

## 1531<sup>st</sup> meeting, 10-12 June 2025 (DH)

### H46-3 Mushegh Saghatelyan group v. Armenia (Application No. 23086/08)

Supervision of the execution of the European Court's judgments

Reference document  
CM/Notes/1531/H46-3

#### *Decisions*

#### The Deputies

1. noted that these cases mainly concern disproportionate dispersals of peaceful assemblies and lack of effective remedy in this respect, persecution of its participants including by dismissal, and the courts' bias in favour of the police in trials related to assemblies;

#### *As regards individual measures*

2. in the case of *Mushegh Saghatelyan*, urged once again the authorities to rapidly complete the pending investigation and keep the Committee informed on its progress and outcome, underlining that the swiftness of the authorities' actions with regard to the reopened investigation is crucial to avoid the loss of evidence due to the passage of time;

3. in the case of *Ter-Petrosyan*, recalling their previous decision that no further individual measures are necessary, decided to close its supervision of this case and adopted Final Resolution CM/ResDH(2025)129;

#### *As regards general measures*

4. noted with satisfaction that important measures adopted by the authorities in recent years to ensure the proper exercise of the right to freedom of assembly, reflect their determination to resolve the issues raised in this group of cases in a comprehensive manner;

5. expressed concerns at reports about incidents of allegedly disproportionate and unnecessary use of force by the police during mass demonstrations and encouraged the authorities to further continue their efforts with a view to ensuring the exercise of the right to freedom of assembly by excluding undue and disproportionate interferences, as well as ensure further effective investigation into violations of the right to peaceful assembly and invited them to provide the Committee with the updated statistical data enabling it to assess the progress achieved;

6. invited the authorities to consider adopting further general measures, such as:

- high-level messages of tolerance towards peaceful assemblies;
- promoting a human rights-based approach to all aspects of the planning, preparing for and policing of public assemblies;
- further trainings for the Police Guard and other relevant police units on the lawful and proportionate use of force when policing assemblies; and
- ensuring an automatic and prompt review process into police actions in case force is used;

7. welcomed the information provided by the authorities as concerns the functioning of the domestic remedy for grievances under Article 11 (violation of Article 13 in conjunction with Article 11 in *Ter-Petrosyan*) and measures to prevent ungrounded dismissal of a civil servant following his participation in the opposition protest (*Hovhannisyan*), and decided to close their examination of these aspects of general measures;
8. invited the authorities to provide information on the general measures adopted to address the problem of the domestic courts' bias in favour of the testimony of the police in the proceedings concerning assemblies (Article 6 § 1);
9. invited the authorities to submit updated information by 1 October 2026.