sufficient quantity of clean dishes.

Violations

The PHAP was not heated, and during the cold season, arrested and detained persons were transferred to the Kotayk PHAP. However, the review of the journals revealed the following:

- S. M. had been arrested at 20:10 on 14 January 2010, but had been transferred to the Kotayk PHAP at 18:20 on 15 January 2010.
- H. A. had been arrested at 18:00 on 18 January 2010, but had been transferred to the Kotayk PHAP at 13:10 on 19 January 2010. However, the review of the Kotayk PHAP journals showed that he had been admitted after about 2.5 hours, at 15:40, even though the distance from the Nairi PHAP to the Kotayk PHAP is about 20 to 30 minutes.

Results of the Comparison

The comparison revealed a very poor general situation in the PHAP, and the PHAP administration undertook to eliminate all shortcomings by the next visit.

July 2010

During the visit, the PHAP was generally very clean. The toilet/bathroom had been fully disinfected. The health post had the appropriate medication.

Violations

The review of the general journals revealed the following:

- H. K. had been arrested on 2 July 2010 and transferred to the PI at 11:30 on 6 July 2010. However, the Journal of Removal of Arrested Persons from the Cells did not contain any record of the time of taking him to court for imposing a preventive measure. (See Appendix 4)

- N. S., who was wanted, had been arrested on 3 July 2010 and transferred to the PI on 4 July 2010 without being taken to court and confirming the imposition of detention as a preventive measure. ([See Appendix 10](#))

Results of the Comparison

The comparison revealed that the PHAP administration had kept their promise and eliminated all the shortcomings. The bathroom now had a water heater. All the problems related to lighting had been addressed. The investigative room had been furnished in such a way as to be used also as a room for visits. The health post had been appropriately furnished. However, of all linen, cell number 3 only had a pillow cover, which was in fact dirty.

October 2010

The PHAP in general was in a very good and clean condition. There was no linen in the cells, with the exception of cell number 3, which had a pillow cover, which was dirty as in the past.

Violations

The general review of the PHAP journals revealed the following:

- A. A. had been admitted to the PHAP at 19:45 on 8 September 2010, but the PHAP's Journal of Removal of Arrested Persons from the Cells lacked any records on his movement. The Medical Examination or Medical Assistance Journal of Arrested Persons contained a record on the provision of medical assistance to him, which was not recorded in the Journal of Removal of Arrested Persons from the Cells. Three days later, at 13:30 on 11 September 2010, he had been transferred to the Nubarashen PI of the RoA Ministry of Justice. ([See Appendix 4](#))
- A. P. had been arrested and admitted in the PHAP at 18:10 on 9 September 2010. At 11:30 on 14 September 2010, he had been transferred to the Nubarashen PI of the RoA Ministry of Justice. For these five days, the Journal of Removal of Arrested Persons from the Cells did not contain any records on the movement of A. P., and his detention date and time were not clear. Whereas, the PHAP head informed that the investigator had brought a detention decision without taking the person to court. The statement by the PHAP head was confirmed by his signature. ([See Appendices 4 and 16](#))

Results of the Comparison

The comparison revealed that, since fixing the bathroom water heater during the last visit, it now took too long to heat the water. The PHAP in general was clean and neat.

November 2010

It was found during the visit that the linen in the cells was clean. There were no towels. The tap in cell number 3 did not work. Sufficient dishes were available in the dining room.

Violations

The review of the PHAP journals revealed the following:

- Three of the persons held in the PHAP had received medical assistance, but the Journal of Removal of Arrested Persons from the Cells did not contain any records on the movement of such persons. (See Appendix 4)
- A. M., who was wanted, had been transferred to the PHAP after his apprehension to the Nairi Police Station of the Kotayk MD of the RoA Police, at 1:00 on 21 October 2010, where he had been admitted without any basis for admission to the PHAP (i.e. without an arrest protocol). (See Appendix 10)
- H. H., who was wanted, had been transferred to the PHAP after his apprehension to the Nairi Police Station of the Kotayk MD of the RoA Police, at 5:50 on 26 September 2010, where he had been admitted without any basis for admission to the PHAP (i.e. without an arrest protocol). (See Appendix 10)

From January 2010 till the time of the visit, 12 wanted persons had been admitted to the Nairi PHAP, but arrest protocols had not been filed for any of them, and so, they were admitted to the PHAP without appropriate documents.

On 20 October 2010, based on a call, members of the Group of Observers visited the Nairi PHAP of the Kotayk MD of the RoA Police, where their review of A. G.'s personal case revealed that the external examination upon his admission to the PHAP had detected the following bodily injuries: 10 scratches of different sizes on the spine, and eight scratches and a bruise on both legs. However, the aforementioned bodily injuries were not recorded in the Medical Examination or Medical Assistance Journal of Arrested Persons.

**General Information on Persons Held in the Nairi PHAP of the Kotayk Marz
Department of the RoA Police**

Data for 2010	2 Months	7 Months	10 Months	11 Months
Arrested persons	2	20	28	33
Detained persons	0	1	3	3
Other Information				
Medical examination	2	2	10	16
Medical assistance	0	0	9	9
Bodily injury	0	2	3	4
Visit	0	2	4	7
Telephone conversation	0	0	0	0
Bathing	0	0	2	2
Parcel	1	9	17	18
Outdoor exercise	2	47	69	76
Services of an advocate	0	1	3	6

**Information on Humidity (ph), Temperature (°C), and Natural Lighting (lux) in the
Nairi PHAP of the Kotayk Marz Department of the RoA Police**

2010	July			October			November		
	Hum.	Temp.	Light.	Hum.	Temp.	Light.	Hum.	Temp.	Light.
Cell 1	26.8%	+31 ⁰ C	27.3 lux	38.7%	+26 ⁰ C	31.5 lux	47.4%	+15 ⁰ C	35.5 lux
Cell 2	26.8%	+31 ⁰ C	26.3 lux	38.8%	+26 ⁰ C	32.5 lux	47.3%	+15 ⁰ C	35.3 lux
Cell 3	26.8%	+31 ⁰ C	27 lux	39.1%	+26 ⁰ C	31 lux	47.6%	+15 ⁰ C	34.5 lux
Dining room	26.9%	+31 ⁰ C	31 lux	40.2%	+26 ⁰ C	27.5 lux	47.5%	+15 ⁰ C	38.3 lux
Room for visits	27.2%	+31 ⁰ C	21.5 lux	35.5%	+24 ⁰ C	39.7 lux	46.6%	+16 ⁰ C	30.8 lux
Investigative room	27.2%	+31 ⁰ C	21.5 lux	35.5%	+24 ⁰ C	41.2 lux	46.6%	+16 ⁰ C	30.8 lux
Health post	26.9%	+31 ⁰ C	23.5 lux	36.5%	+26 ⁰ C	31 lux	48.5%	+16 ⁰ C	30.8 lux

Hrazdan PHAP of the Kotayk Marz Department of the RoA Police

February 2010

One of the cells in this PHAP is located outside the regime zone. At the time of the visit, the linen in the cells was dirty. The PHAP in general was properly furnished. Medication and dishes of sufficient quantity were available. The toilet/bathroom was disinfected and clean. However, there was an unpleasant smell due to ventilation.

Results of the Comparison

The PHAP administration expressed willingness to address all shortcomings in a very short period of time.

July 2010

It was found during the visit that the linen was still dirty. In the presence of the members of the Group of Observers, the linen was replaced. The PHAP in general was in a good condition.

Results of the Comparison

The comparison revealed that all the shortcomings had been addressed, with the exception of the issue of cell number 7, which was located outside the regime zone.

October 2010

It was found during the visit that the PHAP was in a flawless condition.

November 2010

As in October, the PHAP was still in a flawless condition.

Violations

The general review of the PHAP journals revealed that, like all the PHAPs in the same Marz, wanted persons were admitted to and held in the PHAP after apprehension without any basis. The arrest protocol is the required legal basis. Moreover, from 1 January 2010 till the date of the visit, 21 wanted persons had been admitted to and held in the PHAP in this manner, without any legal basis.

Results of the Comparison

The comparison revealed that cell number 7, which used to be outside the administrative perimeter, had been converted to serve as the room for rest of the duty police officer.

General Information on Persons Held in the Hrazdan PHAP of the Kotayk Marz Department of the RoA Police

Data for 2010	2 Months	7 Months	10 Months	11 Months
Arrested persons	1	15	30	42
Detained persons	52	179	264	312
Other Information				
Medical examination	53	192	392	352
Medical assistance	2	2	3	5
Bodily injury	0	6	10	14
Visit	5	11	20	33
Telephone conversation	0	0	3	5
Bathing	13	25	37	49
Parcel	10	51	85	112
Outdoor exercise	71	215	357	544
Services of an advocate	0	2	6	8

Information on Humidity (ph), Temperature (°C), and Natural Lighting (lux) in the Hrazdan PHAP of the Kotayk Marz Department of the RoA Police

2010	July			October			November		
	Hum.	Temp.	Light.	Hum.	Temp.	Light.	Hum.	Temp.	Light.
Cell 1	27.3%	+31°C	44 lux	39.5%	+26°C	62 lux	42.7%	+18°C	53 lux
Cell 2	27.5%	+31°C	50 lux	39.5%	+26°C	60.5 lux	41.7%	+17°C	58 lux
Cell 3	27.5%	+31°C	62 lux	39.5%	+26°C	62.5 lux	43.2%	+18°C	62.3 lux
Cell 4	27.6%	+31°C	60 lux	39.5%	+26°C	64.7 lux	43.6%	+19°C	50.4 lux
Cell 5	27.4%	+31°C	44 lux	36.7%	+25°C	50 lux	43.1%	+19°C	41 lux
6-լւնկ	27.4%	+31°C	32 lux	35.5%	+25°C	37 lux	41.5%	+17°C	33 lux
7-լւնկ	27.5%	+31°C	80 lux	x	x	x	x	x	x
Dining room	27.1%	+31°C	39 lux	34.3%	+26°C	33.5 lux	41.5%	+17°C	32.1 lux
Room for visits	27.6%	+31°C	161 lux	36.4%	+27°C	112 lux	42.4%	+17°C	102 lux
Investigative room	27.3%	+31°C	54.3 lux	34.5%	+25°C	55 lux	42.1%	+17°C	51 lux
Health post	27.1%	+31°C	63 lux	34.5%	+26°C	58 lux	42.6%	+17°C	48 lux

Findings of the Monitoring in the Tavush Marz

Dilijan PHAP of the Tavush Marz Department of the RoA Police

May 2010

It was found during the visit that items of personal hygiene were available in the cells. Clean linen and dishes in necessary quantities were available in the PHAP. Natural lighting in the PHAP was generally poor due to the position of the building. The investigative room, the health post, and the dining room were in a good condition. Sufficient medication was available. The toilet/bathroom was completely disinfected and clean. The PHAP, however, did not have a contract for the provision of food. The PHAP did not have a room for visits.

Violations

The review of the PHAP journals revealed the following:

- S. K., who was wanted, was apprehended to the Dilijan Police Station of the Tavush MD of the RoA Police on 18 March 2010 and arrested. However, he was taken to court for confirmation of the preventive measure only on 23 March 2010. The Group of Observers prepared a Current Report on this case and submitted it to the RoA Police Chief. Details can be found in the “Current Reports” section.

Results of the Comparison

The comparison revealed that the past situation had not changed.

September 2010

The repeat visit found that the electrical lighting in the investigative room was broken. The health post, which was combined with the duty police officer's room, was serving as a health post (Photo 34), something that could not be visibly identified. The general medication box in the PHAP contained some overdue drugs. The PHAP did not have a room for visits. The toilet/bathroom and the dining room were clean, but the dishes in the dining room were dirty.

Results of the Comparison

The comparison revealed that the natural and electrical lighting was very poor, but the PHAP in general was disinfected and clean.

October 2010

The repeat visit found that one cell was not furnished and was used for a purpose that could not be understood. The linen in the cells was dirty ([Photo 35](#)), and the medication in the health post was of very limited quantity. The dining room, the investigative room, and the toilet/bathroom were in a good condition.

Violations

The general review of the PHAP journals revealed the following:

- G. M. was admitted to the PHAP at 12:50 on 8 September 2010, but his external examination was performed only at 14:50.
- The practice of filling out the PHAP journals was unclear, for instance:
When recording the case of M. K. in the Journal of Records of Persons Held in the PHAP, the (who arrested) column mentioned R. Melkonyan, judge of the Tavush Marz First Instance Court, the date was written as "...08.2010," the preventive measure was "a decision on examining the detention motion," and the basis for admission to the PHAP was "the investigative examination demanded by letter 7123-2-538 dated 31 August 2010 of S. Saghatelyan, the head of the Dilijan Investigative Unit." Several records on G. M. and S. P. had been made in the same manner. ([See Appendix 4](#))

Results of the Comparison

The comparison revealed that the electrical lighting in the investigative room had still not been fixed. The conditions in the health post were still very poor, and the health post was still combined with the duty officer's room. There was still no room for visits. The linen was still not being washed. General humidity in the PHAP was high.

**General Information on Persons Held in the Dilijan PHAP of the Tavush Marz
Department of the RoA Police**

Data for 2010	5 Months	9 Months	10 Months
Arrested persons	5	8	8
Detained persons	8	25	32
Other Information			
Medical examination	13	33	40
Medical assistance	4	5	5
Bodily injury	0	1	1
Visit	0	0	0
Telephone conversation	0	0	0
Bathing	0	4	4
Parcel	1	3	3
Outdoor exercise	19	56	62
Services of an advocate	0	0	0

**Information on Humidity (ph), Temperature (°C), and Natural Lighting (lux) in the
Dilijan PHAP of the Tavush Marz Department of the RoA Police**

2010	May			September			October		
	Hum.	Temp.	Light.	Hum.	Temp.	Light.	Hum.	Temp.	Light.
Cell 1	22.8%	+27.2°C	5.5 lux	25.6%	+28°C	4 lux	47.4%	+21°C	7.3 lux
Cell 2	22.5%	+27.5°C	6.75 lux	25.5%	+27°C	4.8 lux	46.7%	+21°C	6.3 lux
Cell 3	22.2%	+27.7°C	5.75 lux	25.3%	+26°C	4.5 lux	46.9%	+20°C	6.8 lux
Cell 4	22.2%	+28.3°C	8.75 lux	24.4%	+26°C	5.3 lux	46.4%	+20°C	7 lux
Dining room	26.1%	+25.6°C	0 lux	24.3%	+26°C	0 lux	47.8%	+21°C	0 lux
Room for visits	x	x	x	x	x	x	x	x	x
Investigative room	26.9%	+25.3°C	0 lux	24.3%	+21°C	0 lux	46.7%	+20°C	0 lux
Health post	29.3%	+24°C	0 lux	25.5%	+31°C	0 lux	47.4%	+20°C	0 lux

Noyemberyan PHAP of the Tavush Marz Department of the RoA Police

May 2010

It was found during the visit that the necessary quantity of clean linen was available, but there were no towels. The quantity of the dishes was sufficient, but their condition was very poor ([Photo 36](#)). The investigative room and the health post were combined and were in a good condition. Sufficient medication was available. The lighting in the PHAP was generally very poor. The existing room for visits was not usable due to its very small size (only 2 square meters), which made it impossible to organize a visit between a person held in the PHAP and relatives. The toilet/bathroom was in a good condition, while the dining room was in a very poor state.

Violations

The findings of the visit are as follows:

- The beds in the cells were not attached to the floor. ([See Appendix 18](#))
- In spite of the lack of heating, the PHAP has operated in the cold season for the last five years.

Results of the Comparison

The comparison revealed that the heating problem was not being addressed at all.

September 2010

It was found during the visit that the linen in the PHAP was dirty, and there were no towels. Though the PHAP was designed for eight persons, there were seven cups, one plate, and seven spoons, all dirty. The cupboard in which dishes were kept was also very dirty. The toilet/bathroom was dirty and needed disinfection. The bathroom water heater did not work. Water taps in the cells did not work, and water supply in the PHAP was generally in a very poor state.

Violations

The review of the general PHAP journals revealed the following:

- There were six records in the Medical Examination or Medical Assistance Journal of Arrested Persons regarding the provision of medical assistance to persons held in the PHAP. However, corresponding records were not made in the Journal of Removal of Arrested Persons from the Cells. The latter contained records on the provision of medical assistance to three other persons, but corresponding records were not present in

the Medical Examination or Medical Assistance Journal of Arrested Persons. ([See Appendix 4](#))

Results of the Comparison

The comparison revealed that the PHAP water supply and heating problems were still not being addressed, and that the situation in the PHAP had worsened by the time of the current visit.

October 2010

The repeat visit found that the linen and dishes in the PHAP were dirty, but the general conditions in the PHAP could be considered adequate.

Violations

The general review of the journals revealed the following:

- The Journal of Records of Persons Held in the PHAP is filled out incompletely: the times of admission and removal of persons are not mentioned. ([See Appendix 4](#))

Results of the Comparison

The comparison revealed that the linen and dishes were still not being kept clean, and the heating problem was not being addressed.

General Information on Persons Held in the Noyemberyan PHAP of the Tavush Marz Department of the RoA Police

<i>Data for 2010</i>	<i>5 Months</i>	<i>9 Months</i>	<i>10 Months</i>
Arrested persons	5	6	6
Detained persons	12	24	30
<i>Other Information</i>			
Medical examination	2	12	18
Medical assistance	6	15	23
Bodily injury	0	0	0
Visit	0	0	0
Telephone conversation	0	0	0
Bathing	0	0	0
Parcel	0	0	0
Outdoor exercise	20	40	46
Services of an advocate	0	0	1

Information on Humidity (ph), Temperature (^oC), and Natural Lighting (lux) in the Noyemberyan PHAP of the Tavush Marz Department of the RoA Police

2010	May			September			October		
	Hum.	Temp.	Light.	Hum.	Temp.	Light.	Hum.	Temp.	Light.
Cell 1	30.9%	+27 ^o C	23.3 lux	14%	+31 ^o C	23.2 lux	54.7%	+22 ^o C	21.3 lux
Cell 2	31.4%	+27 ^o C	34.5 lux	15.3%	+31 ^o C	36.5 lux	54.7%	+22 ^o C	33.5 lux
Cell 3	32.1%	+27 ^o C	15.8 lux	15.4%	+31 ^o C	22.7 lux	54.9%	+22 ^o C	22 lux
Dining room	37.6%	+24 ^o C	0 lux	16.8%	+33 ^o C	0 lux	55.3%	+23 ^o C	0 lux
Room for visits	37%	+24 ^o C	24.8 lux	17.7%	+34 ^o C	24 lux	55.8%	+23 ^o C	23.5 lux
Investigative room	37.2%	+25 ^o C	30 lux	17.3%	+31 ^o C	37.7 lux	55.9%	+23 ^o C	36 lux
Health post	37.2%	+25 ^o C	30 lux	17.3%	+31 ^o C	37.7 lux	55.9%	+23 ^o C	36 lux

Ljevan PHAP of the Tavush Marz Department of the RoA Police

May 2010

It was found during the visit that the sufficient clean linen, dishes, and medication were available. The cells did not have cupboards for the everyday items, which are required by the RoA legislation. The general situation in the PHAP can be considered good. The toilet/bathroom was disinfected.

Results of the Comparison

As a result of the comparison, the members of the Group of Observers became convinced that the positive situation found in the past had improved further.

September 2010

During the regular visit, the Group found out that the linen was clean, but there were no towels. Medication of sufficient quantity was available. External examination and relevant records were being properly filed. Though the PHAP was designed for nine persons, it only had four cups, two plates, and one spoon, all of which were dirty ([Photo 37](#)). The water taps in cells number 4 and 5 did not work. The PHAP was generally clean.

Violations

An interview with detainee A. H., who was actually in the PHAP during the visit, and the review of the registers showed that he was apprehended to the Yerevan City Center Police Station of the RoA Police on 3 September 2010 from the Nork Psychiatric Hospital of Yerevan, because he was wanted.

At 4:05 on 4 September 2010, he was transferred to the Ljevan Police Station of the Tavush MD of the RoA Police and admitted in accordance with letter 43/2 2970. He had all the necessary documents, which he had submitted to the RoA Police employees and, later, to the members of the Group of Observers, proving that he had a first-category mental condition, and that they had no right under the RoA legislation to admit and hold him there. ([See Appendix 6](#))

The members of the Group of Observers insisted that he be immediately released or transferred to an appropriate institution.

In response, the administration explained that they could not release him, and that the transfer could only be possible on 6 September 2010, because 4 and 5 September would be a Saturday and a Sunday, and that convoy could only be organized on Monday.

Moreover, there was no record on his health and complaints in the Medical Examination or Medical Assistance Journal of Arrested Persons. (See Appendices 4 and 6)

The general review of journals revealed the following:

- From 20:00 to 21:20 on 4 March 2010, N. G. was transferred from the PHAP for performing investigative actions. From 21:20 to 21:50 on the same day, R. A. was transferred from the PHAP to the same investigator. Thus, investigative actions outside the administrative territory were performed with two arrested persons at the same time. (See Appendix 3)

Results of the Comparison

The comparison revealed that the PHAP, which used to be in a flawless condition, now had a number of deficiencies.

October 2010

The repeat visit revealed that the linen in the cells was dirty, and there were no towels. There were no cupboards or niches for personal items in the cells. The health post, the room for visits, and the investigative room were all combined in one room, and they could not be separated in any way. However, the PHAP conditions generally were good.

Results of the Comparison

The comparison revealed that the necessary quantity of dishes had been obtained. The linen was still not being kept clean. The water taps that had been broken were renovated. Records in the relevant journals were being properly made.

General Information on Persons Held in the Ijevan PHAP of the Tavush Marz Department of the RoA Police

<i>Data for 2010</i>	<i>5 Months</i>	<i>9 Months</i>	<i>10 Months</i>
Arrested persons	11	12	16
Detained persons	106	192	211
<i>Other Information</i>			
Medical examination	116	203	226
Medical assistance	3	4	4
Bodily injury	0	0	1
Visit	15	22	22
Telephone conversation	4	4	4
Bathing	4	6	6
Parcel	34	44	44
Outdoor exercise	150	287	387
Services of an advocate	13	14	15

Information on Humidity (ph), Temperature (°C), and Natural Lighting (lux) in the Ijevan PHAP of the Tavush Marz Department of the RoA Police

2010	May			September			October		
	Hum.	Temp.	Light.	Hum.	Temp.	Light.	Hum.	Temp.	Light.
Cell 1	30%	+29°C	18 lux	28.2%	+30°C	13 lux	55.8%	+22°C	22.8 lux
Cell 2	31%	+29°C	18.5 lux	28.2%	+30°C	13 lux	55.8%	+22°C	22.5 lux
Cell 3	31%	+28°C	25.8 lux	29.6%	+30°C	23.5 lux	55.7%	+22°C	23.3 lux
Cell 4	32.5%	+28°C	32 lux	29.7%	+30°C	27.7 lux	55.7%	+22°C	30 lux
Cell 5	32.8%	+28°C	33.5 lux	28.4%	+29°C	27 lux	55.7%	+22°C	26 lux
Dining room	34.4%	+27°C	0 lux	30%	+30°C	0 lux	55.9%	+22°C	0 lux
Room for visits	28.9%	+30°C	86.3 lux	31%	+33°C	74 lux	55.6%	+23°C	64 lux
Investigative room	28.9%	+30°C	86.3 lux	31%	+33°C	74 lux	55.1%	+23°C	64 lux
Health post	28.9%	+30°C	86.3 lux	31%	+33°C	74 lux	55.1%	+23°C	64 lux

Findings of the Monitoring in the Shirak Marz

Akhuryan PHAP of the Shirak Marz Department of the RoA Police

July 2010

It was found during the visit that the PHAP designed for 10 persons had five plates, five spoons, and one cup, all of which were dirty. The warehouse contained a sufficient quantity of clean linen. At the request of the Group of Observers, former cell number 6 had been converted to a dining room, and the health post had been combined with the room for visits. The PHAP had sufficient medication. The toilet/bathroom needed disinfection and ventilation. The general condition in the PHAP could be considered sufficient.

Results of the Comparison

The comparison revealed that cell number 6 had been converted and was being used as a dining room, and the health post had been combined with the room for visits.

September 2010

The repeat visit found that some more dishes had been obtained, and the PHAP, which was designed for 10 persons, now had eight deep plates, five ordinary plates, five spoons, and four cups. The toilet/bathroom conditions were unhygienic, and the unpleasant smell could be felt throughout the PHAP. The medication box in the health post contained overdue medication, and the window glass in cell number 5 was broken.

Violations

The general review of the PHAP journals revealed the following:

- Eight persons admitted to the PHAP with various bodily injuries all mentioned at the same time that they had received the bodily injuries prior to apprehension to the police station.
- A. H. had been arrested and admitted to the PHAP at 11:55 on 18 August 2010, but according to the Journal of Removal of Arrested Persons from the Cells, he had been removed from the cell and taken to court for imposing a preventive measure at 12:55 on 21 August 2010, which meant that the arrested person was taken to court only 73 hours after being arrested. ([See Appendix 11](#))
- A. M., who was wanted, was admitted to the PHAP at 22:40 on 23 June 2010 as per the Journal of Records of Persons Held in the PHAP, but the time in the journal had been changed to 11:40. There was another record in the journal, according to which he had

been transferred to the Artik PI of the RoA Ministry of Justice on the same day, i.e. 10 minutes after admission to the PHAP, at 11:50 on 23 June 2010, whereas the Journal of Removal of Arrested Persons from the Cells contained a record whereby he had a visit by his wife from 10:00 to 11:00 on 23 June 2010, even though he was not in the PHAP at such time. (See Appendix 4)

- As per the Journal of Records of Persons Held in the PHAP, M. P. was arrested and admitted to the PHAP at 23:45 on 13 August 2010, after which he was transferred to the Gyumri Police Station of the Shirak MD of the RoA Police on 19:20 on 16 August 2010. Moreover, the Journal of Removal of Arrested Persons from the Cells did not contain any record on his removal from the cell or transfer. (See Appendix 4)

Results of the Comparison

The comparison revealed that the general records in the journals were not complete. The dishes were not sufficient, but in the presence of the members of the Group of Observers, the PHAP administration obtained 10 new spoons and 10 new forks.

October 2010

During the visit, electrical lighting in cell number 3 did not work. The water tap in cell number 5 was broken. The ceiling in cell number 4 was humid, and it had apparently been humid for a rather long time, because fungus had already grown because of humidity (Photo 38). The water tap in the health post did not work, either. The overdue medication found in the health post medication box during the previous visit was still there. Bathing was impossible due to the lack of water pressure and the absence of a water pump in the bathroom. The quantity of dishes was still not sufficient, and the available dishes were dirty.

Violations

The general review of the PHAP journals revealed the following:

- There were five records on medical assistance in the Medical Examination or Medical Assistance Journal of Arrested Persons, of which only two were recorded also in the Journal of Removal of Arrested Persons from the Cells. (See Appendix 4)
- A. S. was admitted to the PHAP from the Abovyan PI at 18:00 on 11 October 2010 with serious bodily injuries, including bruises on the neck, abdomen, left shoulder, and left knee. The Group of Observers submitted a current report on this case to H. Harutyunyan, the Head of the RoA Ministry of Justice Penitentiary Department. Further details are available in the “Current Reports” section.
- H. H. was arrested and admitted to the PHAP at 3:00 on 28 September 2010. To impose a preventive measure, he was transferred to the General Jurisdiction Court of the RoA

Shirak Marz at 12:15 on 30 September 2010, but there were no records of the respective actions performed thereafter. (See Appendix 4)

- S. S. was arrested and admitted to the PHAP at 23:10 on 24 September 2010. At 14:10 on 27 September 2010, he was transferred to the General Jurisdiction Court of the RoA Shirak Marz, but there were no records of the respective actions performed thereafter. (See Appendix 4)

Meetings and interviews with persons held in the PHAP during the visit revealed the following:

- S. E. informed that he had expressed a desire to bathe on 25 October 2010, but the PHAP administration refused, claiming that there was no water pressure.
- A. E. informed that he had wanted to get a haircut, but had been refused by the PHAP administration. Moreover, this function is not regulated by the RoA legislation.
- Y. H. informed that he had not received the arrest or search protocols. Y. H. also informed that he had been held in the Second Police Station of Gyumri of the Shirak MD of the RoA Police for two days, where he had requested the investigator to provide a public defender. The investigator had replied: *“Such a thing does not exist: either you defend yourself, or you pay an advocate.”* (See Appendix 15)

The review of Y. H.'s personal case revealed that, after his apprehension to the police station for being wanted, an arrest protocol had not been compiled, and he was transferred to the PHAP without any basis. Based on this, the PHAP administration presented to the Group of Observers the document for admission to the PHAP, which was dated 13 October 2010: it was not an arrest protocol, but rather, a decision on arresting the person, which had nothing to do with the arrest of someone who was apprehended after being wanted. Y. H. was apprehended to the Second Police Station of Gyumri of the Shirak MD of the RoA Police at 8:30 on 25 October 2010, but the aforementioned arrest decision read: *“It has been established that, around 18:00 on 25 October 2010, Y. H. went to his mother’s (M. H.) apartment and beat her.”* However, during such time, Y. H. was already apprehended and was in the Gyumri Police Station.

The Group of Observers wrote a current report about this case to G. Hambardzumyan, the Deputy Police Chief of the RoA, Head of the General Investigative Department. The letter is available in the “Current Reports” section.

Results of the Comparison

The comparison revealed that the records in the journal were flawed. The quantity of dishes was not sufficient. Some of the overdue medication found during the previous visit was still present.

**General Information on Persons Held in the Akhuryan PHAP of the Shirak Marz
Department of the RoA Police**

Data for 2010	7 Months	9 Months	10 Months	12 Months
Arrested persons	53	68	72	81
Detained persons	10	22	29	41
Other Information				
Medical examination	15	16	27	41
Medical assistance	16	28	33	38
Bodily injury	3	8	13	20
Visit	34	36	39	46
Telephone conversation	7	7	7	0
Bathing	9	12	12	13
Parcel	50	69	73	89
Outdoor exercise	102	147	162	181
Services of an advocate	11	21	22	23

**Information on Humidity (ph), Temperature (°C), and Natural Lighting (lux) in the
Akhuryan PHAP of the Shirak Marz Department of the RoA Police**

2010	July			September			October			December		
	Hum.	Temp	Light.	Hum.	Temp	Light.	Hum	Temp	Light.	Hum.	Temp.	Light.
Cell 1	31 %	+28°C	20 lux	37%	+22°C	24 lux	43%	+19°C	18 lux	48%	+17°C	12 lux
Cell 2	31%	+28°C	19 lux	38%	+22°C	29lux	44%	+18°C	18 lux	49%	+17°C	13 lux
Cell 3	31%	+28°C	19 lux	38%	+22°C	25 lux	44%	+18°C	18 lux	49%	+16°C	17 lux
Cell 4	28%	+28°C	19 lux	38%	+23°C	25 lux	43%	+19°C	19 lux	50%	+16°C	24 lux
Cell 5	30%	+28°C	21 lux	38%	+23°C	23 lux	43%	+19°C	19 lux	50%	+16°C	12 lux
Dining room	x	x	x	x	x	x	43%	+18°C	20 lux	53%	+15°C	11 lux
Room for visits	31%	+28°C	37 lux	37%	+22°C	40 lux	43%	+20°C	38 lux	46%	+18°C	45 lux
Investigative room	31%	+28°C	0 lux	37%	+22°C	0 lux	43%	+20°C	0 lux	45%	+18°C	23 lux
Health post	x	x	x	x	x	x	43%	+20°C	38 lux	47%	+18°C	55Lux

Artik PHAP of the Shirak Marz Department of the RoA Police

July 2010

It was found during the visit that the PHAP had the necessary quantity of dishes and items of personal hygiene. The cells were furnished with cupboards for personal items. The existing linen was clean. The investigative room, the room for visits, the health post, and the dining room were clean. All the rules of hygiene were met in the toilet/bathroom. The exercise yard had been furnished with sports equipment, a bench, and a roof.

Results of the Comparison

The comparison revealed that all the comments made by the Group of Observers in the past had been accepted, and the shortcomings had been eliminated.

September 2010

It was found during the visit that the linen in the cells was dirty, and the medication box contained overdue medication. The water supply system in the toilet was broken.

Violations

The general review of the PHAP journals revealed the following:

- G. E., A. U., and A. V. had been arrested and admitted to the PHAP at 7:00 on 5 June 2010. According to the Journal of Records of Persons Held in the PHAP, at 17:30 on 7 June 2010, all three of them had been transferred to court for imposing a preventive measure. It could not be established what measure had been imposed. After that, for reasons that could not be understood, they had been transferred to the Akhuryan PHAP. The Journal of Removal of Arrested Persons from the Cells did not contain any records on the movement of these three persons.

Results of the Comparison

The comparison revealed that the linen in the cells was dirty, and the water supply system in the toilet did not work.

October 2010

It was found during the regular visit that the PHAP generally was disinfected and clean.

Results of the Comparison

The comparison revealed that all the shortcomings identified during the previous visit had been eliminated, and the PHAP was in a good condition.

General Information on Persons Held in the Artik PHAP of the Shirak Marz Department of the RoA Police

Data for 2010	7 Months	9 Months	10 Months	12 Months
Arrested persons	6	7	8	15
Detained persons	5	6	7	10
Other Information				
Medical examination	4	5	7	14
Medical assistance	1	1	1	1
Bodily injury	0	0	0	1
Visit	0	1	1	1
Telephone conversation	0	0	0	0
Bathing	4	5	6	7
Parcel	1	3	4	6
Outdoor exercise	13	17	19	34
Services of an advocate	1	1	3	3

Information on Humidity (ph), Temperature (°C), and Natural Lighting (lux) in the Artik PHAP of the Shirak Marz Department of the RoA Police

2010	July			September			October			December		
	Hum.	Temp	Light.	Hum.	Temp.	Light.	Hum	Temp	Light.	Hum.	Temp.	Light.
Cell 1	27%	+31°C	40 lux	31%	+23°C	29 lux	41%	+16°C	32 lux	44%	+19°C	20lux
Cell 2	27%	+31°C	24 lux	32%	+22°C	23 lux	40%	+16°C	20 lux	46%	+19°C	14lux
Cell 3	26%	+31°C	20 lux	32%	+22°C	23 lux	40%	+16°C	21 lux	43%	+19°C	14lux
Cell 4	26%	+31°C	32 lux	32%	+23°C	28 lux	40%	+15°C	31 lux	43%	+19°C	17lux
Cell 5	26%	+31°C	38 lux	32%	+23°C	35 lux	43%	+16°C	32 lux	43%	+19°C	16lux
Dining room	26%	+31°C	36 lux	33%	+22°C	40 lux	41%	+17°C	41 lux	45%	+18°C	17lux
Room for visits	26%	+31°C	0 lux	34%	+21°C	0 lux	41%	+16°C	0 lux	48%	+17°C	14lux
Investigative room	26%	+31°C	15 lux	34%	+22°C	15 lux	41%	+17°C	20 lux	47%	+18°C	16lux
Health post	26%	+31°C	0 lux	32%	+22°C	0 lux	41%	+17°C	0 lux	44%	+19°C	0Lux

Maralik PHAP of the Shirak Marz Department of the RoA Police

July 2010

It was found during the visit that the PHAP had a sufficient quantity of dishes. The linen in the cells was clean, but there were no towels. The investigative room, the health post, the room for visits, and the dining room were in a good condition. There was very little medication in the health post. The toilet/bathroom was clean, but humidity in the PHAP generally was high.

Results of the Comparison

The comparison revealed that the toilet/bathroom had been renovated, the health post had been separated, and cell number 1 did not work due to humidity.

September 2010

It was found during the repeat visit humidity in the PHAP generally was very high, which caused cosmetic repairs every year with a view to addressing the consequences of humidity. The floor in cell number 4 was completely rotten and could not be used. General repairs were being made, but the PHAP in general was falling apart due to humidity. The PHAP was generally clean and well-furnished, but there was no food heater in the dining room.

In view of the high humidity in the PHAP, the Group of Observers submitted a current report to the RoA Police Chief recommending to close down the PHAP. Details are available in the "Current Reports" section.

Violations

The review of the PHAP journals revealed the following:

- M. G. had been arrested and admitted to the PHAP at 12:30 on 21 July 2010. According to the Journal of Records of Persons Held in the PHAP, he had been transferred to the Artik PHAP at 15:00 on 21 July 2010, but the Journal of Removal of Arrested Persons from the Cells did not contain corresponding records. (See Appendix 4)

October 2010

It was found during the repeat visit that the PHAP was still operating, although the general situation had worsened further due to humidity. Four arrested persons had been held in the PHAP prior to the day of the visit. The general temperature in the PHAP was around 15 to 16 degrees centigrade above zero at the time of the visit. (See Appendix 16)

**General Information on Persons Held in the Maralik PHAP of the Shirak Marz
Department of the RoA Police**

Data for 2010	7 Months	9 Months	10 Months
Arrested persons	4	4	4
Detained persons	0	0	0
Other Information			
Medical examination	0	0	0
Medical assistance	0	0	0
Bodily injury	0	0	0
Visit	0	0	0
Telephone conversation	0	0	0
Bathing	0	0	0
Parcel	0	0	0
Outdoor exercise	6	6	6
Services of an advocate	0	0	0

**Information on Humidity (ph), Temperature (°C), and Natural Lighting (lux) in the
Maralik PHAP of the Shirak Marz Department of the RoA Police**

2010	July			September			October		
	Hum.	Temp.	Light.	Hum.	Temp.	Light.	Hum.	Temp.	Light.
Cell 1	28.2%	+30°C	22.3 lux	48.8%	+24°C	28.3 lux	62.2%	+16°C	25.3 lux
Cell 2	28.1%	+30°C	28.7 lux	48.8%	+24°C	32.3 lux	61.5%	+16°C	30.3 lux
Cell 3	27.9%	+30°C	26.7 lux	48.8%	+24°C	26.8 lux	62%	+16°C	26.8 lux
Cell 4	28.1%	+29°C	25.5 lux	x	x	x	x	x	x
Dining room	28%	+30°C	77.3 lux	49.4%	+24°C	85 lux	58%	+15°C	75 lux
Room for visits	28.6%	+29°C	38.5 lux	49.1%	+24°C	45 lux	56.2%	+15°C	42 lux
Investigative room	28.1%	+29°C	62.2 lux	48.8%	+24°C	55 lux	57%	+15°C	65 lux
Health post	28.3%	+29°C	26 lux	48.8%	+24°C	29.3 lux	62%	+15°C	29 lux

Findings of the Monitoring in the Vayotz Dzor Marz

Vayk PHAP of the Vayotz Dzor Marz Department of the RoA Police

June 2010

It was found during the visit that the PHAP had a sufficient quantity of dishes, but the linen in the cells was dirty. Natural lighting in the cells was poor. The health post lacked a bed sheet, but the medication box contained sufficient medication. The investigative room, the room for visits, the health post, and the dining room were in a good condition.

Violations

The general review of the PHAP journals revealed the following:

- S. V. had been arrested and admitted to the PHAP on 27 January 2010. From 11:30 to 12:50 on 30 January 2010, he had been transferred to court for imposing a preventive measure, but the judge had rejected the investigator's arguments and set the person free, after which he had been transferred to the PHAP and held there until 19:00 with no clear reason.
- P. B. had been arrested and admitted to the PHAP on 4 February 2010. From 12:00 to 13:00 on 6 February 2010, he had been transferred to court for imposing a preventive measure, but the judge had rejected the investigator's arguments and set the person free, after which he had been transferred to the PHAP and held there until 7 February 2010.

The Group of Observers submitted current reports to the RoA Police Chief regarding the aforementioned two cases. Details are available in the "Current Reports" section.

- G. G. had been released from the PHAP on 7 February 2010 due to a decision not to impose a preventive measure, but the Journal of Removal of Arrested Persons from the Cells contained a record on the transfer to court, but no record on the return. After being transferred to court, G. G. had been returned to the PHAP, because the Journal of Removal of Arrested Persons from the Cells contained a record on transferring him to the toilet.

Results of the Comparison

The comparison revealed that the PHAP in general had been renovated. The health post had been separated and provided with the necessary quantity of medication. Appropriate

furniture had been installed in the dining room, but the long-standing problem of the water tap had still not been solved.

August 2010

It was found during the repeat visit that the linen was dirty. There was no sheet in the health post. The general situation in the PHAP could be considered satisfactory.

Results of the Comparison

As during the previous visit, there was no medical sheet in the health post, and the dishes were dirty. The water tap had been fixed.

October 2010

It was found during the visit that there was no sheet in the health post. The interior in the general cells was good, but there were no drawers for personal items. The room for visits did not meet the respective standards. There was a sufficient quantity of clean linen and dishes. The general condition of the PHAP was satisfactory.

Results of the Comparison

The comparison revealed that there continued to be no sheet in the health post, but all other shortcomings had been eliminated.

General Information on Persons Held in the Vayk PHAP of the Vayots Dzor Marz Department of the RoA Police

<i>Data for 2010</i>	<i>6 Months</i>	<i>8 Months</i>	<i>10 Months</i>
Arrested persons	10	11	16
Detained persons	3	8	9
<i>Other Information</i>			
Medical examination	0	0	4
Medical assistance	1	1	2
Bodily injury	0	0	0
Visit	0	0	0
Telephone conversation	0	0	0
Bathing	0	0	0
Parcel	0	0	0
Outdoor exercise	13	17	20
Services of an advocate	0	1	3

Information on Humidity (ph), Temperature (^oC), and Natural Lighting (lux) in the Vayk PHAP of the Vayotz Dzor Marz Department of the RoA Police

2010	August			October		
	Hum.	Temp.	Light.	Hum.	Temp.	Light.
Cell 1	26.6%	+30 ⁰ C	6.8 lux	44.1%	+19 ⁰ C	7 lux
Cell 2	26.8%	+29 ⁰ C	7.8 lux	43.3%	+20 ⁰ C	8 lux
Dining room	26.7%	+30 ⁰ C	111 lux	46%	+19 ⁰ C	120 lux
Room for visits	26.8%	+29 ⁰ C	0 lux	41.7%	+20 ⁰ C	0 lux
Investigative room	26.6%	+29 ⁰ C	154 lux	47.7%	+19 ⁰ C	132 lux
Health post	26.9%	+30 ⁰ C	0 lux	48%	+20 ⁰ C	0 lux

Yeghegnadzor PHAP of the Vayots Dzor Marz Department of the RoA Police

June 2010

It was found during the visit that the PHAP had a sufficient quantity of clean linen and dishes. The cells were equipped with drawers for all the necessary everyday items. The investigative room, the room for visits, the health post, and the dining room were in a good condition. Sufficient medication was available in the health post. The toilet/bathroom was disinfected and clean. A contract for food supply was not available in the PHAP, but the administration promised to photocopy and provide the contract during the next visit.

Violations

During the visit, interviews with the detained persons held in the PHAP revealed that arrest and search protocols and the detention decision had not been provided to them.

Results of the Comparison

The comparison revealed that PHAP conditions were better than before. Appropriate records were being made, but the important problem of heating had still not been solved.

August 2010

The repeat visit revealed that the linen was dirty, but the general situation in the PHAP was satisfactory.

Violations

General observations did not reveal any violations. Moreover, a copy of the food provision contract was provided to the Group of Observers.

October 2010

It was found during the regular visit that the linen in the PHAP was very dirty, and the cells had very poor natural lighting due to the small size of the windows. The water tap in cell number 1 did not work, and the health post was combined with the duty officer's room for rest, where the linen was dirty, too. Sufficient medication was available. The toilet/bathroom was clean and disinfected. The water tap in the dining room did not work.

Violations

The general review of the PHAP journals revealed the following:

- Although the PHAP was designed for three persons, it held five persons on 27 September 2010 and four persons on 28 and 29 of 2010. The Group of Observers submitted a current report on this issue to the RoA Police Chief. Details are available in the “Current Reports” section.
- E. V. had been arrested and admitted to the PHAP at 22:30 on 1 October 2010. According to the Journal of Records of Persons Held in the PHAP, he had been detained at 17:05 on 4 October 2010, but the Journal of Removal of Arrested Persons from the Cells contained a record according to which he had been in the investigative room from 16:00 to 17:30 on 4 October 2010 together with the investigator, in which investigative actions had been performed. The Journal of Removal of Arrested Persons from the Cells did not contain any records on his transfer to court. Thus, it becomes clear that the decision on detaining the person had been rendered in his absence. (See Appendices 4 and 16)

Results of the Comparison

The comparison revealed that there was still no inspection hole on the door of the investigative room, which also served as a room for visits with advocates, which the police officer on duty should be able to follow without hearing the conversations.

General Information on Persons Held in the Yeghegnadzor PHAP of the Vayots Dzor Marz Department of the RoA Police

<i>Data for 2010</i>	<i>6 Months</i>	<i>8 Months</i>	<i>10 Months</i>
Arrested persons	1	5	10
Detained persons	18	30	35
<i>Other Information</i>			
Medical examination	19	35	42
Medical assistance	8	27	36
Bodily injury	0	0	0
Visit	3	12	16
Telephone conversation	0	0	0
Bathing	5	25	34
Parcel	7	25	33
Outdoor exercise	17	31	50
Services of an advocate	0	7	10

Information on Humidity (ph), Temperature (⁰C), and Natural Lighting (lux) in the Yeghegnadzor PHAP of the Vayotz Dzor Marz Department of the RoA Police

2010	August			October		
	Hum.	Temp.	Light.	Hum.	Temp.	Light.
Cell 1	20.5%	+33 ⁰ C	15 lux	35.9%	+19 ⁰ C	13.3 lux
Cell 2	20.8%	+33 ⁰ C	14.8 lux	34.7%	+19 ⁰ C	13 lux
Cell 3	21%	+33 ⁰ C	14 lux	34.4%	+20 ⁰ C	14.2 lux
Dining room	21.2%	+33 ⁰ C	7.2 lux	33.8%	+19 ⁰ C	7 lux
Room for visits	20.8%	+32 ⁰ C	0 lux	38%	+17 ⁰ C	0 lux
Investigative room	20.8%	+31 ⁰ C	72 lux	38.6%	+17 ⁰ C	65 lux
Health post	20.7%	+33 ⁰ C	20 lux	37.2%	+18 ⁰ C	22 lux

Findings of the Monitoring in the Aragatsotn Marz

Ashtarak PHAP of the Aragatsotn Marz Department of the RoA Police

May 2010

It was found during the visit that the PHAP had sufficient clean linen and dishes. Moreover, one cell was outside the administrative territory, and the general condition of the PHAP could be considered satisfactory.

Violations

During the visit, the Group met with detainee V. H., from whom the Group found out that V. H. suffered from tuberculosis, which was confirmed by the medical opinion issued by the doctor, which the detainee had with him. In view of this situation and the requirements of the RoA legislation, the members of the Group of Observers demanded the PHAP administration either to release the detainee or to transfer him to a health care institution. The demand by the Group of Observers was not disregarded, and the person was moved to the relevant health care institution in Abovyan. (See Appendix 6)

Results of the Comparison

The general comparison revealed that the PHAP conditions had improved.

August 2010

It was found during the repeat visit that all the linen in the PHAP was dirty. The toilet/bathroom was unclean; there was neither shower nor water supply. There was no heater in the dining room, and the cell that was outside the regime zone during the previous visit still remained there.

Results of the Comparison

The comparison revealed that the general situation in the PHAP, which had been good during the previous visit, had deteriorated.

September 2010

Though the PHAP was designed for nine persons, it had six cups, six spoons, one fork, and different sets of 12 and seven plates. The linen in the cells was dirty (Photos 39 and 40). The

water tap in cell number 5 did not work. The health post was combined with the office of the PHAP head, and the towel cover was dirty. The visit found that, as in the past, the broken shower head in the bathroom had not been repaired.

Violations

An overview of the PHAP Medical Examination or Medical Assistance Journal of Arrested Persons in the PHAP revealed the following:

- A. P., who suffered from tuberculosis, had been moved from the PI to the PHAP for participation in a court hearing, and was held in the PHAP for three days. (See Appendix 6)
- V. H., who was mentally disordered, had been held in the PHAP. (See Appendix 6)
- B. B. had been admitted to the Ashtarak PHAP from the Aparan PHAP for purposes of further convoy, and the external examination at the Ashtarak PHAP had revealed bruises, whereas the review of the Aparan Medical Examination or Medical Assistance Journal of Arrested Persons did not reveal any records. (See Appendix 4)

The general overview of the PHAP journals revealed the following:

- H. H., who was wanted, was admitted to the PHAP at 20:35 on 20 April 2010. At 11:00 on 23 April 2010, he was transferred to the RoA MoJ Nubarashen PI. Later, due to unknown reasons, which the PHAP administration could not explain, he was returned to the PHAP from the RoA MoJ Nubarashen PI at 13:30 on 23 April 2010 and held in the PHAP until 10:00 on 27 April 2010, after which he was transferred to the PI again. According to the Journal of Removal of Arrested Persons from the Cells, he had not been taken out of the cell at all or transferred to court or for performing investigative actions during the period from 23 to 27 April 2010. It is not clear why he was returned to and held in the PHAP. (See Appendix 7)
- H. M. had been arrested and admitted to the PHAP at 11:40 on 1 April 2010. According to the Journal of Removal of Arrested Persons from the Cells, he had been transferred to court for imposing a preventive measure from 15:00 to 15:55 on 2 April 2010. Consequently, it was not clear whether or not a preventive measure had been imposed. If no preventive measure was imposed, then the arrested person had to have been released by 11:40 on 4 April 2010, and if a preventive measure had been imposed, then it would have been impossible to release him by decision of Mr. Yeritzyan, the Head of the Aragatsotn Region Investigative Department, four days later, i.e. at 16:30 on 6 April 2010. (See Appendices 7 and 11)

- H. K. had been arrested and admitted to the PHAP at 16:00 on 27 February 2010. According to the Journal of Removal of Arrested Persons from the Cells, he had been transferred to court for imposing a preventive measure at 17:20 on 2 March 2010. It means that the arrested person had been transferred to court 73 hours and 20 minutes after the arrest, whereas he had to have been released at 16:00 on 2 March 2010 by decision of the Aragatsotn MD Ashtarak Police Station chief. (See Appendix 11)

Results of the Comparison

The comparison revealed that the PHAP continued, in spite of anything, to use the cell outside the regime zone. Clean linen and dishes was still not available (Photo 41). Thus, the conditions in the PHAP have deteriorated over time.

November 2010

It was found during the regular visit that the temperature in the PHAP cells was 16 degrees centigrade above zero. The linen was again dirty. The water taps in cells number 1 and 5 did not work.

Results of the Comparison

The comparison revealed a persisting problem of dirty linen in the PHAP. The tap in cell number 5 had not been repaired. Moreover, the tap in cell number 1 was now broken, too. The toilet/bathroom needed ventilation. The toilet needed disinfection.

General Information on Persons Held in the Ashtarak PHAP of the Aragatsotn Marz Department of the RoA Police

<i>Data for 2010</i>	<i>5 Months</i>	<i>8 Months</i>	<i>9 Months</i>	<i>11 Months</i>
Arrested persons	14	16	21	27
Detained persons	89	170	214	249
<i>Other Information</i>				
Medical examination	103	184	229	266
Medical assistance	9	10	38	39
Bodily injury	0	3	5	5
Visit	4	5	5	5
Telephone conversation	0	0	0	1
Bathing	0	0	0	0
Parcel	27	41	50	53
Outdoor exercise	306	403	500	593
Services of an advocate	9	10	10	13

**Information on Humidity (ph), Temperature (^oC), and Natural Lighting (lux) in the
Ashtarak PHAP of the Aragatsotn Marz Department of the RoA Police**

2010	August			September			November		
	Hum.	Temp.	Light.	Hum.	Temp.	Light.	Hum.	Temp.	Light.
Cell 1	23%	+30 ⁰ C	17.7 lux	29.5%	+22 ⁰ C	14.5 lux	38.3%	+16 ⁰ C	13 lux
Cell 2	23%	+30 ⁰ C	25.5 lux	29.4%	+22 ⁰ C	13.3 lux	37.2%	+16 ⁰ C	12.8 lux
Cell 3	22%	+28 ⁰ C	14.2 lux	29.4%	+23 ⁰ C	16 lux	41.4%	+17 ⁰ C	13.5 lux
Cell 4	22%	+26 ⁰ C	22 lux	29.4%	+23 ⁰ C	19.8 lux	38.1%	+17 ⁰ C	13.5 lux
Cell 5	22%	+26 ⁰ C	24 lux	29.4%	+23 ⁰ C	13.7 lux	37.6%	+17 ⁰ C	11.5 lux
Dining room	22%	+26 ⁰ C	0 lux	29.5%	+22 ⁰ C	0 lux	38.4%	+17 ⁰ C	0 lux
Room for visits	22%	+27 ⁰ C	0 lux	29.6%	+22 ⁰ C	0 lux	38.8%	+17 ⁰ C	0 lux
Investigative room	22%	+30 ⁰ C	285 lux	30%	+23 ⁰ C	289 lux	39%	+17 ⁰ C	201 lux
Health post	22%	+28 ⁰ C	218 lux	29.6%	+23 ⁰ C	221 lux	39.2%	+16 ⁰ C	160 lux

Aparan PHAP of the Aragatsotn Marz Department of the RoA Police

May 2010

It was found during the visit that there was linen in the cells, but no towels. The dining room, the investigative room, and the room for visits were in a good condition, and the toilet/bathroom was disinfected and clean.

Results of the Comparison

The comparison revealed that the kitchen lacked a food heater. The PHAP was generally humid and depleted. The water taps in the PHAP were broken.

August 2010

It was found during the regular visit that the cells still did not have towels. The dining room, the investigative room, and the health post were in a good condition. The necessary quantity of medication had been provided to the health post. A card phone had been installed in the room for visits.

Violations

The review of the general journals revealed that detainees were being moved to the Ashtarak PHAP for purposes of further convoy to a penitentiary institution, and a person that had been held in the Aparan PHAP, for instance, for three days as an arrested person and another two to three days as a detainee, would be transferred to the Ashtarak PHAP, kept there for another two to three days, and then convoyed. Here are some examples:

- S. M. and A. V. had been transferred from the Aparan PHAP to the Ashtarak PHAP on 20 January 2010, and convoyed from the Ashtarak PHAP to the PI on 22 January 2010. (See Appendix 7)
- G. M., G. M., and G. H. had been transferred from the Aparan PHAP to the Ashtarak PHAP on 22 January 2010, and convoyed from the Ashtarak PHAP to the PI on 25 January 2010.

Results of the Comparison

The comparison revealed that some improvements had been made in the PHAP generally.

September 2010

It was found during the regular visit that the tap in cell number 3 did not work. The linen in the cells was dirty, and there were no towels. The water tap in the health post was broken. The PHAP generally was clean and disinfected. The height of the grid over the PHAP exercise yard was 2 meters and 20 centimeters, and not 3 meters as required by the RoA legislation. Humidity in the PHAP generally was very high.

Violations

The general review of the PHAP journals revealed the following:

- B. B. had been arrested and admitted to the PHAP at 22:20 on 20 March 2010, and detained at 17:10 on 23 March 2010. At 17:30 on 25 March 2010, he had been transferred to the Ashtarak PHAP for convoy, but according to the Ashtarak PHAP Journal of Records of Persons Held in the PHAP, he had been admitted to the PHAP at 17:00 on 25 March 2010, which was erased in the journal and changed to 19:00. (See Appendix 4)
- A. V. had been arrested and admitted to the PHAP at 11:15 on 25 February 2010. From 10:05 to 16:10 on 28 February 2010, he had been transferred to the Ashtarak Court of General Jurisdiction for imposing a preventive measure, and afterwards, transferred to the Aparan PHAP. At 16:20 on 1 March 2010, for purposes of further convoy, he had been transferred to the Ashtarak PHAP. According to the Ashtarak PHAP Journal of Records of Persons Held in the PHAP, he had been admitted to the Ashtarak PHAP at 13:00 on 1 March 2010. In other words, according to the records, he had reached the Ashtarak PHAP 3 hours and 20 minutes prior to his departure from the Aparan PHAP. (See Appendix 4)
- D. S. had been arrested and admitted to the PHAP at 20:30 on 24 February 2010. He had been detained at 17:45 on 26 February 2010. At 16:20 on 1 March 2010, for purposes of further convoy, he had been transferred to the Ashtarak PHAP. According to the Ashtarak PHAP Journal of Records of Persons Held in the PHAP, he had been admitted to the Ashtarak PHAP at 13:00 on 1 March 2010. In other words, according to the records, he had reached the Ashtarak PHAP 3 hours and 20 minutes prior to his departure from the Aparan PHAP. (See Appendix 4)
- S. M. had been arrested and admitted to the PHAP at 19:20 on 17 January 2010. At 11:05 on 20 January 2010, for purposes of further convoy, he had been transferred to Ashtarak PHAP. According to the Ashtarak PHAP Journal of Records of Persons Held in the PHAP, he had been admitted to the Ashtarak PHAP at 21:00 on 20 January 2010. In other words, he had reached the Ashtarak PHAP with a 10-hour delay. (See Appendix 4)

The Group of Observers submitted a current report on the aforementioned facts to the RoA Police Chief. Details are available in the “Current Reports” section.

Results of the Comparison

The comparison revealed that there were still no towels, and clean linen was not being provided.

November 2010

It was found during the regular visit that the linen in the cells was dirty, and there were still no towels. The water tap in cell number 2 did not work. There were no spoons and forks. The general situation of the PHAP was average.

Results of the Comparison

The comparison revealed that all the shortcomings identified in the past persisted.

General Information on Persons Held in the Aparan PHAP of the Aragatsotn Marz Department of the RoA Police

<i>Data for 2010</i>	<i>5 Months</i>	<i>8 Months</i>	<i>9 Months</i>	<i>11 Months</i>
Arrested persons	9	10	10	11
Detained persons	2	3	3	3
<i>Other Information</i>				
Medical examination	11	11	11	12
Medical assistance	0	1	1	1
Bodily injury	0	0	0	0
Visit	0	0	0	0
Telephone conversation	1	2	2	2
Bathing	0	1	1	1
Parcel	4	4	4	5
Outdoor exercise	21	24	24	26
Services of an advocate	1	1	1	3

Information on Humidity (ph), Temperature (°C), and Natural Lighting (lux) in the Aparan PHAP of the Aragatsotn Marz Department of the RoA Police

<i>2010</i>	<i>August</i>			<i>September</i>			<i>November</i>		
	<i>Hum.</i>	<i>Temp.</i>	<i>Light.</i>	<i>Hum.</i>	<i>Temp.</i>	<i>Light.</i>	<i>Hum.</i>	<i>Temp.</i>	<i>Light.</i>
Cell 1	24%	+28 ⁰ C	6.8 lux	37%	+18 ⁰ C	7.3 lux	40.4%	+19 ⁰ C	8.3 lux
Cell 2	25%	+27 ⁰ C	12.5 lux	36.9%	+18 ⁰ C	12.5 lux	40%	+19 ⁰ C	4.8 lux
Cell 3	26%	+27 ⁰ C	10.5 lux	37%	+18 ⁰ C	8 lux	38.3%	+19 ⁰ C	5 lux
Cell 4	26%	+26 ⁰ C	14.3 lux	37.1%	+18 ⁰ C	12.2 lux	37.8%	+20 ⁰ C	5 lux
Dining room	27%	+26 ⁰ C	8.5 lux	37.9%	+18 ⁰ C	8.2 lux	37.2%	+21 ⁰ C	4.3 lux
Room for visits	27%	+26 ⁰ C	0 lux	37.5%	+18 ⁰ C	0 lux	36.6%	+20 ⁰ C	0 lux
Investigative room	26%	+27 ⁰ C	0 lux	37.2%	+18 ⁰ C	0 lux	37.5%	+19 ⁰ C	0 lux
Health post	26%	+26 ⁰ C	8 lux	37.2%	+18 ⁰ C	9.5 lux	40.8%	+19 ⁰ C	4.8 lux

Talin PHAP of the Aragatsotn Marz Department of the RoA Police

February 2010

It was established during the visit that the PHAP had a sufficient quantity of dishes, but they were dirty. The health post was not properly furnished, and there were only four types of medication. The investigative room and the room for visits were in a good condition. The toilet/bathroom conditions were unhygienic.

The PHAP undertook to eliminate the identified shortcomings in a short period of time.

August 2010

It was found during the repeat visit that the linen in the PHAP cells was still dirty. Appropriate furniture and sufficient medication had been supplied to the health post. The toilet/bathroom condition was very poor, and ventilation was needed. Moreover, the water heater did not work. A card phone had been installed in the PHAP. The investigative room, the room for visits, and the dining room were in a good condition.

Violations

The general review of the PHAP journals revealed the following:

- A. M. had been arrested and admitted to the PHAP at 17:20 on 25 February 2010. From 13:05 to 17:30 on 28 February 2010, he had been transferred to court for imposing a preventive measure. At 16:00 on 1 March 2010, upon the investigator's written demand, he had been transferred to the Ashtarak PHAP for further convoy, but the review of the Journal of Records of Persons Held in the PHAP revealed that convoy was organized on 4 March 2010, as a result of which the aforementioned detainee was held in the PHAP as a detainee for four days. (See Appendix 7)

The aforementioned practice was usual for the Talin PHAP: all the arrested persons were held for three days under arrest and then for three more days under detention before being transferred to the Ashtarak PHAP for convoy, where they are kept for another one to three days.

Results of the Comparison

The comparison revealed that clean linen was still not being provided. The health post had been furnished and provided with sufficient medication. The water tap in the dining room did not work, and the dishes were dirty. The problem of disinfection and ventilation is not being addressed in any way.

September 2010

It was found during the regular visit that the linen in cell number 3 of the PHAP was dirty, and there were no towels whatsoever. Natural lighting in the cells was very poor, because the security grids were very thick and hindered the penetration of natural light. The investigative room lacked the required third chair, but the investigative room in general, the health post, the dining room, and the room for visits were in a good condition. The health post had overdue medication. The water heater in the bathroom did not work. The toilet needed disinfection. Though the PHAP was designed for six persons, there were only six cups, four plates of different types, four forks, and four different spoons.

Violations

The general review of the PHAP journals revealed the following:

- The Group of Observers made frequent telephone calls to inquire how many arrested and detained persons had been kept in the PHAP on any given day. According to information received from the Talin PHAP on 1 September 2010, nine persons had been held in the PHAP prior to that day, but it became clear during the regular visit that 10 persons had been admitted to the PHAP on 1 September 2010, and the 10th arrested person had been admitted to the PHAP at 16:25 on 30 August 2010. Thus, it is unclear why the fact of holding the 10th person in the PHAP was concealed, and why such practice existed. (See Appendix 4)
- According to the Journal of Records of Persons Held in the PHAP, G. S. had been arrested from the courtroom. However, when the Group tried to examine the detention date and time and further actions, it became clear that the judgment rendered by S. Mnoyan, judge of the Aragatsotn Region General Jurisdiction Court, failed to mention the judgment or detention date or time.
- H. P. had been arrested and admitted to the PHAP at 23:55 on 10 April 2010. He had been arrested at 11:45 on 13 April 2010, and had been transferred to the Ashtarak PHAP at 20:05 on 13 April 2010 for further convoy. The review of the Ashtarak PHAP Journal of Records of Persons Held in the PHAP showed that the person had been admitted to the PHAP at 19:50 on 13 April 2010: it would mean that the person reached the Ashtarak PHAP 15 minutes before leaving the Talin PHAP. (See Appendix 4)
- A. A., who was wanted, had been arrested at 15:00 on 16 June 2010. At 13:00 on 18 June 2010, he had been transferred to court for confirming detention as a preventive measure. At 9:55 on 21 June 2010, he had been transferred to the Ashtarak PHAP for purposes of further convoy. The review of the Ashtarak PHAP Journal of Records of Persons Held in the PHAP revealed that A. A. had been admitted to the Ashtarak PHAP

at 10:00 on 21 June 2010, i.e. five minutes later, whereas the transfer from the Talin PHAP to the Ashtarak PHAP would have taken at least one hour. ([See Appendix 4](#))

The Group of Observers submitted a current report on the aforementioned facts to the RoA Police Chief. Details are available in the “Current Reports” section.

- G. H. had been arrested and admitted to the PHAP on 8 June 2010, but his admission time was not mentioned, which made it impossible to estimate the timing of further actions and to find out whether or not his rights had been violated. ([See Appendix 4](#))
- N. G. had been arrested and admitted to the PHAP on 9 June 2010, but his admission time was not mentioned, which made it impossible to estimate the timing of further actions and to find out whether or not his rights had been violated. ([See Appendix 4](#))
- R. S. had been arrested and admitted to the PHAP at 8:40 on 19 March 2010. At 1:15 on 21 March 2010, due to a heart attack, he had been urgently transported to the “Armenia” Medical Center in Yerevan. There were no further records on the person. When the members of the Group of Observers asked whether or not the court had imposed a preventive measure on the person, the PHAP administration noted that no preventive measure had been imposed, and that the investigator had not rendered a decision on releasing the person. The person formally still had the status of an arrested person, although the PHAP administration orally informed the Group that the person was at large. ([See Appendix 11](#))

Results of the Comparison

The comparison revealed that the dishes in the dining room were clean. There was some overdue medication in the health post. The toilet/bathroom still needed ventilation. The water tap in the dining room had been fixed.

November 2010

It was found during the repeat visit that general improvements had been made in the PHAP, and the situation there could be considered satisfactory.

Violations

The general review of the PHAP journals revealed the following:

- M. I. had been arrested and admitted to the PHAP at 23:30 on 30 October 2010. At 15:30 on 2 November 2010, he had been transferred to the RoA MoJ Nubarashen PI. The Journal of Removal of Arrested Persons from the Cells contained no records on when he had been taken to court for imposing a preventive measure. ([See Appendix 4](#))

- K. I. had been arrested and admitted to the PHAP at 23:30 on 30 October 2010. At 15:30 on 2 November 2010, he had been transferred to the RoA MoJ Nubarashen PI. The Journal of Removal of Arrested Persons from the Cells contained no records on when he had been taken to court for imposing a preventive measure. (See Appendix 4)
- V. H. had been arrested and admitted to the PHAP at midnight on 31 October 2010. At 15:30 on 2 November 2010, he had been transferred to the RoA MoJ Nubarashen PI. The Journal of Removal of Arrested Persons from the Cells contained no records on when he had been taken to court for imposing a preventive measure. (See Appendix 4)

Thus, it can be concluded that these three persons were transferred to the PI as arrested persons, without being taken to court and having detention imposed on them.

General Information on Persons Held in the Talin PHAP of the Aragatsotn Marz Department of the RoA Police

Data for 2010	2 Months	8 Months	9 Months	11 Months
Arrested persons	1	9	10	15
Detained persons	0	0	0	0
Other Information				
Medical examination	0	6	6	10
Medical assistance	0	0	4	4
Bodily injury	0	0	1	1
Visit	0	0	0	0
Telephone conversation	0	0	0	0
Bathing	0	0	0	0
Parcel	0	0	0	0
Outdoor exercise	0	10	11	22
Services of an advocate	0	2	2	2

Information on Humidity (ph), Temperature (°C), and Natural Lighting (lux) in the Talin PHAP of the Aragatsotn Marz Department of the RoA Police

2010	August			September			November		
	Hum.	Temp.	Light.	Hum.	Temp.	Light.	Hum.	Temp.	Light.
Cell 1	27%	+31°C	3.8 lux	35.2%	+25°C	8.5 lux	55%	+15°C	3.5 lux
Cell 2	26%	+31°C	7.8 lux	35.2%	+25°C	9 lux	54.9%	+15°C	4.8 lux
3-խոց	26%	+31°C	7.5 lux	35.2%	+25°C	8.7 lux	54.2%	+15°C	5 lux
Dining room	25%	+32°C	13.3 lux	35.2%	+25°C	15 lux	53.6%	+15°C	10.2 lux
Room for visits	25%	+32°C	15.3 lux	36.1%	+28°C	17.5 lux	51.8%	+17°C	21 lux
Investigative room	24%	+32°C	34.8 lux	36.2%	+28°C	33 lux	51.1%	+17°C	40 lux
Health post	25%	+32°C	11 lux	35.4%	+28°C	9.2 lux	51%	+17°C	9.8 lux

Findings of the Monitoring in the Gegharkunik Marz

Gavar PHAP of the Gegharkunik Marz Department of the RoA Police

July 2010

It was found during the visit that the PHAP had sufficient dishes and medication. All the linen in the general cells was dirty. The conditions in the investigative room, the room for visits, the health post, and the dining room were good. The dining room lacked a food heater. The toilet/bathroom needed disinfection and ventilation. The condition of the other rooms in the PHAP could be considered satisfactory. Radios and card phones had been installed in the cells in the PHAP.

Violations

The review of the PHAP journals revealed that findings of the external examination of persons admitted to the PHAP were being recorded incompletely.

Results of the Comparison

The comparison revealed that the PHAP had obtained radios. Sporting equipment and cover had been installed in the exercise yard. A card phone had been installed in the PHAP.

September 2010

It was found during the regular visit that the linen was still dirty, and there were no towels. Electrical lighting in the cells was very poor, and the toilet/bathroom conditions, as usual, were extremely unhygienic. The other conditions in the PHAP could be considered satisfactory.

Results of the Comparison

The comparison revealed that none of the shortcomings identified earlier had been eliminated.

October 2010

It was found during the repeat visit that there were towels in the cells, but they were very dirty. The electrical lighting in the health post and cell number 4 was broken. The toilet/bathroom remained in a desperate and unhygienic state (Photo 42). The rooms in the PHAP were, as usual, in a good condition.

Violations

The general review of the PHAP journals revealed the following:

- A. O. had been admitted to the PHAP at 18:20 on 15 October 2010 based on a detention decision, and had been transferred to a PI at 9:30 on 19 October 2010, i.e. after four days. (See Appendix 7)

Results of the Comparison

The comparison revealed that the linen was clean. Though towels had been obtained, they were dirty. The toilet/bathroom remained in a desperate and unhygienic state.

General Information on Persons Held in the Gavar PHAP of the Gegharkunik Marz Department of the RoA Police

<i>Data for 2010</i>	<i>7 Months</i>	<i>9 Months</i>	<i>10 Months</i>
Arrested persons	5	6	7
Detained persons	85	135	153
Other Information			
Medical examination	90	141	160
Medical assistance	8	7	7
Bodily injury	0	0	0
Visit	7	7	7
Telephone conversation	0	0	0
Bathing	2	2	2
Parcel	53	79	84
Outdoor exercise	187	309	353
Services of an advocate	7	9	10

Information on Humidity (ph), Temperature (°C), and Natural Lighting (lux) in the Gavar PHAP of the Gegharkunik Marz Department of the RoA Police

<i>2010</i>	<i>July</i>			<i>September</i>			<i>October</i>		
	<i>Hum.</i>	<i>Temp.</i>	<i>Light.</i>	<i>Hum.</i>	<i>Temp.</i>	<i>Light.</i>	<i>Hum.</i>	<i>Temp.</i>	<i>Light.</i>
Cell 1	26.8%	+32 ⁰ C	68.5 lux	39.5%	+26 ⁰ C	72 lux	48.6%	+18 ⁰ C	81 lux
Cell 2	26.3%	+32 ⁰ C	62.7 lux	38.9%	+26 ⁰ C	72.5 lux	48.4%	+17 ⁰ C	81.5 lux
Cell 3	26.6%	+32 ⁰ C	72.7 lux	38.6%	+26 ⁰ C	74.5 lux	48.5%	+18 ⁰ C	83.7 lux
Cell 4	26.6%	+31 ⁰ C	48.7 lux	38.5%	+26 ⁰ C	40 lux	48.1%	+17 ⁰ C	43.1 lux
Dining room	28%	+31 ⁰ C	31.5 lux	39.2%	+26 ⁰ C	29 lux	50.3%	+16 ⁰ C	32 lux
Room for visits	27.1%	+31 ⁰ C	0 lux	38.3%	+26 ⁰ C	0 lux	49.1%	+16 ⁰ C	0 lux
Investigative room	28.1%	+31 ⁰ C	0 lux	38.8%	+26 ⁰ C	0 lux	49%	+16 ⁰ C	0 lux
Health post	27.2%	+31 ⁰ C	53 lux	39.8%	+25 ⁰ C	48 lux	49.3%	+17 ⁰ C	61 lux

Martuni PHAP of the Gegharkunik Marz Department of the RoA Police

July 2010

It was found during the visit that the linen in the cells was dirty. The conditions in the investigative room, the room for visits, the health post, and the dining room were good. The health post had received sufficient medication, but there was no water tap. Personal hygiene items and radios were not present in the cells. Natural lighting in the PHAP was very poor. The other cells in the PHAP and the toilet/bathroom were clean.

Violations

The review of the PHAP journals revealed the following:

- A. K. had been arrested and admitted to the PHAP on 11 February 2010, but the Journal of Removal of Arrested Persons from the Cells lacked any record of transfer to court, although it contained a record on the transfer to the PI. (See Appendix 4)
- K. H. had been arrested and admitted to the PHAP on 26 January 2010, but the Journal of Removal of Arrested Persons from the Cells lacked any record of transfer to court, although it contained a record on the transfer to the PI. (See Appendix 4)

Results of the Comparison

The comparison revealed that the PHAP had obtained radios and sporting equipment for the exercise yard. A card phone had been installed.

September 2010

It was found during the regular visit that the PHAP in general was in a flawless condition.

Violations

The general review of the PHAP journals revealed the following:

- R. H. had been arrested and admitted to the PHAP on 26 August 2010, but at 13:40 on 28 August 2010, according to the Journal of Removal of Arrested Persons from the Cells, he had been transferred to the Psychiatric Ward based on the investigator's letter, although the PHAP head insisted that he had been taken to court for obtaining a detention decision.

Results of the Comparison

The comparison revealed that dishes had been obtained. The linen in the cells was clean.

October 2010

As usual, the general situation in the PHAP was flawless.

Violations

The general review of the PHAP journals did not reveal any violations.

General Information on Persons Held in the Martuni PHAP of the Gegharkunik Marz Department of the RoA Police

<i>Data for 2010</i>	<i>7 Months</i>	<i>9 Months</i>	<i>10 Months</i>
Arrested persons	5	5	8
Detained persons	47	54	61
<i>Other Information</i>			
Medical examination	52	59	69
Medical assistance	1	1	1
Bodily injury	0	1	1
Visit	1	1	1
Telephone conversation	0	0	0
Bathing	44	53	65
Parcel	7	7	8
Outdoor exercise	99	116	140
Services of an advocate	3	3	3

Information on Humidity (ph), Temperature (°C), and Natural Lighting (lux) in the Martuni PHAP of the Gegharkunik Marz Department of the RoA Police

2010	July			September			October		
	Hum.	Temp.	Light.	Hum.	Temp.	Light.	Hum.	Temp.	Light.
Cell 1	27.3%	+31°C	25.5 lux	39.6%	+25°C	37.3 lux	50.5%	+15°C	33 lux
Cell 2	27.2%	+31°C	25.5 lux	39.4%	+25°C	38 lux	50.3%	+15°C	34 lux
Cell 3	27.4%	+31°C	22.5 lux	39.4%	+22°C	27.3 lux	59.7%	+15°C	28.4 lux
Dining room	29%	+31°C	172 lux	39.1%	+24°C	190 lux	50%	+17°C	188 lux
Room for visits	28.8%	+31°C	74 lux	39.2%	+23°C	65.3 lux	59.7%	+17°C	82 lux
Investigative room	28%	+31°C	235 lux	39.3%	+23°C	192 lux	51.6%	+16°C	206 lux
Health post	29%	+31°C	0 lux	39.8%	+23°C	0 lux	59.3%	+17°C	0 lux

Sevan PHAP of the Gegharkunik Marz Department of the RoA Police

July 2010

It was found during the visit that this PHAP, which had been designed for eight persons, had four cups, 38 plates, and eight spoons. The linen in the cells was dirty, even though the PHAP was holding two detainees. The conditions in the investigative room, the room for visits, the health post, and the dining room were good. The PHAP had the necessary quantity of medication. The toilet/bathroom condition was hygienic.

Violations

The review of the PHAP journals revealed that findings of the external examination of persons admitted to the PHAP were being recorded incompletely.

Results of the Comparison

The comparison revealed that a food heater had been provided in the dining room. Radios had been installed in the cell. Sporting equipment had been installed in the exercise yard. A card phone had been installed.

September 2010

It was found during the regular visit that the linen in the cells was again dirty. As mentioned earlier, this PHAP designed for holding eight persons had dishes for four persons only. The general situation in the PHAP could be considered satisfactory.

Violations

The review of the PHAP journals revealed the following:

- A. S. had been removed from the cell at 22:30 on 27 July 2010 based on the investigator's written demand and transferred for investigative actions, but there was no record of his return. (See Appendix 4)

Moreover, the Journal of Removal of Arrested Persons from the Cells contained many proper records of the date and time of removing arrested or detained persons from the cells, but the time of return was never recorded.

Results of the Comparison

The comparison revealed that nothing had changed. Electrical lighting was poor. The linen in the cells was dirty, and dishes had not been obtained.

October 2010

The repeat visit revealed that the general conditions in the PHAP were very good. No violations were discovered during the visit.

Results of the Comparison

The comparison revealed that the PHAP had obtained sufficient dishes. The linen was clean. The problem of lighting in the cells persisted.

General Information on Persons Held in the Sevan PHAP of the Gegharkunik Marz Department of the RoA Police

<i>Data for 2010</i>	<i>7 Months</i>	<i>9 Months</i>	<i>10 Months</i>
Arrested persons	14	17	19
Detained persons	70	99	110
<i>Other Information</i>			
Medical examination	46	77	89
Medical assistance	13	20	20
Bodily injury	0	0	0
Visit	0	4	4
Telephone conversation	0	0	0
Bathing	0	3	13
Parcel	34	51	60
Outdoor exercise	38	54	60
Services of an advocate	0	0	0

Information on Humidity (ph), Temperature (°C), and Natural Lighting (lux) in the Sevan PHAP of the Gegharkunik Marz Department of the RoA Police

<i>2010</i>	<i>July</i>			<i>September</i>			<i>October</i>		
	<i>Hum.</i>	<i>Temp.</i>	<i>Light.</i>	<i>Hum.</i>	<i>Temp.</i>	<i>Light.</i>	<i>Hum.</i>	<i>Temp.</i>	<i>Light.</i>
Cell 1	22.2%	+33 ⁰ C	18 lux	40.1%	+23 ⁰ C	19.5 lux	50.7%	+18 ⁰ C	18.2 lux
Cell 2	22.7%	+33 ⁰ C	11.5 lux	39.6%	+23 ⁰ C	20 lux	50.8%	+18 ⁰ C	14 lux
Cell 3	22.5%	+33 ⁰ C	16.3 lux	39.3%	+21 ⁰ C	20 lux	50.6%	+19 ⁰ C	17.2 lux
Cell 4	22.7%	+33 ⁰ C	12 lux	39.3%	+24 ⁰ C	18 lux	51.8%	+20 ⁰ C	15.6 lux
Dining room	20.7%	+33 ⁰ C	0 lux	39.2%	+23 ⁰ C	0 lux	59%	+18 ⁰ C	0 lux
Room for visits	21%	+33 ⁰ C	117 lux	39.2%	+24 ⁰ C	104 lux	50.5%	+18 ⁰ C	113 lux
Investigative room	21%	+33 ⁰ C	117 lux	39.2%	+23 ⁰ C	105 lux	50.5%	+17 ⁰ C	112 lux
Health post	20.6%	+33 ⁰ C	178 lux	38.8%	+25 ⁰ C	160 lux	51.8%	+18 ⁰ C	174 lux

Vardenis PHAP of the Gegharkunik Marz Department of the RoA Police

July 2010

It was found during the visit that the PHAP had sufficient dishes and medication. The linen in the cells was dirty. There were no towels whatsoever. The natural and electrical lighting of the general cells was very poor, which was due to the very thick security grids on the windows and in the exercise yard, as well as the fact that the window glass was very dirty. The water tap in cell number 3 did not work. The PHAP did not have a dining room. The condition in the other rooms of the PHAP could be considered satisfactory.

Violations

The general review revealed that the investigative room did not serve its purpose, as it was being used as a warehouse.

Results of the Comparison

The comparison revealed that organic glass had been installed in the room for visits, but a chair was missing. A card phone had been installed. Radios had been installed in the cells.

September 2010

It was found during the regular visit that the linen and the towels in the cells were still dirty. The toilet/bathroom needed disinfection.

Results of the Comparison

The comparison revealed that the general conditions in the PHAP had improved. The missing towels had been obtained, but they were now dirty. The water tap in cell number 3 had been fixed. Work was underway to convert the cell previously designated for administrative detention to a dining room.

October 2010

It was found during the repeat visit that the linen was dirty, as usual. The thick security grid on the windows hindered the penetration of natural light. The electrical lighting of the cells was very poor. Movement within the cell could not be observed through the observation hole in the door. The electrical lighting in the corridor did not work, either. The problem of the dining room persisted: as a consequence, the food could not be heated, and the dishes could not be washed. The dishes were in fact placed in the room of the duty police officer.

Violations

The general review of the PHAP journals revealed the following:

- A. K. had been transferred to a general jurisdiction court at 16:10 on 7 October 2010 for imposing a preventive measure, but there were no records of his return in the Journal of Removal of Arrested Persons from the Cells. However, according to the Journal of Records of Persons Held in the PHAP, the same person had been transferred from the PHAP to a PI at 17:30 on 7 October 2010. (See Appendix 4)
- According to the Medical Examination or Medical Assistance Journal of Arrested Persons, V. G. had received medical assistance from an invited doctor on 7 October 2010. However, the Journal of Removal of Arrested Persons from the Cells contained no record of the person being removed from the cell and transferred to the health post. The PHAP administration explained that the doctor had rendered the medical assistance to the patient in the cell; however, the cell was within the regime zone, and such practice would breach the RoA legislation.

Results of the Comparison

The comparison revealed that the linen and the towels still remained dirty. The toilet/bathroom had not been disinfected and remained in a very poor state.

General Information on Persons Held in the Vardenis PHAP of the Gegharkunik Marz Department of the RoA Police

<i>Data for 2010</i>	<i>7 Months</i>	<i>9 Months</i>	<i>10 Months</i>
Arrested persons	5	11	13
Detained persons	53	65	76
<i>Other Information</i>			
Medical examination	58	75	78
Medical assistance	6	10	11
Bodily injury	0	3	3
Visit	2	4	4
Telephone conversation	0	0	0
Bathing	0	0	0
Parcel	62	80	86
Outdoor exercise	63	84	88
Services of an advocate	2	4	4

Information on Humidity (ph), Temperature (^oC), and Natural Lighting (lux) in the Vardenis PHAP of the Gegharkunik Marz Department of the RoA Police

2010	July			September			October		
	Hum.	Temp.	Light.	Hum.	Temp.	Light.	Hum.	Temp.	Light.
Cell 1	27.5%	+31 ^o C	28 lux	36.8%	+26 ^o C	31.5 lux	45.2%	+18 ^o C	32 lux
Cell 2	27.3%	+31 ^o C	28 lux	36.8%	+27 ^o C	30.8 lux	45.6%	+18 ^o C	30.5 lux
Cell 3	27.5%	+31 ^o C	33 lux	36.4%	+26 ^o C	38.8 lux	45.4%	+17 ^o C	34.3 lux
Dining room	x	x	x	x	x	x	x	x	x
Room for visits	28.7%	+30 ^o C	65.5 lux	38%	+26 ^o C	64.3 lux	46.9%	+16 ^o C	69.7 lux
Investigative room	28.5%	+31 ^o C	114 lux	37.1%	+27 ^o C	152 lux	46.5%	+16 ^o C	110 lux
Health post	28.2%	+30 ^o C	33 lux	36.9%	+27 ^o C	29.8 lux	48.8%	+17 ^o C	28.3 lux

Chambarak PHAP of the Gegharkunik Marz Department of the RoA Police

September 2010

This PHAP was reopened on 30 July 2010. It was found during the visit that the PHAP had not held arrested or detained persons prior to the date of the visit, but the linen in the cells was dirty. The room for visits was combined with the investigative room. The health post was combined with the duty police officer's room for rest. The toilet/bathroom condition was very poor and dirty (Photos 43 and 44). It did not seem from the general examination of the PHAP that it had been recently reopened.

October 2010

It was found during the regular visit that natural and electrical lighting was very poor. The health post was combined with the duty police officer's room for rest. Bathing was impossible due to the absence of water pressure and a water pump in the bathroom. The dining room condition was very poor (Photo 45). Even though the PHAP had held only one arrested person before October, the records in the relevant journals had been made with errors.

Results of the Comparison

The comparison revealed that the linen was clean, but the toilet/bathroom condition was very poor and dirty, which was quite surprising for the members of the Group of Observers.

General Information on Persons Held in the Chambarak PHAP of the Gegharkunik Marz Department of the RoA Police

<i>Data for 2010</i>	<i>9 Months</i>	<i>10 Months</i>
Arrested persons	0	1
Detained persons	0	0
<i>Other Information</i>		
Medical examination	0	0
Medical assistance	0	0
Bodily injury	0	0
Visit	0	0
Telephone conversation	0	0
Bathing	0	0
Parcel	0	0
Outdoor exercise	0	1
Services of an advocate	0	0

Information on Humidity (ph), Temperature (°C), and Natural Lighting (lux) in the Chambarak PHAP of the Gegharkunik Marz Department of the RoA Police

2010	September			October		
	Hum.	Temp.	Light.	Hum.	Temp.	Light.
Cell 1	37.5%	+27 ⁰ C	33.7 lux	55.9%	+15 ⁰ C	38.5 lux
Cell 2	38.2%	+26 ⁰ C	27.3 lux	56.8%	+15 ⁰ C	29.3 lux
Dining room	39.2%	+26 ⁰ C	31.3 lux	55.2%	+15 ⁰ C	41.7 lux
Room for visits	39.4%	+26 ⁰ C	0 lux	58%	+17 ⁰ C	0 lux
Investigative room	39.4%	+26 ⁰ C	0 lux	58%	+16 ⁰ C	0 lux
Health post	36.7%	+26 ⁰ C	44.5 lux	58.4%	+17 ⁰ C	43.5 lux

Problems and Shortcomings

Throughout its work in 2010, the Group of Public Observers Monitoring the Places for Holding Arrested Persons in the Police System of the Republic of Armenia has identified some improvements in the PHAPs due to ongoing efforts. Partial repairs were performed from time to time. The heating problem in some PHAPS was solved. Dishes, linen, and medication were frequently provided. Importantly, the administration of the PHAPs constantly expressed willingness to eliminate in a short period of time all shortcomings that could be addressed by the PHAP and the respective police station on their own. However, all the PHAPs currently operating in the RoA Police system have major problems and shortcomings, which can only be addressed by correctly diagnosing the situation, demonstrating will, and committing financial resources. These problems and shortcomings are explained below.

- As was mentioned already, with the exception of the Yerevan PHAP of the Yerevan City Department of the RoA Police, the Shirak MD Akhuryan PHAP of the RoA Police, and the Lori MD Vanadzor PHAP of the RoA Police, each of the regional PHAPs has one duty officer per day and a PHAP Head. This fact itself leads to violations of the rights of persons held in the PHAP. For instance, when several persons are held in a PHAP, one duty officer would be physically unable to take them for outdoor exercise, provide food, organize the admission of parcels, grant visits, or organize visits to the toilet and bathing.
- Of all the PHAPs operating in the RoA Police system, the Yerevan PHAP of the Yerevan City Department of the RoA Police is the only one where there is a nurse. In all regional PHAPs, this staff position does not exist, and emergency aid (first aid) is provided by the daily duty officer or the ambulance staff (if there is an ambulance in the respective town or village). It is impermissible to leave first aid to the PHAP's daily officer on duty, because the latter does not have the requisite basic knowledge in medicine.
- The regional PHAPs of the RoA Police, not having health workers, carry medication approved and provided by the RoA Police Medical Department, which should be handled strictly by professionals.
- In 15 of the 33 operating PHAPs of the RoA Police, there is no health post, or the health post is combined with other rooms, which is not quite acceptable.
- None of the operating PHAPs of the RoA Police has disinfection rooms stipulated by the RoA legislation, and the respective sanitary processing and disinfection actions are not performed.
- There is a serious problem in connection with cleaning and disinfecting the PHAPs, and there is currently no regulation in this area. In the current situation, the daily police

officer on duty is also responsible for the use of disinfecting and other materials, but this function is not properly performed due to obvious reasons.

- The universal presence of dirty linen in the RoA Police PHAPs is a very serious problem. The general provision and washing of linen is not regulated.
 - ✓ Linen is provided by the RoA Police Housekeeping Department for half a year, for a quantity that is twice the number of the beds in the PHAP. The number of persons in the PHAP is not taken into account, because there is a PHAP that holds three to 15 persons during the same period using the same number of beds, while another holds 250 to 300.
 - ✓ Of the operating PHAPs of the RoA Police, the Yerevan City Department Yerevan PHAP is the only one that obtained a laundry machine in October, but the problem has not been solved in all the regional PHAPs of the RoA Police. Not all the PHAPs in the regional towns have laundry machines. Furthermore, funds are not provided for washing the linen, even though there are PHAPs in which 600 to 700 persons are held annually, and they each receive only 32 sets of linen.

This leads to a violation of the persons held in the PHAP, which are regulated by the RoA legislation. (See Appendix 14)

- The Group of Observers has revealed a serious problem in terms of bathing in the PHAPs. Very few PHAPs have bathrooms in which water is supplied and bathing is possible. The other PHAPs have a problem with bathing due to the lack of a water heater, a shower, water pressure, tanks, and pumps.
- The provision of food to persons held in the PHAP is a very sensitive issue, because the minimum rations of free food are not provided to persons held in PHAPs as established by the relevant decree of the RoA Government. The Group of Observers has repeatedly stated that 450 drams per person is not enough to provide the required food rations. Moreover, there are PHAPs in the regions of the RoA, which operate in areas in which there are numerous food facilities that the PHAP could cooperate with. Moreover, not all the contracts of the PHAPs serve their purpose.

In the majority of the PHAPs, food is provided to persons held in the PHAP once, rather than three times, as required.

- The problem of dishes in the PHAPs is rather serious. The dishes in PHAPs are often dirty, and the quantity of dishes is mostly not sufficient given the number of persons in the PHAP. The following issues cannot be explained:
 - ✓ If the person held in the PHAP has used the dishes, why has he not washed them?

- ✓ After receiving the appropriate quantity of dishes, why do the dishes disappear, even though they are made of metal and cannot be broken or stolen, because persons held in the PHAP are searched before admission to and removal from the PHAP?
- None of the operating PHAPs of the RoA Police have a separate room for accepting parcels, as required by the RoA legislation. The list of food products permitted in parcels is not posted in a place visible for the public, as a consequence of which the relatives of persons held in the PHAP do not know how, when, and what they can bring in parcels. (See Appendix 21)

Moreover, the monitoring by the Group of Observers found that parcels do not always reach the recipients or, if they do, they are not allowed to keep the parcels, contrary to the requirements of the RoA legislation. (See Appendix 22)

- The level of humidity in the PHAPs of the RoA Police is very worrisome, because it inflicts damage upon the health of not only persons held in the PHAP for three to six days, but also the police officers on duty in the PHAP.
- Some of the operating PHAPs of the RoA Police do not maintain the temperature of 18 degrees centigrade required by the RoA legislation, even when persons are held there.
- None of the operating PHAPs of the RoA Police have adequate ventilation. The Yerevan City Department Yerevan PHAP is the only one in which the problem has been partially solved by having windows that open inwards and are accessible to the persons held in the cell.
- Natural lighting of the PHAP cells is a very serious issue. The situation in this area is rather bad. The penetration of natural light into the cells is hindered by the position of the buildings and the existence of two to four layers of security grids of varying thickness on the windows. As mentioned earlier, lighting was sufficient in only 27 of the 143 existing cells in 23 PHAPs.
- In many cases, the persons held in PHAPs are not taken for outdoor exercise, which violates the principle of securing the exercise of the rights by persons held in the PHAP under the RoA legislation. (See Appendix 8)
- There are different problems related to the organization of visits in the RoA Police PHAPs:
 - ✓ Half of the rooms for visits in the PHAPs do not meet the current requirements of the RoA legislation (See Appendix 19), while the other half do. Complying with the relevant provisions of the RoA legislation in this area would give rise to security issues, because relatives can enter the PHAP visit rooms through the regime zone, and the RoA Law on Arrested and Detained Persons clearly stipulates the list of persons holding special permits to access the PHAPs, but the list does not mention the relatives of persons held in the PHAPs.

- ✓ Visits in the PHAPs are organized poorly, because the data in the tables of the monitoring report reveal that the number of parcels received is two to 35 times greater than the number of visits. Moreover, the analysis of the general findings of the members of the Group of Observers supports the following conclusion:
 - In the organization of visits, the administration of the RoA Police PHAPs often avoids the aforementioned requirement due to the deficiency of the relevant provision in the RoA legislation, as a consequence of which the relatives of persons held in the PHAP have to access the PHAP administrative territory, in which there is normally only one police officer on duty. It is conceivable that the person held in the PHAP and six visiting relatives are in the same room with the police officer on duty, within the administrative territory of the PHAP. Moreover, one of the duties of this police officer is to take the persons held in PHAP for outdoor exercise, to provide food, to receive parcels, to observe the investigative actions performed by the investigator, to ensure access to the toilet and to the bathroom, and to secure the exercise of certain other rights by persons held in the PHAP.
 - Visits of relatives are often hindered by the lack of awareness of their rights among persons held in the PHAP. Moreover, they are surprised when the Group of Observers informs a person held in the PHAP and his relatives of the right to have a visit within the PHAP.
- As to the right of persons held in the PHAP to make a telephone call, it is limited by the RoA legislation (See Appendices 2 and 3). It is possible that a relative of a person held in the PHAP is away from the country or does not have financial means to go to the PHAP and to request a visit, which would be rejected by the person held in the PHAP. It would mean that the person held in the PHAP cannot exercise his right to make a telephone call.
- A very serious problem is the fact that almost all the PHAPs hold persons whom they did not have sufficient grounds to admit or hold in the PHAPs. This is especially true in relation to persons that are held in the PHAP under arrest for three days, then subjected to detention by court upon motion by the investigative authority and moved back to the PHAP from the court and held in the PHAP without a sufficient basis. The Group of Observers has submitted a current report on these cases to the RoA Minister of Justice G. Danielyan, seeking clarification of the situation. The current report and the response to it are available in the “Current Reports” section.
- The organization of irregular investigative actions by the investigators without any basis and without any regard for certain provisions of the RoA legislation is a very serious problem. The following violations are committed by the investigators:

- ✓ Throughout the monitoring, the Group of Observers often found cases in which a person arrested by the investigator had been transferred to the PHAP from five to 55 hours after the arrest.
- ✓ The organization of investigative actions outside the PHAP territory is a serious problem. It can sometimes last 25 hours, as a consequence of which persons held in the PHAP are deprived of some of their rights under the RoA legislation.
- ✓ In all the cases identified by the Group of Observers, the investigator failed to justify in his letter the importance or necessity of performing investigative actions during the night hours. (See Appendix 3)
- ✓ All investigative actions are normally performed outside the PHAP territory, failing to justify the importance of doing so. The RoA legislation regulates these situations differently. (See Appendix 20)
- Based on its observation and analysis, the Group of Observers has concluded that the fact that the Yerevan City Department Yerevan PHAP has two investigative rooms, while the other PHAPs in the regions each have one investigative room, and in some places the investigative room is combined with other rooms, hinders the performance of investigative actions within the PHAP, making it impossible to perform investigative actions with several persons held in the PHAP concurrently in different investigative rooms.
- The RoA Police mostly fails to perform the functions required by the RoA legislation after discovering a person who is wanted. For instance, after a wanted person is discovered, the Police must compile an arrest protocol, rather than to base the arrest on the investigator's decision to detain the person and to declare him wanted. (See Appendix 10)
- As a result of work in 2009 and 2010, the Group of Observers has revealed serious problems in connection with the exercise by persons held in PHAPs of their right to use the services of an advocate. The failure to exercise this right is due to the following reasons:
 - ✓ The arrested persons' lack of knowledge of their rights;
 - ✓ The practice of investigators compelling the arrested person to waive the services of an advocate;
 - ✓ The improper performance of their duties by advocates of the Office of the Public Defender in the form of either failing to appear or appearing only in the company of the investigator.
- Clearly, no attention is being paid to the provision of copies of arrest and search decisions to arrested persons or copies of detention decisions to detained persons. As a consequence, rights of arrested and detained persons are being violated.

- The administration of the operating PHAPs do not adequately understand the requirements of the RoA legislation and fail to implement them appropriately. Many serious deficiencies exist in relation to the filling out of the PHAP journals.

Recommendations on Problems and Shortcomings

Based on this work, the Group of Public Observers Monitoring the Places for Holding Arrested Persons in the Police System of the Republic of Armenia proposes the following two-phased program of measures to address all the problems and deficiencies outlined above.

As a matter of priority, all the problems that are urgent and can realistically be addressed today should be solved.

The secondary problems are the ones that require major funding and engagement, and if addressed, would improve the general conditions in the PHAPs and reduce the number of violations of rights of persons held in the PHAPs.

Priority Issues

- Immediate measures should be implemented to institute the position of nurses in the PHAPs or to train all the duty officers on the provision of first aid, only after which they should be allowed to serve on duty in the PHAPs.
- The list of medication approved by the RoA Police Medical Department should be revised without further delay, and instructions should be given to the PHAP administration about the prescription of the different drugs and the cases in which they should be provided to persons held in the PHAPs.
- Serious attention should be paid to the existence and disinfection of health posts. The 15 health posts that are currently combined with other rooms should be separated.
- To perform disinfection work in the PHAPs using appropriate materials, contracts should be concluded without further delay with the Sanitation and Epidemiology Inspectorate, so that the competent staff visit and perform all the disinfection work, and the sanitation in the PHAPs can be controlled in line with the functions of the health authorities of the RoA Police and the state sanitation agencies adjunct to the RoA Government.
- As to the existence of dirty linen throughout the PHAPs:
 - ✓ The RoA Police Housekeeping Department should provide linen not in the amount of twice the number of holding places in each PHAP for a six-month period, but rather, based on the number of persons held in each PHAP, with due regard for wear and tear and having a reserve stock of unused linen.
 - ✓ Serious attention should be paid to washing the linen. In line with the number of persons held in the PHAP, the PHAP should receive reimbursement of the costs of washing the linen, which has until now been done by the PHAP staff.

- Immediate measures should be taken to secure the right of persons held in the PHAPs to bathe. In the PHAPs that lack water tanks required by the RoA legislation, water pumps and heaters should be installed.
- The very sensitive issue related to the provision of food can be addressed by reviewing the RoA Government-Approved Minimum Rations of Free Food Provided to Persons Held in the PHAPs in line with the current prices. The Group of Observers believes that, as a result of such review, persons held in the PHAP will receive food three times a day, and not once, as is currently the case.
- As to the insufficiency of dishes in the PHAPs and the failure to keep them clean, the situation is not understandable given that the PHAPs receive an appropriate quantity of dishes, as witnessed by the members of the Group of Observers. However, by the time of the next visit, it is usually established that the number of dishes has declined. The washing of dishes is regulated, too, as persons held in the PHAP are required to wash the dishes after using them. With all of this, the administration of the RoA Police is expected to follow up to eliminate this deficiency.
- As to the issue of ventilation in the PHAPs, the model of the Yerevan PHAP of the Yerevan City Department should be used in order for the windows to open inwards and for persons held in the PHAP to have access to the windows (to date, no one in the Yerevan PHAP has hurt himself as a result of this). The good practice of the Yerevan PHAP cell windows should be replicated in all the other PHAPs of the RoA Police.
- Considering that heating is still a problem in some PHAPs, which operate during the cold months without providing the required temperature of 18 degrees centigrade above zero, their activities should be discontinued during the cold months until such time when the heating problem has been solved.
- As to penetration of natural light into the cells, in the PHAPs where the poor natural lighting is due to the existence of thick security grids on the windows, rather than the position of the PHAP building, the administration should review the thickness of the grids and change the grids on the windows in order to resolve this issue.
- As to the organization of outdoor exercise of persons held in the PHAP, which is not always properly done, it is an omission of the PHAP administration, which can be addressed by means of sanctions imposed on them by the higher authorities in the RoA Police.
- To ensure the organization of visits in the PHAPs, the position of a dedicated police officer should be introduced in the PHAPs as a matter of priority.
- As to the right of persons held in the PHAP to make a telephone call, RoA Government Decree 574-N dated 4 June 2008 should be amended to separate the right to make a telephone call from the right to a visit.

- As to the irregular investigative actions performed by investigators outside the PHAP territory, the PHAP administration should pay close attention to the content of the written request by the investigator, so that no investigative action is organized without a formal written request. Irregular investigative actions are due to impunity, to which much more attention should be paid.

Secondary Issues

The monitoring has revealed numerous violations and deficiencies due to the non-feasibility of certain provisions of the RoA Law on Arrested and Detained Persons and the Internal Regulation of the Places for Holding Arrested Persons in the RoA Police, rather than the neglectful or inefficient operation of the PHAP administration. The Group of Observers believes that some deficiencies and issues outlined in this report cannot be addressed at present, because most of the PHAP buildings were inherited from the Soviet era, during which the PHAPs did not have conditions meeting the current requirements. The current requirements of the RoA legislation cannot be met in full in those buildings. Thus, the Group of Public Observers Monitoring the Places for Holding Arrested Persons in the Police System of the Republic of Armenia proposes the following measures.

One new regional PHAP meeting the current requirements should be built in each of the Ararat, Vayotz Dzor, Kotayk, Armavir, Aragatsotn, Tavush, Shirak, and Lori Marzes, and two in each of the Syunik and Gegharkunik Marzes. These PHAPs should be independent of the regional units of the RoA Police, so that they comply with the current requirements of the RoA legislation and address the following issues and shortcomings:

- Having a room for parcels and regulating the general procedures of delivery and admission of parcels;
- Having proper rooms for visits and complying with all the rules concerning the organization of visits;
- Having several investigative rooms in each of the PHAPs and ensuring the effective performance of investigative actions;
- Having adequate living conditions in the cells;
- Addressing the problem of humidity in the PHAPs;
- Having natural lighting in the PHAPs in view of the condition of the buildings;
- As a result of closing several PHAPs in the region and reopening them generally, the staff of the remaining PHAPs will be deployed in one place, and daily duty will be performed by two or three police officers, rather than one.
- Having a nurse position in the staffing of each PHAP;

- Having another staff position in each PHAP for someone who will do the cleaning of the PHAP, the washing of linen, and the on-site cooking of the food;
- Having appropriate conditions for the minors and women held in the PHAPs;
- Having an appropriate sanitary processing room in order to meet the respective requirements of the RoA legislation;
- Complying with the RoA legislation requirements on the conditions of holding detained persons; and
- Improving the working conditions of police officers serving on duty in the PHAPs.

The list of recommendations that would help the PHAPs to meet the requirements of the RoA legislation could be continued much longer.

Achievements of the Group of Observers

The Group of Public Observers Monitoring the Places for Holding Arrested Persons in the Police System of the Republic of Armenia has carried out a greater amount of productive work in 2010 than during the period from 2006 to 2010.

The following are some of the achievements of the Group in 2010.

- The Group of Observers prepared a statement that must be published in the duty posts of the RoA Police Marz Department police stations in places visible for the public.

Moreover, the statement contains information on the activities of the Group of Observers, the rights of persons held in the PHAP, and the hotline of the Group of Observers.

- The Group of Observers published and republished brochures that must be available in all the cells of the operating PHAPs.

Moreover, the brochure contains information on the rights of the arrested persons.

- The external examination and medical examination of any person admitted to the PHAP is performed, and records are made in the Medical Examination or Medical Assistance Journal of Arrested Persons.
- Partial renovation of some PHAPs has been performed.
- Some PHAPs have been closed down due to their failure to meet the appropriate requirements.
- The violation of the time of holding persons in the PHAPs has been reduced from 72 days in 2007, 45 days in 2008, and 27 days in 2009 to only two to three days in 2010.
- The PHAP administration frequently consults the Group of Observers by telephone in order to avoid shortcomings in their work.
- Overdue medication is now rarely found in the PHAPs.
- The PHAPs are now able to provide first aid as a result of organizing a seminar in which some knowledge was conveyed to the PHAP administration.
- Whenever the RoA Police reopens any PHAP, the opinion and comments of the Group of Observers are taken into consideration.
- Some unlawful investigative actions are identified and prevented.
- Owing to the persistence of the Group of Observers, the heating problem in some PHAPs has been solved.
- During convoy from the PHAPs to the PI, past shortcomings have been regulated, and convoy is now being properly organized.

- Support has been provided to the organization of visits of relatives to persons held in the PHAPs.
- Adequate attention is now paid to the issue of obtaining sufficient grounds for admitting wanted persons to the PHAPs, which was neglected prior to 2010.

Annexes

Annex – 1

RA Criminal Procedure Code, Article 131¹

1. After the declaration of the detainee and the person suspected in crime have been brought to the investigating body, or to the investigator or to the prosecutor, there should be written a protocol about the detention of the suspected within a period of three hours, indicating that the suspected has been detained. A copy of the protocol is given to the detainee who signs that he has received the copy. In the protocol on detention it is mentioned about the right of the detainee to protection, as well as about clarification of detainee rights and liabilities foreseen in article 63 of this code.
2. The following is mentioned in the protocol: the time (day, month, year, hour, minute) of writing of the protocol, the time, place, grounds and purpose of detention, the RA Criminal Code article number which indicates the crime the detainee is suspected in, the results of the detainee's body search, other circumstances, as well as petitions.

Annex – 2

RA Criminal Procedure Code, Article 205¹

1. The interrogation should not last for more than four hours without intervals, and the interrogation of the under aged person or the person with mental or other serious health problems should not last for more than two hours without intervals.
2. The interrogation is allowed to be continued after having given at least one hour of interval for the interrogatee for rest and nutrition. During the day the total duration of the interrogation should not last for more than eight hours, and the interrogation of the under aged person or the person with mental or other serious health problems should not last for more than six hours.
3. Based on the decision of a physician, the interrogator can fix shorter periods for interrogation than foreseen within this article.

Annex – 3

RA Criminal Procedure Code, Article 188¹

1. Implementation of investigating activities is forbidden during the night hours, with the exception of urgent cases.

RA Police Department Detention Facilities Internal Order, sub-paragraph 174

The DF administration should bring the detainee out of the cell from 10:00 to 18:00 o'clock or at other time upon necessity for interrogation by investigator, prosecutor, court (judge), forensic medical and other investigation activities.

Annex – 4

RA Police Department Detention Facilities Internal Order, sub-paragraph 176

The head of the DF or the person on-duty must be informed each time a detainee is taken out of the cell. A relevant note is written down in the register of "taking out from the cell" according to form No9 where the following information is included: the name, the family name of the detainee, the purpose, grounds, date and duration of taking out, as well as the name, family name and signature of the person who is taking out the detainee from the cell.

RA Police Department Detention Facilities Internal Order, sub-paragraph 13

The results of medical examination are registered in the register according to form No12, in the detainee's personal case, and the detainee and the investigating body are informed about it.

RA Police Department Detention Facilities Internal Order, sub-paragraph 63

The on duty policeman makes a note in the register according to form No9 on the detainee's visit attendance.

RA Law on Treatment of Arrestees and Detainees, Article 13

Arrestees and Detainees have the rights:

- 3) to complain about violations of his/her rights and freedoms, both personally and through his/her attorney or legal representative to the administration of the places of arrest or detention, to their superiors, to the court, to the prosecutor's office, to the human rights defender, to central and local government bodies, public organizations and parties, the media, as well as to international bodies or organizations involved in protection of human rights and freedoms;
- 4) to protect his/her health, including to receive sufficient food, urgent medical aid and undergo medical examination at the physician of his/her choice by paying for the examination;
- 9) to communicate with the outside world;
- 10) to rest, including the right to outdoor walks or physical exercise and to an 8-hour night sleep, during which it shall be forbidden to involve him/her in court or other activities, except in cases specified by the Criminal Procedure Code;
- 12) to request a personal meeting with the head of the place of arrest or detention, or with bodies monitoring or supervising the activities of these places;
- 13) to possess documents and records concerning the criminal case or the protection of his/her rights and legal interests, excepts documents and records that contain state or professional secrets or other confidential information protected by law;

RA Police Department Detention Facilities Internal Order, sub-paragraph 179

It is prohibited to keep at the DFs detained persons who have psychic disorders, suffer acute diseases or need specialized medical aid. The above mentioned persons are transferred into relevant medical institutions with the decision of the head of the police division. The decision should be based on the written conclusion of the DF medical representative or the first aid specialist.

Annex – 7

RA Law on Treatment of Arrestees and Detainees, Article 6

If it is impossible to move the arrested person from the place of arrest every day to conduct investigative activities and court examination outside the place of arrest, the arrested person may be transferred to a detention facility for a period of up to 3 days by a decision of the investigator, prosecutor or the court.

In cases specified in the first part of this article, as well as in the case when it is impossible to move the arrested person back to the place of arrest on time because of a lack of transportation, the arrested person shall be kept at the detention facility in accordance with procedures and in conditions required for the arrested persons.

Annex – 8

RA Police Department Detention Facilities Internal Order, sub-paragraph 77

The walk duration of the detainees should not be less than one hour a day.

Annex – 9

RA Ministry of Justice Criminal Executive Service's Places of Arrest and Corrective Colonies Internal Order , sub-paragraph 5

The admission of the arrested/accused persons into the places of arrest and into corrective colonies is done at quarantine (disinfection) unit by the responsible on duty of the place of arrest/corrective colony , and as a rule, from 10⁰⁰ to 20⁰⁰ o'clock.

Annex-10

RA Criminal Procedure Code, Article 259

3. The search for the accused is the disclosure of his whereabouts, the detention of the accused and handing him over to the body in charge of the proceedings. Based on the investigator's decree, by procedure envisaged in this Code, measures to secure the appearance of the accused can be used.

Annex – 11

RA Criminal Procedure Code, Article 129

2. Detainment based on the grounds provided by the first part of the present article may not last more than 72 hours after the moment of detention. Charges must be presented to the person detained on the bases mentioned in Part 1 of this Article within 72 hours.
Within the mentioned deadline, charges may be not presented to the suspect, if after the moment of detention within 72 hours, he is released from detention, because a securing measure was not selected or the securing measure is not related to detention.

Annex –12

RA Police Department Detention Facilities Internal Order, sub-paragraph 31

In case the detainee refuses to take meal, the head of the police sub-division or the deputy-head (for Yerevan city – the head of Yerevan DF) is due to find out the reasons and to inform about it the investigating body, the prosecutor monitoring over the legacy of implementing compulsion measures, and the superior administrative body implementing departmental monitoring.

RA Police Department Detention Facilities Internal Order, sub-paragraph 32

After the reasons of refusing to take meal are found out, the DF administration take measures to meet the legal demands of the detained person.

Annex –13

RA Police Department Detention Facilities Internal Order, sub-paragraph 71

After having taken the handover, the DF staff member makes notes on the application and in the register according to form No11, and returns the document of identification to the visitor.

Annex –14

RA Police Department Detention Facilities Internal Order, sub-paragraph 26

The detainees are provided with the following articles of individual use when at the DF:

- 1) a bed,
- 2) bed set and linen,
- 3) kitchen utensils (aluminum or plastic plate, cup, spoon).
- 4) soap,
- 5) paper for hygiene,
- 6) stationery (paper, pen),
- 7) newspapers,
- 8) articles to clean the cell and of other use under DF staff control.

Annex –15

RA Criminal Procedure Code, Article 69

1 The participation of the defense attorney in the proceedings of the criminal case is obligatory in the following cases:

- 1) the suspect or the accused expressed such a wish;

RA Criminal Procedure Code, Article 63

1. The suspect has a right to defense. The body, conducting the criminal proceedings, provides the suspect with the possibility to implement the right to defense, he/she is entitled to, by all means and remedies, not prohibited by law.
- 2 The suspect has the right, in the manner, prescribed by this Code, on the following:
 - 4) to have a defense attorney from the moment of presentation to him/her the resolution of the body of criminal prosecution, on detention, the protocol of detention or the resolution on selection of the precautionary measure; to refuse from defense attorney and to conduct the defense himself/herself.

Annex –16

RA Criminal Procedure Code, Article 285

3. The participation of the accused detainee at the court session discussing the appeal to use arrest as restraint should be provided by the investigating body.

Annex –17

RA Police Department Detention Facilities Internal Order, sub-paragraph 13

In case there are found out injuries on the body of the detainee, or there are certain signs of illness, or the detainee has health complaints, the policeman on duty invites a medical representative who carries out urgent medical examination. The physician chosen by the detainee can also be present at the medical examination. The medical examination is carried out outside the hearing scope and (in case it is demanded by the medical worker) outside the vision scope of the DF staff. The results of medical examination are registered in the register according to form No 12, in the detainee's personal case, also, the detainee and the investigating body are informed about the results.

Annex –18

RA Police Department Detention Facilities Internal Order, sub-paragraph 121

In the office rooms and cells the furniture foreseen for detainees is cemented on the ground.

Annex –19

RA Police Department Detention Facilities Internal Order, sub-paragraph 119

A table not less than 1m wide and with a 20cm high partition in its middle should be available at the visit attendance room. From underneath the table is divided with a solid boundary wall, and from above it is divided with a transparent partition. At the front part of the table another table is located for the DF staff member who is present during the meeting between the detainee and his/her relatives.

Annex –20

RA Police Department Detention Facilities Internal Order, sub-paragraph 175

Appropriate areas or facilities are provided within the area of detention facilities for carrying out interrogation activities as well as outpatient forensic psychotherapeutic and other expertise.

Annex –21

RA Police Department Detention Facilities Internal Order, sub-paragraph 68

A separate room is furnished at the DF to accept handovers, where the entrance is free for citizens. The room should be furnished with a table, a chair, control scales; The rules on handing over and receiving handovers, as well as the list of articles and food permitted to be handed over through handover, as stated by the order, should be stuck on a visible place.

Annex –22

RA Police Department Detention Facilities Internal Order, sub-paragraph 74

The handover should be handed over to the addressee not later than within one hour of its admission.

Annex –23

RA Police Department Detention Facilities Internal Order, sub-paragraph 65

On the basis of the detainee's written application concerning his/her refusal to visit attendance, the visit attendance may be replaced with 1 telephone conversation of maximum 10 minutes long, if it is not forbidden by the inspection body.

Annex –24

Council of Europe Parliamentary Assembly Opinion No. 221 (2000), Article 13, paragraph 4, sub-paragraph (c)

To co-operate fully with NGOs in ensuring that the rights of prisoners and conscripts are respected.

Council of Europe Parliamentary Assembly Opinion No. 221 (2000) Article 14, sub-paragraph 4

To institute, without delay, a follow-up procedure which conforms to Council of Europe standards to complaints received on alleged ill-treatment in police custody, pre-trial detention centres, prisons and the army, and to ensure that those found guilty of such acts are punished in accordance with the law.

Annex –25

UN International Covenant on Civil and Political Rights, Article 7

No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. In particular, no one shall be subjected without his free consent to medical or scientific experimentation.

Annex –26

UN International Covenant on Civil and Political Rights, Article 9

1. Everyone has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention. No one shall be deprived of his liberty except on such grounds and in accordance with such procedure as are established by law.

2. Anyone who is arrested shall be informed, at the time of arrest, of the reasons for his arrest and shall be promptly informed of any charges against him.

3. Anyone arrested or detained on a criminal charge shall be brought promptly before a judge or other officer authorized by law to exercise judicial power and shall be entitled to trial within a reasonable time or to release. It shall not be the general rule that persons awaiting trial shall be detained in custody, but release may be subject to guarantees to appear for trial, at any other stage of the judicial proceedings, and, should occasion arise, for execution of the judgment.

4. Anyone who is deprived of his liberty by arrest or detention shall be entitled to take proceedings before a court, in order that that court may decide without delay on the lawfulness of his detention and order his release if the detention is not lawful.

5. Anyone who has been the victim of unlawful arrest or detention shall have an enforceable right to compensation.

Annex –27

UN International Covenant on Civil and Political Rights, Article 10

1. All persons deprived of their liberty shall be treated with humanity and with respect for the inherent dignity of the human person.

2. (a) Accused persons shall, save in exceptional circumstances, be segregated from convicted persons and shall be subject to separate treatment appropriate to their status as unconvicted persons;

(b) Accused juvenile persons shall be separated from adults and brought as speedily as possible for adjudication.

3. The penitentiary system shall comprise treatment of prisoners the essential aim of which shall be their reformation and social rehabilitation. Juvenile offenders shall be segregated from adults and be accorded treatment appropriate to their age and legal status.

Annex –28

The European Convention on Human Rights, Article 3

No one shall be subjected to torture or to inhuman or degrading treatment or punishment.

The European Convention on Human Rights, Article 5

1. Everyone has the right to liberty and security of person. No one shall be deprived of his liberty save in the following cases and in accordance with a procedure prescribed by law:

- a) the lawful detention of a person after conviction by a competent court;
- (b) the lawful arrest or detention of a person for non-compliance with the lawful order of a court or in order to secure the fulfilment of any obligation prescribed by law;
- (c) the lawful arrest or detention of a person effected for the purpose of bringing him before the competent legal authority of reasonable suspicion of having committed an offence or when it is reasonably considered necessary to prevent his committing an offence or fleeing after having done so;
- (d) the detention of a minor by lawful order for the purpose of educational supervision or his lawful detention for the purpose of bringing him before the competent legal authority;
- (e) the lawful detention of persons for the prevention of the spreading of infectious diseases, of persons of unsound mind, alcoholics or drug addicts, or vagrants;
- (f) the lawful arrest or detention of a person to prevent his effecting an unauthorized entry into the country or of a person against whom action is being taken with a view to deportation or extradition.

2. Everyone who is arrested shall be informed promptly, in a language which he understands, of the reasons for his arrest and the charge against him.

3. Everyone arrested or detained in accordance with the provisions of paragraph 1(c) of this article shall be brought promptly before a judge or other officer authorized by law to exercise judicial power and shall be entitled to trial within a reasonable time or to release pending trial. Release may be conditioned by guarantees to appear for trial.

4. Everyone who is deprived of his liberty by arrest or detention shall be entitled to take proceedings by which the lawfulness of his detention shall be decided speedily by a court and his release ordered if the detention is not lawful.

5. Everyone who has been the victim of arrest or detention in contravention of the provisions of this article shall have an enforceable right to compensation.

RA Constitution, Article 3

The human being, his/her dignity and the fundamental human rights and freedoms are an ultimate value. The state shall ensure the protection of fundamental human and civil rights in conformity with the principles and norms of the international law. The state shall be limited by fundamental human and civil rights as a directly applicable right.

PREFACE

According to the Constitution of the Republic of Armenia, the person, his dignity, and fundamental rights and freedoms are ultimate values that are safeguarded by the state in line with the principles and rules of international law. Everyone has the right to freedom of person. A person may be deprived of liberty only in the cases and procedure defined by law. Placement in custody is one way of deprivation of liberty, which is stipulated by the Criminal Procedure Code in cases when there is justified suspicion of the person having committed a crime. Arrest is the placement in custody of a person suspected of having committed a crime, or his apprehension to the inquest body or the body conducting the proceedings, including the filing of an appropriate protocol and his notification about it, for the purposes of short-term confinement in custody in a certain place and under certain conditions provided by law. Arrest may not last for longer than 72 hours after apprehension. The arrest protocol is prepared within 3 hours of taking the person suspected of having committed a crime to the inquest body or the investigator. A copy of the arrest protocol shall be provided to the arrested person, who shall sign to verify its receipt. The protocol shall contain the time of filing it, as well as the arrest time, place, basis, purpose, and other data, after which the arrested person shall be taken to a PHAP.

The general principles, conditions, and procedure of holding an arrested person in custody, the rights of the arrested person, the safeguards of the exercise of such rights, the responsibilities of the arrested person, and the procedure of release from custody are prescribed in the Republic of Armenia Law on Holding Arrested and Detained Persons. The enforcement of this Law is supported by the Internal Regulation of the RoA Police Places for Holding Arrested Persons (as approved by the RoA Government Decree 574-N dated 5 June 2008), which defines the conditions of holding arrested persons, the daily routine, the list of objects that arrested persons are permitted to have, living conditions and facilities, the procedure of visits and delivery of parcels, the PHAP journals and templates, the procedure of maintaining them, the procedure of search of person, and the procedure of medical examination in case of discovering bodily injuries or obvious signs of an illness or in case of complaints about health.

Under Article 47 of the Republic of Armenia Law on Holding Arrested and Detained Persons, the Republic of Armenia Police Chief issued decree 1-N on 14 January 2005 approving “The Procedure of the Activities of the Group of Public Observers Monitoring the Places for Holding Arrested Persons in the Police System of the Republic of Armenia.” The Group of Public Observers Monitoring the Places for Holding Arrested Persons in the Police System of the Republic of Armenia was formed on and has been active since 10 March 2006. The cooperation

between the Police and the Group of Public Observers is organized in line with the fundamental principles of democratic society, which require the police to be utmost transparent before the public, because impartial publicity regarding the work of the police is primarily in the interests of the police, because it helps to police to gain public trust. Under the current legislation, the Group of Public Observers in the Police System has the right to publicize information about the activities of the police system PHAPs. The information presented to the public in the form of a report should first and foremost provide an impartial account of the situation in the PHAPs. It is used to enhance the effectiveness of police supervision of the PHAPs and to bring their work into line with the international standards.

Example of the cooperation between the police, the Group of Public Observers, and international organizations include meetings, conferences, and seminars at different levels, as well as study tours to learn about the international best practices. As a result of these activities, the Police System PHAPs have been modernized in line with the international standards. The performance discipline of the PHAP administration has improved, and greater attention is now being paid to agency supervision, which has helped to minimize disciplinary or other offences by persons serving in the RoA Police System PHAPs.

The RoA Police PHAPs are the most transparent places within the Police. They are monitored by not only the Group of Public Observers, but also the courts, the prosecutor's office, superior agencies, the Human Rights Defender, and international organizations. Owing to the special attention of the RoA Police leadership to the PHAPs, international and local organizations monitoring the situation in the PHAPs in 2010 have not revealed any major deficiencies, and the identified shortcomings have been addressed in a short period of time.

From 10 to 21 May 2010, a delegation of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment ("the CPT") monitored 10 PHAPs of the RoA Police, as a result of which the CPT Chairman Mauro Palma expresses his satisfaction with the current situation in the PHAPS in the RoA Police.

A delegation led by Margaret Sekaggya, the UN Special Rapporteur on Human Rights Defenders, also positively assessed the situation in the Yerevan City Police PHAP.

The Working Group on Arbitrary Detention of the UN Human Rights Council, too, did not find any deficiencies in the PHAPs of the RoA Police System during its visit from 4 to 15 September 2010.

During 2010, decree 1-N of the Republic of Armenia Police Chief dated 14 January 2005 on approving "The Procedure of the Activities of the Group of Public Observers Monitoring the Places for Holding Arrested Persons in the Police System of the Republic of Armenia" was

amended by decree 1-N dated 12 February 2010 with a view to improving the regulation of the sector.

According to RoA Police Chief decree 2737-A dated 21 December 2010, two new members were added to the Group of Public Observers Monitoring the Places for Holding Arrested Persons in the Police System of the Republic of Armenia, and the powers of one member were discontinued.

The journals and forms needed for the organization of the service approved by RoA Government decree 574-N dated 5 June 2008 were published and disseminated to the PHAPs of the police stations.

During the reported period, the operation of the Charentzavan PHAP of the Kotayk Marz Department of the RoA Police was discontinued by decree 935-A of the RoA Police Chief dated 7 May 2010 due to high humidity.

The Chambarak PHAP of the Gegharkunik Marz Department of the RoA Police was reopened on 30 July 2010 by decree 1569-A of the RoA Police Chief dated 27 July 2010.

During July-August 2010, the Hygiene and Epidemiology Division of the Police Medical Department inspected the sanitation-hygiene conditions, living conditions, food organization, and medical services in the PHAPs of the Chambarak, Vagharshapat, Artashat, Armavir, Masis, and Ararat stations of the RoA Police. The Hygiene and Epidemiology Division of the Police Medical Department provided first aid kits and disinfectants, as well as methodological instructions on their correct and safe use to all the PHAPs.

During 2010, the PHAPs of the RoA police system held a total of 5,374 arrested and detained persons (up from 4,625 in 2009).

During 2010, six complaints were received from persons held in the 32 PHAPs of the RoA police system. The complaints were forwarded to the respective addressees within the one-day period set by law.

Marz Departments of the Police	Persons Held in PHAPs, of which Arrested Persons		Number of Persons Transferred to Penitentiary Institutions		Number of Persons Released		Number of Complaints	
	2010	2009	2010	2009	2010	2009	2010	2009
Yerevan PD PHAP	913 - 910	967	669	694	244	273	1	1
Tavush Marz PD	383 - 24	397	370	355	13	42	1	-
Ararat Marz PD	480 - 150	536	435	453	45	83	2	-
Syunik Marz PD	376 - 78	314	332	261	44	53	-	-

Aragatsotn Marz PD	340 - 59	256	307	214	33	42	-	-
Kotayk Marz PD	759 - 117	627	682	534	77	93	1	2
GegharkunikMarz PD	505 - 72	319	469	271	36	48	-	-
Vayotz Dzor Marz PD	95 - 29	48	83	32	12	16	-	-
Lori Marz PD	398 - 166	426	317	345	81	81	1	-
Shirak Marz PD	155 - 102	236	123	184	32	52	-	3
Armavir Marz PD	970 - 154	499	845	387	125	112	-	-
Total	5374 - 1861	4625	4632	3730	742	895	6	6

The PHAPs operating in the system of the RoA Police were last renovated during 2005-2006. Most of the PHAPs currently need repairs.

33 of the 40 PHAPs in the system of the RoA Police are currently operational (see the list attached).

LIST

Of the Number and Location of Operating PHAPs in the RoA Police System

N	Regional Body of the Police	PHAP Address
1.	Yerevan	162A Khorenatsi, City of Yerevan
<i>Ararat Marz Department of the Police</i>		
2.	Ararat	1 Komitas, Town of Vedi
3.	Artashat	20 Shahumyan, Town of Artashat
4.	Masis	30 Baghramyan, Town of Masis
<i>Aragatsotn Marz Department of the Police</i>		
5.	Ashtarak	26 A. Manukyan, Town of Ashtarak
6.	Talin	14 M. Gorky, Town of Talin
7.	Aparan	9 M. Guy, Town of Aparan
<i>Armavir Marz Department of the Police</i>		
8.	Armavir	3 Ashugh Jivani, Town of Armavir
9.	Vagharshapat	15 Kamo, Town of Ejmiatsin
<i>Gegharkunik Marz Department of the Police</i>		
10.	Gavar	24 Sahakyan, Town of Gavar
11.	Sevan	2 Tumanyan, Town of Sevan
12.	Vardenis	10 Azgaldyan, Town of Vardenis
13.	Martuni	5 Myasnikyan, Town of Martuni
14.	Chambarak	122 G. Njdeh, Town of Chambarak

<i>Kotayk Marz Department of the Police</i>		
15.	Kotayk	2 A. Zoravar, Town of Abovyan
16.	Nairi	2 Shirak, Town of Yeghvard
17.	Hrazdan	Vanatur District, Town of Hrazdan
<i>Lori Marz Department of the Police</i>		
18.	Tumanyan	3 Yerevanyan Highway, Town of Tumanyan
19.	Vanadzor	3 M. Gosh, Town of Vanadzor
20.	Tashir	100 Pushkin, Town of Tashir
21.	Spitak	A. Manukyan, Town of Spitak
<i>Shirak Marz Department of the Police</i>		
22.	Akhuryan	Village of Akhuryan
23.	Artik	4 M. Gorky, Town of Artik
24.	Ani	1 Yerkatughayinneri, Town of Ani
<i>Vayots Dzor Marz Department of the Police</i>		
25.	Yeghegnadzor	18 Mikoyan, Town of Yeghegnadzor
26.	Vayk	21 Shahumyan, Town of Vayk
<i>Syunik Marz Department of the Police</i>		
27.	Kapan	2 Yerkatughayinneri, Town of Kapan
28.	Meghri	1 Z. Andraniki, Town of Meghri
29.	Goris	5 Narekatsi, Town of Goris
30.	Sisian	2 G. Njdeh, Town of Sisian
<i>Tavush Marz Department of the Police</i>		
31.	Ijevan	12 Yerevanyan, Town of Ijevan
32.	Noyemberyan	2 Barekamutyan, Town of Noyemberyan
33.	Dilijan	57 Myasnikyan, Town of Dilijan

LIST

Of the Number and Location of Non-Operating PHAPs in the RoA Police System

N	Regional Body of the Police	PHAP Address	Reason for PHAP Not Operating
<i>Aragatsotn Marz Department of the Police</i>			
1.	Aragats	Village of Tsaghkahovit	Inadequate renovation; lack of heating
<i>Kotayk Marz Department of the Police</i>			
2.	Charentzavan	6 Khanjyan, Town of Charentzavan	Inadequate facilities; high humidity
<i>Lori Marz Department of the Police</i>			
3	Stepanavan	1 Millionneri, Town of Stepanavan	Inadequate facilities; high humidity
<i>Shirak Marz Department of the Police</i>			
4.	Ashotzk	Town of Ashotzk	Inadequate renovation; lack of heating
5.	Amasia	Town of Amasia	Inadequate renovation; lack of heating
<i>Vayots Dzor Marz Department of the Police</i>			
6.	Jermuk	17 Myasnikyan, Town of Jermuk	Inadequate renovation; no exercise yard
<i>Tavush Marz Department of the Police</i>			
7.	Tavush	13 L. Bek, Town of Tavush	Inadequate facilities

Yerevan City Department PHAP of the RoA Police

During 2010, the Group of Public Observers visited the Yerevan City PHAP of the RoA Police 12 times. The first visit was on 24 January 2010, and the last on 19 December 2010. It was found during the visits that the water taps in cells number 10, 15, and 20 did not work, and there was no electrical lighting in cell number 6.

When there are no arrested persons on the second floor, the water supply to the second floor is turned off from the first floor. As to the electrical lighting in cell number 6, the burnt bulb has been replaced.

K. Bozoghlyan had been admitted to the PHAP at 22:50 on 25 August 2010. According to his oral statement, he was fainting; however, fainting is not a mental disorder. During his stay in the PHAP, he did not make any complaints about health.

A. Manucharyan had been admitted to the PHAP at 18:25 on 29 April 2010. V. Sahakyan had been admitted to the PHAP at 3:25 on 19 June 2010. According to their oral statements, they had mental disorders. However, they failed to mention where they had been treated. Relatives and the body conducting proceedings failed to present any substantive documents. During the stay in the PHAP, these arrested persons did not have any extraordinary cases of morbidity.

S. Grigoryan had been admitted to the PHAP at 23:55 on 30 June 2010. According to his oral statement, he was suffering from tuberculosis. Kh. Babayan had been admitted to the PHAP at 23:50 on 19 March 2010. According to his oral statement, he was suffering from tuberculosis. These arrested persons complained about being weak in general. At 23:22 on 20 March 2010, and at 20:10 on 21 March 2010, based on the complaints of these arrested persons, an ambulance was called and rendered appropriate medical assistance to them. However, the fact of having tuberculosis was not confirmed.

As to approximately 25 unlawful investigative actions found by the Group of Public Observers, such a finding is due to arbitrary interpretation, because Article 211 of the RoA Criminal Procedure Code provides that the interrogation of a suspect shall be carried out immediately after his arrest or his notification of the decision to impose a preventive measure. Moreover, Article 205 of the Criminal Procedure Code provides that the total duration of interrogation during a day may not exceed 8 hours. Hence, an unequivocal claim that the investigator's actions were unlawful not only has no legal basis, but also breaches the established rules of ethics, because the investigators have investigated suspects immediately after their arrest, duly within the scope of their authority under Article 211 of the RoA Criminal Procedure

Code, and the interrogation lasted 8 hours per day, as required by Article 205 of the RoA Criminal Procedure Code.

RoA Police Syunik Marz Department

Sisian Police Station PHAP

D. Gorbanifarti was arrested at 15:45 on 19 January 2010. Yesa Seid Miza Dalbandi was arrested at 17:25 on 19 January 2010. On 21 January 2010, the decision to detain these persons was taken at 19:00, rather than at 15:00, and they were transferred to the Goris Penitentiary Institution at 11:45 on 22 January 2011, which is appropriately recorded in the relevant journal.

M. Amrikyan was taken out for investigative actions from 20:00 to 22:00 on 17 February 2010, which is recorded appropriately in the Journal of Removal of Arrested Persons from the Cells. He was not taken out for investigative actions from 12:00 to 22:00 on 16 February 2010; rather, from 10:00 to 11:00 on 16 February 2010, he was taken out of the cell based on the investigator's motion, and was moved to the investigative room, which is appropriately recorded in the Journal of Removal of Arrested Persons from the Cells. M. Amrikyan was arrested at 13:30 on 16 February 2010. His detention decision was taken at 11:00 on 19 February 2010. There is also a record on his transfer to the Goris Penitentiary Institution, which mentions 12:00 on 19 February 2010 as the time and the date of the transfer. According to the investigator's letter 7/40386 dated 7 April 2010, M. Amrikyan was taken out for the performance of investigative actions from 20:15 to 22:55 on 7 April 2010, which is recorded in the respective journal.

Arrested person R. Aghabekyan was taken to court for the detention hearing from 10:30 to 10:45 on 14 May 2010, but the detention decision was received from the court at 12:35, which was recorded in the respective journal.

M. Mkrtchyan was arrested at 18:00 on 26 March 2010. The decision on his detention was taken at 14:05 on 29 March 2010, and he was transferred to the Goris Penitentiary Institution at 18:00 on 31 March 2010.

A. Nazaryan (rather than A. Ghazaryan) was arrested in the Sisian Police Station at 21:50 on 26 March 2010. The decision on his detention was taken at 16:30 on 29 March 2010. He was transferred to the Goris Penitentiary Institution at 18:00 on 31 March 2010. The aforementioned persons were moved out for investigative actions from 11:30 on 30 March to 3:30 on 31 March 2010 on the basis of letter number 7/40362 of the investigators of the Armavir and Shirak Marzes, which is appropriately recorded in the Journal of Removal of Arrested Persons from the Cells.

According to Paragraph 174 of the Internal Regulation of the RoA Police Places for Holding Arrested Persons, the PHAP administration is obliged to take arrested persons out of the cells from 10:00 to 18:00, or during other hours in case of necessity, for the purpose of performing investigative actions, forensic psychological, and other expert examinations by the investigator, the

inquest official, the prosecutor, or the court (judge). Therefore, the actions of the Sisian Police Station PHAP administration officials are legitimate and consistent with the requirements of the legislation.

An arrested or detained person by the name A. Harutyunyan has not been held in the Sisian Police Station PHAP. There was H. Gharyan, who was arrested at 19:00 on 7 July 2010, and the decision on his detention was taken at 17:00 on 10 July 2010. He was transferred to the Goris Penitentiary Institution at 14:00 on 13 July 2010, as appropriately recorded in the respective journal. According to the investigator's letters number 7/40562 and 7/40565 dated 8 July 2010, H. Gharyan was taken out of the cell on 8 July 2010 for the performance of investigative actions, and was returned to the cell at 22:00. However, by mistake, 10:00 was recorded instead of 22:00 in the Journal of Removal of Arrested Persons from the Cells.

A. Baghdasaryan (rather than Baghdadyan) was admitted to the Sisian Police Station PHAP from the Noubarashen Penitentiary Institution for participation in a court hearing at 23:50 on 3 June 2010. The admission to the PHAP was based on a judicial decision that is attached to the inmate's personal file. After the end of the court hearing, at 19:00 on 7 June 2010, he was transferred to the Goris Penitentiary Institution, which is recorded in the Journal of Removal of Arrested Persons from the Cells.

H. Muradyan was admitted to the PHAP at 14:30 on 7 June 2010. The admission to the PHAP was based on a judicial decision. After the end of the court hearing, at 19:00 on 7 June 2010, he was transferred to the Goris Penitentiary Institution, which is recorded in journal number 1.

M. Mkrtchyan was admitted to the PHAP at 14:33 on 7 June 2010. The admission to the PHAP was based on a judicial decision. After the end of the court hearing, at 19:00 on 7 June 2010, he was transferred to the Goris Penitentiary Institution, which is recorded in journal number 1.

G. Baghdasaryan (rather than Baghdadyan) was admitted to the PHAP at 14:35 on 7 June 2010. The admission to the PHAP was based on a judicial decision. After the end of the court hearing, at 19:00 on 7 June 2010, he was transferred to the Goris Penitentiary Institution, which is recorded in journal number 1.

A. Nazaryan was admitted to the PHAP at 14:39 on 7 June 2010. The admission to the PHAP was based on a judicial decision. After the end of the court hearing, at 19:00 on 7 June 2010, he was transferred to the Goris Penitentiary Institution, which is recorded in journal number 1.

The Sisian Police Station PHAP has 3 cells, each for one person. Each arrested person held in this PHAP received one set of bedding, which was used immediately after being used. The Group of Observers examined the PHAP immediately after dinner, which is the reason why they had still not managed to change the linen.

Goris Police Station PHAP

In the Town of Goris, water is supplied in accordance with a certain timetable, which is the reason why a 500-liter water tank was installed in the PHAP. It is used only when persons are being held in the PHAP. At the time of the inspection, there were no arrested and detained persons in the PHAP, which was the reason why the water supply had been discontinued.

The water heater in the bathroom, which was broken, has been replaced with a new one. Electrical lighting is sufficient, and the necessary lighting is provided. As to the linen being dirty, the linen is worn out due to being washed frequently, and looks like it is used. Cell number 3 in the PHAP was converted to a room for rest of the PHAP police officer, which is the reason why there is no need to have a water tap there. Each of the two operating cells has a toilet and a sewerage system, which work all the time. The PHAP has the necessary quantity of dishes and bed linen.

H. Mangasaryan (rather than H. Margaryan) was arrested on 11 February 2010. As to the fact that it was a Saturday, H. Mangasaryan was transferred to the penitentiary institution based on mutual agreement with the administration of the penitentiary institution.

Furman (rather than Khurman) Abrahamyan, who was wanted by the Investigative Department of the Orenburg Region of the Russian Federation since On 23 January 2010, was apprehended to the Goris Police Station at 15:10 on 1 June 2010, after which an inquiry was made with the Russian Federation to check the preventive measure. The order issued by the Orenburg Region Court to detain F. Abrahamyan was received, based on which F. Abrahamyan was transferred to a penitentiary institution at 17:00 on 1 June 2010, which is appropriately recorded in journal number 9.

Kapan Police Station PHAP

No record on M. Petrosyan was made in the Journal of Removal of Arrested Persons from the Cells on 20 February 2010, because he had been in the exercise yard from 16:00 to 18:00 in accordance with the approved timetable, where he felt ill and requested medical assistance.

An arrested person by the name G. R. Khapanyan was not held in the Kapan Police Station. Rather, G. R. Isakhanyan was held. The investigator's motion to impose detention as a preventive measure was reviewed by court from 16:00 to 16:15, but the judge's decision was received at 17:00. From 17:00 to 18:00, G. Isakhanyan was in the exercise yard in accordance with the approved timetable, and an appropriate record thereof has been made in journal number 9.

According to decision EVD/00260110/10 of the Ararat and Vayotz Dzor Marzes General Jurisdiction Court dated 5 August 2010, G. G. Mikayelyan, an accused in a criminal case, who was being held in the Goris Penitentiary Institution, had to be taken before the Artashat Courthouse of the Ararat and Vayotz Dzor Marzes General Jurisdiction Court at 11:00 on 6 August 2010. To ensure the detainee's presence in the Artashat Courthouse at the time set by the court, the convoy brigade transferred detainees M. N. Beglaryan, S. M. Khachatryan, and H. A. Bakhshyan from Kapan at 1:10 on 6 August 2010 and delivered them to the Goris Penitentiary Institution, from which detainee G. Mikayelyan was taken and transferred to Artashat. The transfer of detainees during night hours is due to the need to deliver the detainee to the court at the hour set by the judge, taking into account the fact that the road from Kapan to Artashat takes around 8 hours, including the time to deliver and accept detainees.

Meghri Police Station PHAP

There are two cells in the PHAP, each for two persons. The linen is washed regularly. It was clean, but not ironed at the time of the inspection. The lighting in the toilet/bathroom did not work because the electrical bulb was burnt, but the bulb has seen been replaced.

The PHAP has sufficient hygiene supplies, bed linen, and towels. The chair in the investigative room has been fixed to the floor. The dishes are clean. The tap in cell number 2 has been replaced with a new one.

Appropriate instructions have been given to the PHAP administration and staff to prevent such shortcomings from happening again in the future.

RoA Police Armavir Marz Department

Armavir and Vagharshapat Police Stations PHAPs

L. Israyelyan was admitted to the Armavir Police Station PHAP on 19 February 2010, but the time of admission was not recorded in the journal.

A. Avagyan was arrested on 6 September 2010, but he was released by the investigator's decision on 7 July 2010. However, no record was made in the Journal of Removal of Arrested Persons from the Cells by the daily duty officer.

Due to the same reason, the times of transferring detainees K. Zadayan and G. Ghavazbabuntz were not recorded in the Journal of Records of Persons Held in the PHAP. There are omissions in the Journal of Removal of Arrested Persons from the Cells: in particular, the times of removing the detainees from the cells are not recorded.

According to the Journal of Records of Persons Held in the PHAP, A. Pnjoyan was arrested at 15:50 on 23 April 2010. He was taken to court at 18:00 on 26 April 2010 for imposing a preventive measure, but 18:05 was recorded in the journal with erasure. The aforementioned shortcomings and omissions are due to the negligence of the administrative staff in the PHAP and to weak controls by the Armavir Police Station leadership.

The Armavir Marz Police Department leadership has failed to provide justified explanation of the violations of the terms of holding detainees in the Armavir Police Station PHAP.

The prosecutor has taken note of the fact that V. Vardanyan went on a hunger strike.

The observation hole in the door of a cell in the Vagharshapat Police Station PHAP has been fixed. More than eight persons have not been concurrently held in any of the PHAP cells. As to holding more than eight persons in the PHAP for one to five hours, it was due to the fact that judges set hearings for the same hours of the same days.

At the time of the inspection by the Group of Observers, one set of dishes was missing: however, it was just being used at that time by an inmate. Amplified lighting has been installed in the cells, which has solved the lighting issue. The toilet/bathroom is being disinfected every day. The Vagharshapat Police Station water heater did not break: on the day of the visit, there was insufficient water pressure due to the low overall water pressure in the administrative building of the Vagharshapat Police Station, which was due to the fact that the water pump had been taken away for a few hours for repairs.

The shortcomings identified by the Group of Observers were addressed in a short period of time. The heads of the Armavir and Vagharshapat PHAPs were warned to make sure that the journals are correctly filled and the deadlines set by law are met.

RoA Police Lori Marz Department

Tumanyan Police Station PHAP

The ceiling in cell number 1 and in the corridor of the Tumanyan Police Station PHAP have been renovated.

Vanadzor Police Station PHAP

The cell in the Vanadzor Police Station PHAP, which was outside the regime zone, has been converted to a health post and equipped with appropriate property and medication.

Under Article 21 of the Republic of Armenia Law on Holding Arrested and Detained Persons, the results of the medical examination of a person held in the PHAP are communicated to the patient and the body conducting the criminal proceedings in line with the established procedure.

The results of the medical examination of any person admitted to the PHAP are recorded in journal number 12 (the "Medical Examination or Medical Assistance Journal of Arrested Persons").

The PHAP is not heated, because natural gas is not available in the administrative building of the Police Station. However, in line with the legislative requirements, the temperature of 18 degrees centigrade above zero is maintained in the PHAP through electrical heaters.

For washing the linen in the PHAP, a contract has been concluded with the "Bakmar" laundry company in the Town of Vanadzor. An electrical heater has been installed in order to supply hot water to the PHAP. The PHAP has sufficient dishes for eight persons.

Detainees H. Galstyan and M. Poghosyan were held in the Vanadzor Police Station PHAP from 5 to 14 March 2010 based on letter number 19126609 dated 4 March 2010 of the Lori Marz Deputy Prosecutor S. O. Arakelyan.

The outdoor exercise in the PHAP is organized in accordance with the daily routine. However, the persons held in the PHAP refused outdoor exercise due to bad weather.

V. Marikyan, who was wanted, was admitted to the PHAP at 1:50 on 5 October 2010. Later in the morning of 5 October 2010, he was convoyed to the Vanadzor First Instance General Jurisdiction Court for confirmation of the order to detain, after which he was transferred to the Vanadzor Penitentiary Institution at 17:20.

Tashir Police Station PHAP

This PHAP has the necessary quantity of dishes. An electrical food heater has been installed in the room for heating the food.

The Lori Marz Police Department Stepanavan Police Station does not have a PHAP, which is why persons arrested by the Stepanavan Police Station are held in the Tashir Police Station PHAP.

The following arrested persons were transferred from the Tashir Police Station PHAP to the Stepanavan Police Station on the following dates: V. Sukiasyan on 11 July, M. Kocharyan on 28 May 2010, A. Davtyan on 9 March 2010, A. Sargsyan on 11 March 2010, and E. Nadoyan and A. Torosyan on 22 February 2010. In the Stepanavan Police Station, detention was imposed on them as a preventive measure, after which they were transferred to a penitentiary institution.

Spitak Police Station PHAP

The technical deficiencies found in the PHAP have been addressed. An electrical food heater has been installed in the room for heating the food.

G. Nasryan was admitted to the PHAP on 17 July 2010, and held there until 20 July 2010. To provide medical assistance to G. Nasryan during this period, an ambulance was called to the PHAP four times. He received appropriate medication, but the doctor did not consider it necessary to transfer him to a hospital.

To address the shortcomings found by the Group of Public Observers in PHAPs of the Lori Marz police stations, the heads of the PHAPs were additionally instructed to make appropriate records in the journals.

RoA Police Ararat Marz Department

Masis Police Station PHAP

The broken window glass in cell number 2 of the Masis Police Station PHAP has been fixed. The expired medication in the health post has been replaced with new medication. The room for heating the food has the necessary quantity of dishes. The toilet/bathroom has been disinfected.

During his stay in the PHAP, arrested person A. Baghdasaryan did not receive any parcels. No complaint was lodged with the PHAP administration regarding the investigator's failure to provide an advocate.

As to the failure to provide arrest and search protocols to the arrested persons, Article 131 of the RoA Criminal Procedure Code provides that "within three hours of bringing a person suspected of having committed a crime before the inquest body, investigator, or prosecutor, a protocol on the suspect's arrest is prepared, a copy of which is provided to the arrested person based on his signature."

Artashat Police Station PHAP

The water tap in cell number 4 in the Artashat Police Station PHAP has been renovated.

S. Gevorgyan was transferred to the investigative room at 10:00 on 30 October 2010, but the investigator did not perform any investigative actions, and S. Gevorgyan was immediately returned to the cell. However, a record of his return was not made in journal number 9, which violated Paragraph 176 of the Internal Regulation of the RoA Police Places for Holding Arrested Persons.

A wanted person by the name G. Italyan was neither recorded nor held in the Artashat Police Station PHAP.

All the deficiencies have now been eliminated. The journals are filled out in accordance with the established procedure.

Ararat Police Station PHAP

There is organic glass partition in the room for visits in the Ararat Police Station. To make sure that persons on the different sides can hear each other during the conversation, there are

appropriate holes on the glass partition. The necessary quantity of clean dishes has been provided to the room for heating the food.

Since the visit of the Group of Public Observers, the shortcomings in journal number 12 (the “Medical Examination or Medical Assistance Journal of Arrested Persons”) have been addressed.

As to the finding of the Group of Public Observers that the arrest and search protocols were not provided to A. Arakelyan in the PHAP after his arrest, it should be clarified that, under Article 131 of the RoA Criminal Procedure Code, “the arrest protocol is prepared within three hours of taking the person suspected of having committed a crime to the inquest body, the investigator, or the prosecutor. A copy of the arrest protocol shall be provided to the arrested person, who shall sign to verify its receipt.”

Arrested person K. S. Hovhannisyan was admitted to the PHAP at 22:30 on 30 September 2010. Therefore, he could not receive a parcel from relatives on the same day, because Paragraph 76 of the Internal Regulation of the RoA Police Places for Holding Arrested Persons (as approved by the RoA Government Decree 574-N dated 5 June 2008), parcels are received in PHAPs from 10:00 to 20:00. The parcels were delivered to K. Hovhannisyan on 1 October 2010.

Due to security reasons, linen was not provided to arrested person A. Baharyan, because his behavior displayed features typical of a mental patient, which was also clear to the members of the Group of Observers. However, Paragraph 179 of the Internal Regulation of the RoA Police Places for Holding Arrested Persons (as approved by the RoA Government Decree 574-N dated 5 June 2008) provides that “PHAPs may not hold arrested persons in need of mental, acute infection, and specialized medical care.”

A. Karapetyan was admitted to the PHAP at 23:20 on 20 October 2010, which was recorded in the Journal of Records of Persons Held in the PHAP. As to the protocol of his apprehension to the Police Station, it is not a part of the functional duties of the PHAP administration, because the apprehension protocol is filled out by the Police Station officer on duty and recorded in the relevant journal.

RoA Police Kotayk Marz Department

Kotayk Police Station PHAP

The water taps in cells number 1 and 2 in the Kotayk Police Station PHAP, the sewerage system in cell number 1, and the second sewerage system in the toilet/bathroom have been fully repaired and are now working. The sufficient quantity of dishes has been provided to the room for heating the food.

Investigative actions were performed in relation to detainee A. Harutyunyan from 13:25 to 23:00 on 20 January 2010 and H. Asatryan from 12:45 to 23:30 on 21 January 2010. The duration of investigative actions is due to distance from the site of performing the action.

Appropriate records have been made in the Journal of Removal of Arrested Persons from the Cells about taking H. Nersisyan and H. Tadevosyan to the crime scene for performing investigative actions at 15:15 on 2 February 2010 and about returning them to the PHAP.

The arrest protocols on wanted persons A. Ginosyan (dated 12 October 2010), A. Khurshudyan (12 November 2010), and A. Stepanyan (27 September 2010) were missing, because detention has been imposed on them as a preventive measure, which served as a basis for admitting them to and holding them in the PHAP.

Nairi Police Station PHAP

The general lighting in the PHAP has been fixed. The health post has been furnished. There is an electrical heater in the room for heating the food. Hygiene items are present. The investigative room and the room for visits have been furnished appropriately. The water tap in cell number 3 has been fixed. A local heating system is functioning.

While arrested person S. Martirosyan was held in the PHAP from 14 to 15 January 2010, the cell was heated with an electrical heater.

Arrested person H. Asatryan was transferred to the Kotayk Police Station PHAP at 13:10 on 19 January 2010, and he was admitted at 15:40. The delay in the transfer was due to the fact that the transporting vehicle broke.

At 12:30 on 5 July 2010, N. Poghosyan, judge of the Kotayk Marz General Jurisdiction Court, personally visited the Nairi Police Station PHAP and imposed detention on H. Khachatryan as a preventive measure. Therefore, an appropriate record was not made in the Journal of Removal of Arrested Persons from the Cells.

On 2 June 2010, detention was imposed on N. Sargsyan as a preventive measure, and he was declared wanted on the same day. He was found and arrested on 3 June 2010. On the same day, the investigator presented the decision to confirm the detention, and N. Sargsyan was transferred to the Noubarashen Penitentiary Institution on 4 June 2010.

While in the Nairi Police Station PHAP from 8 to 11 September 2010, arrested person A. Abrahamyan requested medical assistance six times, which is appropriately recorded in the Medical Examination or Medical Assistance Journal of Arrested Persons. He was once taken out for exercise, and had one visit. All eight records are in the Journal of Removal of Arrested Persons from the Cells.

In the presence of an investigator, A. Poghosyan refused in writing to be transferred to court. Therefore, the Kotayk Marz General Jurisdiction Court judge A. Sisakyan granted the detention motion, as a result of which no record was made in the Journal of Removal of Arrested Persons from the Cells.

Hrazdan Police Station PHAP

The Hrazdan Police Station PHAP admitted the wanted persons based on court orders to impose detention as a preventive measure.

Charentzavan Police Station PHAP

Due to inadequate repairs and high humidity, the activities of the Charentzavan Police Station PHAP were discontinued as from 7 May 2010 based on an order of the RoA Police Chief.

RoA Police Tavush Marz Department

Dilijan Police Station PHAP

Due to the condition of the premises, the Dilijan Police Station PHAP is generally humid. It is located in the basement of the building, because of which its natural lighting is poor, and there is no possibility to provide for more electrical lighting than there is. In view of the inherent condition of the building, a separate room for visits and a separate room for rest of the duty officer could not be built when the PHAP was being constructed. The investigative room serves as a room for visits, and the duty police officer's room for rest is combined with the health post. The lighting in the investigative room has been fixed. The section accountant has the food supply contract of the PHAP. The medication box in the health post contains the necessary medication. The linen is clean.

Inmate G. Matevosyan was admitted to the PHAP at 12:50 on 8 September 2010. Due to his health complaint, a health check was organized and health care was provided, which was followed by an external examination at 14:50.

M. Kharatyan was taken to the PHAP based on letter 7/23-2-538 dated 31 August 2010 of S. Saghatelyan, the acting head of the Dilijan Investigative Unit, for the purpose of conducting an investigative experiment.

Noyemberyan Police Station PHAP

The shortcomings found in the Noyemberyan Police Station PHAP have been fully eliminated. The toilet/bathroom has been disinfected. Hygiene supplies and the necessary quantity of dishes are present in the room for heating the food. The linen is clean. The beds in the cells have been attached to the floor. The water heater in the bathroom works. The journals are filled out adequately in accordance with the established procedure.

There is a plan to install natural gas. To make the room for visits bigger, the main walls of the building will have to be torn down, which will make the building weaker.

Ijevan Police Station PHAP

The Ijevan Police Station PHAP is designed for eight persons. In the room for heating the food, there are eight cups, 16 plates of two types, and eight spoons. The taps in the five cells work. The PHAP has clean towels and linen, which is mainly delivered to the laundry for cleaning.

Construction works are planned in order to separate the health post, the room for visits, and the investigative room, as well as to make drawers or niches in the cells.

A. Hakhverdyan, who was wanted, was arrested by the Yerevan City Police Central Station and transferred to the Ijevan Police Station PHAP on 4 September 2010. On 6 September 2010, the Tavush Marz Department convoy transferred A. Hakhverdyan to the Vanadzor Penitentiary Institution.

N. Ginovyan and R. Ayvazyan were not jointly engaged in the performance of investigative actions, because N. Ginovyan was returned to the cell at 21:20 on 4 March 2010, after which R. Ayvazyan was taken out of the cell at 21:20.

RoA Police Shirak Marz Department

Akhuryan Police Station PHAP

The Akhuryan Police Station PHAP has received six breadbaskets, six salt containers, 10 forks, 10 teaspoons, 10 spoons, eight deep plates, five flat plates, and four cups. The medication in the PHAP has been replaced with new medication, and there is currently no expired medication.

Paragraph 13 of the Internal Regulation of the RoA Police Places for Holding Arrested Persons (as approved by the RoA Government Decree 574-N dated 5 June 2008) provides that, in case of discovering bodily injuries of the arrested person, the police station duty officer shall invite a health worker. When inquired about their bodily injuries, eight persons received in the Akhuryan Police Station PHAP responded that the injuries had been inflicted before their apprehension to the police, based on which an appropriate record was made in the respective journal of the PHAP.

A. Hakobyan was admitted to the PHAP at 14:35 on 18 August 2010. He was transferred to a penitentiary institution at 12:55 on 21 August 2010. He was held in the PHAP for 70 hours.

A. Mardoyan was admitted to the PHAP at 0:40 on 23 June 2010, but by mistake 24:40 was recorded instead of recording 0:40. He was transferred to the Artik Penitentiary Institution at 11:50 on the same day.

M. Poghosyan was admitted to the PHAP at 23:45 on 13 August 2010. At 19:20 on 16 August 2010, by decision of the Gyumri Police Station inquest officer A. Minasyan, he was released from detention, which was appropriately recorded in the Journal of Records of Persons Held in the PHAP.

H. Hakobyan was arrested and admitted to the PHAP at 3:00 on 28 September 2010. He was transferred to the Shirak Marz General Jurisdiction Court at 12:15 on 30 September 2010 for imposing a preventive measure. Judge Saroyan imposed detention as a preventive measure, after which H. Hakobyan was transferred to the Artik Penitentiary Institution.

S. Sahakyan was arrested and admitted to the PHAP at 23:10 on 24 September 2010. He was transferred to the Shirak Marz General Jurisdiction Court at 14:10 on 27 September 2010 for imposing a preventive measure. Judge Saroyan imposed detention as a preventive measure, after which S. Sahakyan was transferred to the Artik Penitentiary Institution.

A person by the name S. Yeghiazaryan has not been held in the Akhuryan Police Station PHAP during 2010.

A. Yeghiazaryan's desire to get a haircut was turned down, because the current legislation prohibits the entry of outside persons into the PHAP. Moreover, Form 4 of the Internal Regulation of the RoA Police Places for Holding Arrested Persons (as approved by the RoA Government Decree 574-N dated 5 June 2008) provides that "arrested persons may have hygiene supplies (industrial and hand soap, liquid soap, ointment, a toothbrush, toothpaste, plastic soap containers, a comb, and shaving supplies)," while shaving supplies may be used only under the supervision of an employee of the PHAP.

Artik Police Station PHAP

G. Yesayan, A. Unusyan, and A. Voskanyan were arrested and admitted to the Artik Police Station PHAP at 7:00 on 5 June 2010. At 17:30 on 7 June 2010, these three arrested persons were transferred to the Shirak Marz General Jurisdiction Court, where detention was imposed on them as a preventive measure. On 7 June 2010, according to the investigator's decision taken on the basis of Article 6 of the RoA Law on Holding Arrested and Detained Persons, G. Yesayan, A. Unusyan, and A. Voskanyan were transferred to the Akhuryan Police Station PHAP for three days.

Ani Police Station PHAP

To establish the reason for high humidity in this PHAP, the RoA Police Logistics Department has carried out an expert inspection. As a result, appropriate calculations were made for renovation works in the near future to eliminate the humidity in the PHAP, as well as the administrative building.

Appropriate instructions have been issued to the unit heads for improving oversight of the activities of PHAPs under the Shirak Marz Police Department and to make sure that proper records are made in the journals.

RoA Police Vayotz Dzor Marz Department

Vayk Police Station PHAP

The health post in the Vayk Police Station PHAP has the necessary supplies. A bed sheet has been provided.

The comments of the RoA Police on holding arrested persons S. Vasilyan and P. Badalyan in the Vayk Police Station PHAP were submitted to the Group of Public Observers in letter 19/4-696 dated 14 July 2010.

Arrested person G. Gevorgyan was transferred from the PHAP to the Ararat and Vayotz Dzor Marzes General Jurisdiction Court from 15:35 to 17:00 on 6 February 2010, which was appropriately recorded in the Journal of Removal of Arrested Persons from the Cells.

Yeghegnadzor Police Station PHAP

The room for visits in the Yeghegnadzor Police Station PHAP has been brought into line with the requirements of Paragraph 120 of the RoA Government Decree 574-N dated 5 June 2008.

Due to the inadequate conditions in the building, the PHAP health post was combined with the duty police officer's room for rest.

An internal investigation was carried out by the Public Order Department of the Police regarding the alleged holding of an excessive number of persons in the Yeghegnadzor Police Station PHAP. The results of the investigation were communicated to the Group of Observers by letter 19/4-1302 dated 8 December 2010.

An arrested person by the name Benik Vardanyan (not Erik Vardanyan) was held in the Yeghegnadzor Police Station PHAP. Based on letter number 7/381740, he was transferred to court from 11:10 to 12:05 on 4 October 2010.

The Vayotz Dzor Marz Police Department leadership is engaged in daily oversight to have the shortcomings and deficiencies identified by the Group of Observers addressed.

RoA Police Aragatsoth Marz Department

Ashtarak Police Station PHAP

Most of the shortcomings found by the Group of Public Observers in the Ashtarak Police Station PHAP have already been addressed.

The finding of the Group of Public Observers that one cell of the Ashtarak Police Station PHAP is located outside the administrative territory of the PHAP is not true, because the cell is located within the PHAP administrative territory. It was previously used as a cell for administrative detention. As to cell number 1 in the PHAP, it is inside the metal perimeter of the regime zone, like the other two cells, for two months already.

An inmate by the name Ararat Petrosyan, suffering from tuberculosis, has not been admitted to the Ashtarak Police Station PHAP from a penitentiary institution. On 12 June 2010, Asatur (son of Komsel) Petrosyan, who was wanted for charges under Article 177 of the RoA Criminal Code, was admitted to the PHAP from the Malatia Police Station. After admission to the PHAP, he reported nothing about his health condition. On the same day, the ambulance doctor provided emergency care to A. Petrosyan, and a record about the suspicion that he suffered from tuberculosis was made in the Medical Examination or Medical Assistance Journal of Arrested Persons. The relevant documents confirming inmate A. Petrosyan's illness have not been received in the Ashtarak Police Station, and he was transferred to the Noubarashen Penitentiary Institution on 14 June 2010.

Wrong records and time breaches concerning detainees V. Harutyunyan, V. Hovhannisyan, B. Baghdasaryan, H. Hovsepyan, H. Movsisyan, and H. Karapetyan during the period from January 2010 to 26 May 2010 were made by the former head of the PHAP, senior police lieutenant E. Mkrtchyan, who was removed from his position as a result of the internal investigation.

The Public Order Department of the RoA Police sent letter 19/14-1174 about the aforementioned fact to the Group of Public Observers on 3 November 2010.

The 12 sets of linen received during 2010 were not sufficient to make sure that the persons held in the PHAP constantly had clean linen. During this period, 305 arrested and detained persons were held in the PHAP. To address the issue, a letter was sent to the RoA Police Logistics Department on 24 January 2010. The shower in the bathroom has been fixed. During the visit of the Group of Public Observers, the water heater did not work due to low water pressure. The heater in the room for heating the food has been fixed. The PHAP has received the necessary quantity of dishes. The electrical valve of the PHAP heating boiler did not work.

However, it was fixed as a result of measures taken by the Aragatsotn Marz Police Department, and is currently working. The water taps in cells number 1 and 5 have been replaced with new ones. The toilet/bathroom has been disinfected.

Aparan Police Station PHAP

A disciplinary penalty has been imposed on the Aparan Police Station PHAP head for the mistaken and inadequate filing of the Aparan Police Station journals. From now on, any convoy of arrested and detained persons will be performed through the convoy brigade of the Aragatsotn Marz Police Department. There are towels in the PHAP cells. The water taps in the cells have been fixed. The linen is new and clean. Dishes are available. The PHAP is clean and has been disinfected. As to the PHAP generally being humid, it is due only to the weather and climate, and structural changes in the general building foundation are needed to eliminate the humidity.

Talin Police Station PHAP

A disciplinary penalty has been imposed on police major A. Manukyan, the head of the Talin Police Station PHAP for the inadequacy of records in the journals.

The technical deficiencies in the PHAP have been eliminated.

RoA Police Gegharkunik Marz Department

Gavar Police Station PHAP

The toilet/bathroom in the Gavar Police Station PHAP has been disinfected.

Vardenis Police Station PHAP

The natural and electrical lighting in the Vardenis Police Station PHAP has been fixed. The tight grids on the PHAP cell windows have been replaced. The cell that was formerly for administrative detention has been converted to a room for heating the food. The cell window glass has been cleaned. The PHAP investigative room has always served its purpose.

The linen in all the PHAPs of the Gegharkunik Marz Police Department is clean.

The heads of the PHAPs have been instructed to make sure that records are made in the journals in accordance with the established procedure.

CONCLUSION

The RoA Police has created all the conditions necessary for the activities of the Group of Public Observers Monitoring the PHAPs in the Police System of the Republic of Armenia.

The 2010 Report of the Group of Public Observers stands out in terms of its volume, but alongside valuable information, it contains some errors, as well: the names and surnames of the persons held in the RoA police system PHAPs do not correspond to those in the journals.

The report states a number of violations of the deadlines set by law and of internal regulations, about which heads of the RoA police marz departments have presented inconsistent explanations. In order to conduct an internal investigation into those inconsistencies, to provide a legal response to the conduct of police officers that failed in the performance of their official duties, or to refute the facts presented by the Group of Observers, it is necessary to present the violations found in the monitoring to the RoA Police without any delay, because the RoA Law on Police Service provides that a disciplinary penalty may be imposed on a police officer, if the relevant disciplinary offence has been discovered within three months of committing it.

**PUBLIC ORDER DEPARTMENT OF
THE ROA POLICE**











