

**CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 19 OF THE CONVENTION**

Concluding observations of the Committee against Torture
(Extracts for follow-up of CAT/C/ARM/CO/4)

ARMENIA

(...)

C. Principal subjects of concern and recommendations

(...)

Statute of limitations, amnesty and pardon

(...)

8. Recalling its previous concluding observations (see CAT/C/ARM/CO/3, para. 10), the Committee urges the State party to repeal the statute of limitations for the crime of torture or other acts amounting thereto under the Criminal Code. The State party should also ensure that pardon, amnesty and any other similar measures leading to impunity for acts of torture are prohibited both in law and in practice. In this regard, the Committee draws the State party's attention to paragraph 5 of its general comment No. 2 (2007) on the implementation of article 2 of the Convention by States parties, in which it states that amnesties or other impediments which preclude or indicate unwillingness to provide prompt and fair prosecution and punishment of perpetrators of torture or ill-treatment violate the principle of non-derogability.

(...)

Excessive use of force during demonstrations

(...)

21. The Committee reiterates its previous recommendation (see CAT/C/ARM/CO/3, para. 20) with regard to investigations into the 10 deaths that occurred as a result of excessive and indiscriminate use of force by police in March 2008. As regards other allegations of excessive use of force against protesters, ill-treatment and denial of fundamental legal guarantees, including during the protests of June 2015 and 17 to 31 July 2016, the State party should:

(a) Ensure that prompt, impartial and effective investigations are undertaken into all such allegations, that the perpetrators are prosecuted and that the victims are provided with redress;

(b) Ensure that all law enforcement officers receive systematic training on the use of force, especially in the context of demonstrations, and the employment of non-violent means and crowd control, and that the principles of

necessity and proportionality are strictly adhered to in practice during the policing of demonstrations.

(...)

Deaths in custody, including suicides

(...)

34. The State party should take robust measures to prevent suicides and deaths in custody, inter alia, by:

(a) Establishing effective early prevention strategies and programmes and improving the identification of persons at risk of committing suicide;

(b) Providing timely and quality medical care to inmates, including psychological assistance, with a view to reducing drastically the number of deaths in custody owing to health issues and the number of suicides;

(c) Ensuring prompt, thorough, effective and impartial investigations by an independent body into all cases of death in custody, including suicides, the prosecution of persons suspected of having committed such acts and, if found guilty, their punishment in accordance with the gravity of their acts; and allowing independent forensic examinations of all cases of death in custody, permitting the family members of the victims to commission independent autopsies, ensuring that their results are accepted by courts as evidence in criminal and civil cases and providing redress to the families of victims.

The Committee also encourages the State party to launch a thematic investigation into the pattern of suspicious suicides in custody, with a view to establishing the possible complicity of police and/or prison staff and to bringing the perpetrators to justice.

(...)

Follow-up procedure

47. The Committee requests the State party to provide, by 7 December 2017, information on follow-up to the Committee's recommendations on the statute of limitations, amnesty and pardon; the excessive use of force during demonstrations; and deaths in custody, including suicides (see paras. 8, 21 and 34 above). In that context, the State party is invited to inform the Committee about its plans for implementing, within the coming reporting period, some or all of the remaining recommendations in the concluding observations.

(...)
