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## **FREEDOM OF PEACEFUL ASSEMBLY AND ASSOCIATION IN SOUTH CAUCASUS COUNTRIES**

Dear Ladies and Gentlemen!

It's my privilege and honor to address to you in the frame of today's meeting. Taking this opportunity I want to focus on the role of local advocacy institutions on ensuring fundamental rights, in particular freedom of assembly in the South Caucasus region. I will put an emphasis on the current situation observed in Armenian, Azerbaijan and Georgia.

Freedom of assembly constitutes one of the crucial parts of Fundamental rights and South Caucasus region can be considered as a geographic area where freedom of assembly is frequently violated. It would be appropriate if I start with Armenia as the citizens' right to freedom of assembly has increasingly been under attack in the country and this is done in an official level. I would like to inform our European colleagues that today official discussions with respect to putting restrictions on citizens' right to freedom of assembly is still underway in Armenia. Just recently during the government's meeting on August 14 proposals have been submitted to the government on making amendments on Freedom of Assembly. According to these proposals, amendments will be made with the purpose of putting an official restriction on citizens' rights to freedoms of assembly and self expression. Official circles justified these amendments as securing other citizens rights.

However, thanks to the discussions we had with our Armenian colleagues, we can say it without any hesitation that these amendments aim at preventing oppositional and free minded people to exercise their rights to freedom of assembly and self expression and organizing protests against government. We still hear news regarding torture and ill-treatment at police departments in Armenia. New amendments enacted by Armenian government on mass media leave pluralism under threat. I reckon Armenian

international partners do not sufficiently make use of their influence of making official Yerevan to carry out reforms in human rights field. In fact, indication of exercising rights to freedom of assembly has always been in a low level in Armenia. I want to recall incidents occurred in March 2008 when protestors took streets and police brutally crackdown and dispersed activists. Those responsible people who caused violence and ill-treatment did not bring to justice yet and the government openly refuses to investigate these incidents. As a consequence of March incidents 12 activists have been arrested, 10 protestors lost their lives and riot police who committed violent crackdown yet to be brought to justice. Conversely, investigations have been launched against 50 people who participated in these protests and 11 people still remain in prison.

Current president of Armenia Serzh Sargsyan who seized power in 2008 through the violation that he employed towards his citizens, declared war to his political opponents and oppositional mass media organizations. In this respect, I want to mention Nikol Pashinyan, opposition leader and editor-in-chief of the opposition-run newspaper "Haykakan Zhamanak" who was sentenced to 7 years imprisonment on fabricated accusations. The same year in November Nikol Pashinyan was attacked by two people wearing masks and beaten cruelly while he was under custody. However, governmental circles dismissed this incident. Despite of the report released by OSCE concerning to this case, official Yerevan disregards world communities' assessments and recommendations. It has to be mentioned that citizens' right to freedom of assembly is highly restricted during election period which once again indicates Serzh Sargsyan's repression policy. It would be appropriate to recall protest titled "Millions March" held in 2013 which is still discussed in Armenian society. The protestors faced violent crackdown of police and Chairman of the Tseghakron party Shant Harutyunyan who was organizer of the protest and 16 other activists were arrested and tortured at the police department. Investigation case is still underway on this case.

2013 fell in the Armenain history as the year that fundamnetal rights of civil people are frequently violated. In reffernce to the report released by the Human Rights Watchdog organization in 2013, police ill-treatment is observed not only during protests where political demands are made but also social demands orianted onces. Once again we wittness that the government under Sargsyan ruling turned to be police regime. As

for instance, during the demonstration held in downtown of Yerevan last year in August against the constriction of a tall building, police violently dispersed protestors. 26 protestors were arrested and one of them was brutally beaten at the police vehicle and hospitalized. Shortly after the peaceful demonstration, unknown persons attacked and beat social activists Hayk Arshamyan and Suren Saghatelyan in September 5. Just a day before that incident another activist Arman Aleksanyan was attacked and violently beaten by 10 unknown people. On August 25 the unknown attacked activists Mihran Margaryan and Babken Ter-Grigoryan while they were returning from the peaceful protest held in front of Yerevan Major building.

I would like also mention those who lost their lives in Armenia as result of torture. The information provided by the Armenian human rights advocacy organizations caused great frustration on us. On April 13, 2010, police detained 24-year-old Vahan Khalafyan and he died of knife wounds some hours later. Police said he stabbed himself with a knife and deny allegations of ill-treatment. The same happened to Levon Gulyan who was found dead following a police interrogation. I can enlarge this list. Unfortunately, human rights advocacy institutions which publicize these sorts of incidents face pressure of Armenian government. I would like also briefly comment on restrictions that our Armenian colleagues encounter. Head of Armenia's Helsinki Association Mikael Danielyan was shot at and physically assaulted by unknown people in the street. The investigation was allegedly closed due to lack of evidences.

With regard to situation in other countries, we observe some problems related to freedom of assembly field in Georgia.

If we have looks at a state of freedom of assembly in Georgia we will observe that these rights are adequately ensured until 2013 presidential election in country. However, some gaps emerged during the ruling government's power which came after the Mikheil Saakashvili's tenure was finished as president. Although presidential election held in Georgia on October 27, 2013 saw peaceful transfer of power new ruling party launched discrimination policy against the former ruling circles. Truth to be told these kinds of problems were exists even in the course of early 2013 in Georgia.

During the new government power of Georgia peaceful demonstrations, protests held by civilians, particularly supporters of opposition featured some provocations. Strangely

enough, police who witnessed these provocations sufficed to observe them and turned their blind eyes. Also I want to recall demonstration held in Tbilisi in front of Central Library on February 8, 2013. It was expected that Mikheil Saakashvili's would make a speech on that day. Hundreds of people gathered there insulted and abused activists of United National Movement (UNM) headed by Mikheil Saakashvili and Major of Tbilisi and in police presence they attacked to the protestors. Consistent turmoil within the political parties showed itself in streets and it ultimately deteriorates country's democratic reputation. It was evident that former government openly struggled with Mikheil Saakashvili and his supporters. At the moment, these political forces are in the power in Georgia and still continue prosecution and pressure against Mikheil Saakashvili. The Georgian chief prosecutor's office has put former President Saakashvili on its wanted list, pursues prosecution against Saakashvili's supporters and limits their rights to excises fundamental freedoms. Democratic society that Georgia could manage to ensure over the span of 1-2 years has been considerably exacerbating and with our deep sadness we observe this.