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ԳՈՐԾԵՐԻ ՆԱԽԱՐԱՐՈՒԹՅՈՒՆ  
MINISTRY OF FOREIGN AFFAIRS  
OF THE REPUBLIC OF ARMENIA

1/02836

The Ministry of Foreign Affairs of the Republic of Armenia presents its compliments to the Secretary General of the Council of Europe and in addition to the Note No of 2 March 2008 has the honour to inform him that the Republic of Armenia, a party to the **Convention for the Protection of Human Rights and Fundamental Freedoms**, in connection with the Decree of the President of the Republic of Armenia on Declaration of the State of Emergency in conformity with Article 55 paragraph 14 and Article 117 paragraph 6 of the Constitution of the Republic of Armenia, dated 1 March 2008, and pursuant to Article 15 paragraph 3 of the Convention, availed itself of the right of derogation from or limitation of application of the following provisions: Article 8 paragraph 1; Article 10 paragraph 1; Article 11 paragraph 1 of the Convention; Article 2 paragraph 1 of the Protocol No4 to the Convention.

The above decree extends the state of emergency to the city of Yerevan for a period of 20 days in order to prevent the threat of danger to the constitutional order in the Republic of Armenia and protect the rights and legal interests of the population, following the mass disorders, personal injury and considerable material damage, which took place in Yerevan on 1 March 2008 (see appendix).

The Ministry of Foreign Affairs of the Republic of Armenia requests the Secretary General of the Council of Europe to inform the State Parties about this derogation.

The Ministry of Foreign Affairs of the Republic of Armenia avails itself of this opportunity to renew to the Secretary General of the Council of Europe the assurances of its highest consideration.

H.E. Mr. Terry DAVIS  
Secretary General of the Council of Europe  
Strasbourg

Yerevan, 6 March 2008





ՀԱՅԱՍՏԱՆԻ ՀԱՆՐԱՊԵՏՈՒԹՅԱՆ ԱՐՏԱՔԻՆ  
ԳՈՐԾԵՐԻ ՆԱԽԱՐԱՐՈՒԹՅՈՒՆ  
MINISTRY OF FOREIGN AFFAIRS  
OF THE REPUBLIC OF ARMENIA

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The Ministry of Foreign Affairs of the Republic of Armenia presents its compliments to H.E. Mr. Ban Ki-moon, Secretary General of the United Nations Organisation and in addition to the Note Verbale No 14/02625 of 2 March 2008, has the honour to inform him that the Republic of Armenia, a party to the International Covenant on Civil and Political Rights, in connection with the Decree of the President of the Republic of Armenia on Declaration of the State of Emergency in conformity with Article 55 paragraph 14 and Article 117 paragraph 6 of the Constitution of the Republic of Armenia, dated 1 March 2008, and pursuant to Article 4 paragraph 3 of the Covenant, availed itself of the right of derogation from or limitation of application of the following provisions of the Covenant: Article 12 paragraph 1; Article 17 paragraph 1; Article 19 paragraphs 1-2; Article 21; Article 22 paragraph 1.

The above decree extends the state of emergency to the city of Yerevan for a period of 20 days in order to prevent the threat of danger to the constitutional order in the Republic of Armenia and protect the rights and legal interests of the population, following the mass disorders, resulting in human losses, personal injury and considerable material damage, which took place in Yerevan on 1 March 2008 (see appendix).

The Ministry of Foreign Affairs of the Republic of Armenia requests the Secretary General of the United Nations Organisation to inform the other State Parties about this derogation.

The Ministry of Foreign Affairs of the Republic of Armenia avails itself of this opportunity to renew to H.E. Mr. Ban Ki-moon, Secretary General of the United Nations Organisation the assurances of its highest consideration.

H.E. Mr. Ban Ki-moon  
Secretary General of the United Nations  
New York

Yerevan, 6 March 2008





## The March 1-2 Events: a Description

After the presidential elections, on February 20, L. Ter-Petrosian and his team started a sit-in on the Opera square and embarked on (illegal) daily rallies and marches without advising the authorized body aimed at the destabilization of the situation in the capital. At the same time, the political leadership stated time and again that it would not object to the rallies, and if notified by L. Ter-Petrosian and his cohorts, and would allocate reasonable time and venue. L. Ter-Petrosian evaded such notification so that he would not be held liable for the actions of the mob.

Inciting statements and appeals were made at the rally. Despite numerous warnings of the police as to the illegal nature of these actions, the latter continued to grossly violate public order and endanger public security. Tents were installed at the Opera square, loud music was played all night long, the demonstrators used to sing through loud speakers, and danced, violating calm in the areas adjacent to the square. In addition, the demonstrators reduced the vicinity to anti-sanitary condition.

In late February, numerous weapons and ammunition were discovered as a result of searches of some L. Ter-Petrosian's active supporters; this was covered by the mass media, arrests followed and confiscation minutes were compiled.

As far back as February 26, the Prime Minister and President-elect Serge Sarkisian offered cooperation to all the political forces including the establishment of a coalition government. On February 29, S. Sarkisian and former presidential candidate Arthur Bagdasarian signed a coalition cooperation agreement, as a result of which L. Ter-Petrosian and his team realized that there were no other political forces supporting them, and devised the destabilization of the situation in this country.

In late February, various police units obtained intelligence about the distribution of firearms, explosives, iron rods and clubs to the demonstrators for the organization of some events. There was intelligence about provocations and mass disorders to be organized on March 1 in the capital. Similar intelligence was obtained by the National Security Service. In the context of the previously discovered weapons and ammunition, this information was particularly alarming. This intelligence was reported to the RA President. After having analyzed the situation, the RA President instructed to take measures adequate to the intelligence as prescribed by law, to verify the intelligence, to seize the materiel and to defuse the situation.

About 7:00 a.m. on the 1<sup>st</sup> of March, 2008, unarmed police forces without shields and helmets approached the demonstrators in order to verify the intelligence and neutralize the danger by means of a search and appealed to them to enable the police to conduct the search. At that moment the police noticed that the demonstrators had built barricades out of local benches and other items. At that time there was no rally at the Opera square; there were about 900 people there. The police at that moment did not intend to remove the participants of the action from the square.

The demand to conduct a search was suddenly followed by the assault of the sit-in participants on the police. The demonstrators started to throw stones, pieces of wood, iron rods, Molotov cocktails, etc. Appeals were made to overthrow the authorities, and the self-esteem of the police was insulted. "Hedgehogs" made of iron rods were used, etc. Owing to the unpredictability and the nature of offences, the Chief of RA Police decided to support the unprotected policemen, as prescribed by law, and to deploy police forces armed with rubber batons, shields and helmets in the vicinity of the Opera in order to contain the riotous offences.

Owing to the unpredictability and the nature of offences, a decision was made to take adequate measures as prescribed by law. The offenders started to offer resistance with clubs, sharp cutting and puncturing instruments and metal rods. As a result of the clashes, police officers were wounded and taken to hospital. Police performed its duties only using rubber batons. No other special means were used during the action. As a result, the participants of the action were forced out of the square, a search was made, which confirmed the intelligence about weapons and ammunition. Also, explosives, Molotov cocktails, iron rods and wooden clubs and iron "hedgehogs" were found.

Some organizers and participants of the turmoil were taken to police stations, others fled and gathered at the Yerevan City Hall and the French Embassy. National Assembly members, the Ombudsman, and the representatives of city authorities met organizers of the demonstrators, particularly, with D.



Shahnazarian. They suggested to the organizers and demonstrators to hold the rally at the "Dinamo" stadium, then at the Rail Station square. Some other venues were also offered. However, after a consent given for a while, when the police retreated, the organizers, particularly, D. Shahnazarian and N. Pashinian, having contacted L. Ter-Petrosian, received instructions from that latter not to go anywhere, but continue the prohibited gathering at the same place in violation of the law. To stabilize the situation and establish accord, the Catholicos of All Armenians and neutral politician Paruyr Hairikian decided to meet L. Ter-Petrosian, but all the attempts to meet were rejected by L. Ter-Petrosian.

Moreover, the organizers of the demonstrators, particularly, N. Pashinian, H. Hakopian, Kh. Sukiasian, M. Malkhasian, and S. Mikaelian were instructed by L. Ter-Petrosian to build barricades at the Yerevan City Hall, the French and Russian Federation Embassies out of buses, trolleybuses and cars, to get armed with stones, iron rods, wooden clubs, and Molotov cocktails. The organizers also recruited their cohorts who possessed firearms and ammunition in order to attack the police forces and to spread the turmoil over the other sections of the capital.

The crowd around the Yerevan City Hall in the afternoon of March 1 was gradually getting uncontrollable and in the evening their actions were finally reduced to looting and pogroms.

The mob attacked the police forces equipped exclusively with rubber batons, shields and helmets with gun fire series, Molotov cocktails, iron rods, iron "hedgehogs", improvised fragmentation explosive devices and hand grenades. All this is documented by video footage.

It is important to point out that the clashes with the police took place 400-1000 meters from the venue of the rally at the Yerevan City Hall and the French Embassy. The police did not intend to use force or disperse the rally, but rather was at the site in order to maintain public order and to prevent the spreading of the turmoil by the rioters over the other parts of the capital.

For hours, small gangs of thugs separated from the 7000-strong crowd and burnt over two dozen private and police vehicles, and even ambulances in the nearby streets during mass turmoil. They destroyed buses and trolleybuses, devastated and looted the Moscow House, and nearby shops and offices. The windows of the City Hall and VivaCell offices were smashed. Gangs of intoxicated thugs assaulted the police forces and police officers.

Sabotage continued, and at 21:00 RA President was advised about the wounded among the police forces. To prevent further uncontrollable developments and unpredictable consequences, RA President, based on the right reserved to him under Article 55, paragraph 14 of the Constitution, after consulting the Prime Minister and the Speaker of the National Assembly, on March 1, at 22:30 local time announced emergency situation in Yerevan for the duration of 20 days. The National Assembly, on March 2, at 1:30 a.m. immediately convened a special session and approved the RA President's decree. According to the decree, the emergency situation is confined to Yerevan; the restrictions are minimal not to hamper the regular life in the city.