



PROTECTION OF RIGHTS WITHOUT BORDERS NON-GOVERNMENTAL
ORGANIZATION

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Submission to the UN Special Rapporteur
on the Rights to Freedom of Assembly and Association
**about the Exercise of the Right of Freedom to Peaceful Assembly in
Armenia**



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This is the submission of the “Protection of Rights without Borders” NGO which possesses extensive experience in monitoring, documenting and reporting of human rights violations.

The “Protection of Rights without Borders” NGO (PRWB) was established in 2009. It’s a non-profitable organization, which aims at the protection of the human rights, strengthening the rule of law and good governance principles in Armenia. The PRWB is particularly specialized in the reform projects of rule of law, judiciary, as well as security sector. The Organization is in the capacity of conducting human rights trainings, documentation of human rights violations, conducting of sectorial evaluations, research, as well as human rights litigation.¹

The representatives of the PRWB had provided legal assistance to the participants of the peaceful assemblies and rallies during mass demonstrations in 2015 “Electric Yerevan” events, 2016 “Sasna Tsrer” events and 2018 “Velvet Revolution” events. Comprehensive reports on human rights violations during those events were prepared by the Organization, as well as in cooperation with other human rights NGOs².

More than 60 complaints had been submitted to the European Court of Human Rights by the lawyers of the PRWB related to violation of freedom of assembly and freedom of expression, unlawful deprivation of liberty and ill-treatment of participants by the police forces, as well as lack of effective remedy for the protection of violated rights at the national level.

¹ For more details, please see the webpage of the Protection of Rights without Borders NGO (PRWB): www.prwb.am

² PRWB and other NGOs, *Report on Human Rights Violations in Armenia during 17-30 July 2016*, summary, [Ջեկույց «Մարդու իրավունքների խախտումները Հայաստանում 2016 թվականի հուլիսի 17-30» համառոտ տարբերակ](#)



The right to freedom of assembly in Armenia

The Armenian “Law on Freedom of Assemblies”³ corresponds to the international standards in the field however in practice the exercise of the right is marred with numerous restrictions and violations. Often the exercise of the freedom of assembly has been interfered by police using violence against the demonstrators and the journalists covering the demonstrations, unlawful apprehension of participants, followed by charges and proceedings against them.

The Law on Freedom of Assemblies, however, bans “assembling in such distance from the residences of the President, the National Assembly, the Government, courts and penitentiary institutions which threatens their normal functioning”⁴. There are no objective criteria for assessment of the distance which threatens the normal functioning of the public body, thus giving the police wide discretion for interference.

Case 1

On 11 February 2015, 6 parents of soldiers who had died in non-combat situation in the Army gathered in front of the Presidential residence to demand the answer to their letter submitted to the President of RA. After several minutes police officers who disproportionately exceeded the number of gathered parents approached and demanded them to leave the place. Police officers used disproportionate force and degrading treatment against the parents dragging and pushing them to the other side of the road. One of the parents lost consciousness in result to the actions of the police officers and ambulance was called to provide medical assistance to her.⁵ Although the police officers were subjected to disciplinary liability for violation of ethical norms against the protesters it did not result in the restoration of the violated rights of the parents participating in the gathering. Moreover, the criminal investigation was terminated as the police actions were considered lawful. The administrative court proceedings against the police were not successful either.⁶ Such impunity and tolerance towards the brutality of police forces led to repetition of similar actions of police officers against the parents of dead soldiers on 13 May 2015.⁷

Apprehension of participants of gatherings and rallies

The police forces used apprehension as method of dispersal the gathering and causing chilling effect on other participants. Particularly, on 23 June 2015 during “Electric Yerevan” events 237 persons were apprehended and brought to police departments.⁸ During 17 July and 4 August 2016 mass demonstrations 775 persons were apprehended and brought to police departments, with 207 persons apprehended only on 29 July 2016.⁹ During 13-23 April 2018 “Velvet revolution” an unprecedented

³ The Law on Freedom of Assemblies was adopted on 14 April 2011.

⁴ Article 19.1.3 of the Law on Freedom of Assemblies

⁵ Epress.am, *Policers used force against parents of dead soldiers*, <https://www.youtube.com/watch?v=xm6miSbiu2k>

⁶ Aravot, *The Court rejected the suit of Gohar Sargsyan against police*, <https://www.aravot.am/2017/06/05/890025/>

⁷ Epress.am, <https://epress.am/2015/05/13/264953.html>

⁸ Civilnet.am, *Police: 237 persons were apprehended*, <https://www.civilnet.am/news/2015/06/23/police-comment-electricity-protest/272702>

⁹ The Armenian Times, *Police against citizens: 775 were apprehended*, <http://www.armtimes.com/hy/article/91748>



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number of 1236 persons were apprehended by police with the majority of persons being deprived of liberty on 22 April 2018, that was 363 participants of gatherings.¹⁰

The apprehended persons were either charged with administrative offence of “disobeying the lawful orders of police officers” under the Article 182 of the Administrative Offence Code of RA and administrative arrest was applied against them, or they were charged with criminal offence (see below). In many instances apprehended persons were kept in police departments longer after the time limit of administrative arrest (three hours) was expired.

On 17 July 2016, more than hundred participants of public gathering in “Azatutyun” square in Yerevan were apprehended and transferred to the 1033 Garrison of Police Forces in violation of national legislation and kept there for more than 17 hours without any justification and record.¹¹ During April 2018 “Velvet Revolution” events in many instances persons were kept in police departments for more than 9 hours without any justification.¹²

Criminal persecutions against the participants of the gatherings

Criminal law was abused by the authorities in order to restrict the right to freedom of assembly and to punish the participants for their activism. Particularly the Article 225 (Organization of and participation in mass disorders) and Article 225.1 (Organization and participation in assemblies in violation of the law) were widely used to prosecute and punish the participants of the peaceful assemblies for their political views and activism and to disperse the gathering having chilling effect on other participants. During both 2016 and 2018 mass events criminal cases under the abovementioned headings were initiated by the General Prosecutor and the Special Investigative Service and more than hundreds of participants of assemblies and rallies, especially those having active participation, were apprehended, arrested and detained in the frame of these criminal cases.

Particularly, the leaders of mass demonstrations during July 2016 events, including Davit Sanasaryan, Hovsep Khurshudyan, Armen Martirosyan from “Heritage” Party of Armenia, Andrias Ghukasyan and other political and civic activists were charged and detained under the Article 225 of the Criminal Code for organization and participation in mass disorders. The criminal case of Andrias Ghukasyan was transferred to the court and he was released by the court on 07 May 2018 only after the change of the Government¹³. The criminal charge in his case is still pending however after his release no court hearing has been scheduled. Criminal persecution against other persons was dropped and the criminal case was closed on 21 June 2018 that is after the change of the government¹⁴.

The criminal investigation on organization and participation in gathering in violation of law under Article 225.1 of the Criminal Code was terminated by the Special Investigative Service In December 2016.¹⁵

¹⁰ Lagir.am, During April events an unprecedented number of 1236 persons were apprehended by police <https://www.lagir.am/2018/06/21/357986/>

¹¹ PRWB and other NGOs, *Report on Human Rights Violations in Armenia during 17-30 July 2016*, summary, [Չեկնյոյց «Մարտի 17-30» համապատասխան տարբերակ](https://www.prwb.am/wp-content/uploads/2016/07/19/717057/), page 23; see also, Aravot, *Human rights NGOs: only in 17 July police apprehended more than 140 citizens of Yerevan, Gyumri and Vanadzor*, <https://www.aravot.am/2016/07/19/717057/>

¹² New.am, *Police: all 86 persons apprehended in 17 April were released*, <https://news.am/arm/news/446939.html>

¹³ Radio Liberty, *Andrias Ghukasyan was released*, <https://www.azatutyun.am/a/29213060.html>

¹⁴ Hraparak, *Criminal Prosecution against Martirosyan, Khurshudyan and Sanasaryan has been terminated*, <https://hraparak.am/post/5b2d14b05724f9386185f387>

¹⁵ PRWB and other NGOs, *Report on Human Rights Violations in Armenia during 17-30 July 2016*, <http://prwb.am/new/wp-content/uploads/2018/02/%D4%B6%D5%A5%D5%AF%D5%B8%D6%82%D5%B5%D6%81-%D5%84%D5%A1%D6%80%D5%A4%D5%B8%D6%82->



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During the April 2018 events, similarly, the leaders and active participants of gatherings and rallies were charged and arrested or detained under the Articles 225 and 225.1 of the Criminal Code of RA. Particularly, during 13-23 April 2018, 98 persons were arrested and 8 of them were detained as suspects and accused persons respectively. 31 out of 98 arrested persons had physical injuries. 16 persons were provided with medical assistance.¹⁶

Procedural guarantees of the persons deprived of liberty

At the police departments apprehended persons were not provided with procedural guarantees, such as the right to information on reasons for arrest, explanation of rights of the person deprived of liberty, right to make a call to inform relatives about their whereabouts and right to legal counsel, as well as the right to silence. In many instances lawyers were denied access to their clients at the police departments.¹⁷ Moreover, persons apprehended on suspicion of committing a criminal offence were interrogated not as suspects, but as witnesses.¹⁸ In some instances apprehended persons, especially young persons and minors were forced to give testimonies.¹⁹

III-Treatment of participants of gatherings and rallies

According to the information provided by apprehended persons, many of them were ill-treated by police during both in 2016 and 2018 mass demonstrations. There were instances of use of disproportionate force while apprehending persons, beatings during transfer and in the police departments, instances of inhuman and degrading treatment by police officers. There were cases of threatening persons by guns and to subject them to physical abuse. In many instances, apprehended persons were not provided with food, water and were not permitted to use toilet. Such treatment was especially widely used against persons who had refused to identify themselves. The frequency and methods of ill-treatment allowed concluding that it was aimed to disperse the gatherings and to prevent further participation of participants in rallies. Moreover, according to the information provided by the apprehended persons such treatment was accompanied by direct threats and demands to stop participation in demonstrations and rallies.

The persons who had participated in demonstrations and rallies were subjected to persecution by police and civilian persons both in Yerevan and regions.²⁰ The representatives of police visited their houses, apprehended their relatives in order to obstruct them from participation in demonstrations. The leaders and participants of demonstrations were subjected to physical abuse and persecution by

<https://news.am/arm/news/454727.html>
<https://www.prwb.am/reports/2016/11543284/armenia-berman-entarkvacner-pastaban.html>
<https://www.prwb.am/reports/2018/13-20-april-2018>
<https://www.prwb.am/reports/2018/18-april-2018>

¹⁶ The Statement of the Monitoring Group of Places of Keeping Arrested Persons, <https://news.am/arm/news/454727.html>

¹⁷ PRWB and other NGOs, *Report on Human Rights Violations in Armenia during 17-30 July 2016*, summary, available at [Չեկույց «Մարդու իրավունքների խախտումները Հայաստանում 2016 թվականի հուլիսի 17-30» համառոտ տարբերակ](https://www.prwb.am/reports/2016/11543284/armenia-berman-entarkvacner-pastaban.html), see also, PRWB, *Report on Human Rights Violations during Peaceful Assemblies during 13-20 April 2018*, available at: [Հաշվետվություն 2018 թվականի ապրիլի 13-20-ը խաղաղ հավաքների ընթացքում տեղի ունեցած մարդու իրավունքների խախտումների մասին](https://www.prwb.am/reports/2018/13-20-april-2018)

¹⁸ This was done to deny them the right to silence. In many instances the right not to give testimony against themselves was not explained to the apprehended persons. See HCAV, Information on events taking place in Yerevan: 18 April 2018, <http://archive.hcav.am/events/18-04-2018-01/>

¹⁹ ArmeniaSputnik, *Apprehended persons are being kept more than 3 hours and are being forced to give testimonies*, <https://armeniasputnik.am/armenia/20180419/11543284/armenia-berman-entarkvacner-pastaban.html>

²⁰ PRWB and other NGOs, *Report on Human Rights Violations in Armenia during 17-30 July 2016*, summary, available at [Չեկույց «Մարդու իրավունքների խախտումները Հայաստանում 2016 թվականի հուլիսի 17-30» համառոտ տարբերակ](https://www.prwb.am/reports/2016/11543284/armenia-berman-entarkvacner-pastaban.html)



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civilians to force them refraining from organizing and participating in the movements and gatherings.²¹ Moreover, the police officers witnessing the accidents of violence against the participants of gatherings did not intervene.²²

Use of special measures to disperse the gatherings

During mass demonstrations and rallies in 2016 and 2018 the police used special measures to disperse gatherings notwithstanding the Armenian legislation prohibits using of special measures against peaceful demonstrators. Particularly, the Law on Police provides that “it is prohibited to use special measures to stop peaceful gatherings, as well as gatherings that are in violation of the national legislation”.²³

In 2016 July events, special measures were used on 20 July and 29 July in result of which over hundred persons, including journalists were injured, such as hearing loss, eye loss, burns of different degrees, etc.²⁴

It should be mentioned, although there was sporadic violence used against the police representatives during gathering in Khorenatsi Street on 20 July 2016, the special measures were used not against the participants acting violently but against peaceful demonstrators standing more than 35-40 meters far from the police barricades.

On 29 July 2016 the leaders of the demonstration periodically stated that the demonstration was peaceful and requested the participants to keep calm and not to succumb to provocations. They requested the police officers to remove the provocateurs from the gathering, however such requests remained unanswered. Moreover, when some participants of the gathering used force against the police throwing stones in their direction, the police representatives failed to react and arrest them. Adversely, the persons who had used violence against the police officers joined them. After the police officers used the special measures persons in civilian clothes armed with iron and wooden rods continued to persecute and subject participants of demonstration to physical abuse.

On 20 July and 29 July 2016 police used 5 types of special measures such as “Fakel-S”, “Zarya-3”, “Svirel”, “Plamya-M” and “Drofa”. According to the statement provided by the police, on 20 July 2016 the following special measures were used against the demonstrators in Khorenatsi street: 24 non-fragmented stun grenade “Zarya-3”; 6 stun grenade “Svirel”, 4 hand stun grenade “Fakel-S”, 3 incendiary hand stun grenade “Drofa”. On 29 July 2016, the following special measures were used against the demonstrators in Sari Tagh: 20 hand stun grenades “Fakel-S”; 22 non-fragmented stun grenades “Zarya-3”; 13 stun grenades “Svirel”; 1 stun grenade “Plamya M”. The utilization of stun grenades as special measures are regulated the Law on Police and Law on Police troops, as well as the decree of the Minister of Health on Criteria of Use of Special Means against Human Beings. The letter, however, does not regulate the criteria of use of grenades “Zarya-3” and “Svirel” on human beings. Moreover, the Armenian legislation lacks any specific provision of the use of stun grenades during demonstration and public order policing environments and did not lay down instructions for their utilization.

On 29 July 2016 before starting to use force against peaceful demonstrators, the police intentionally and deliberately targeted the journalists in Sari Tagh as the first grenades fell in direction of media representatives, who had been asked by the police authorities to gather on a certain place, where, as the

²¹ PRWB, *Statement on Persecution against Davit Petrosyan*, <http://prwb.am/new/hy/2018/04/21/>

²² <https://www.youtube.com/watch?v=PRn8kzIFz64>

²³ *The Law on Police, Article 31: Use of Special Measures*, adopted on 16 April 2001.

²⁴ 129 forensic medical reports of victims have been examined.



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authorities stated, was safe. Attacking the journalists was aimed to hinder their professional work and to prevent the live coverage of the events in Sari Tagh. This was also proved by the fact that representatives of the police ordered the journalists to switch off the lights of recorders that made live coverage and recordings blurred and unclear.

It should be mentioned that both on 20 July and on 29 July 2016 the police launched stun grenades without prior warning and notification and did not provide the demonstrators adequate time to behave accordingly. Thus, the launch of special measures was unexpected for the demonstrators.

According to the information provided by the police, only 11 police officers reported about the use of special measures, including 3 on 20 July and 8 on 29 July 2016 although the Armenian legislation required the police officers immediately report about every utilization of special measures.

The injured persons were not provided with adequate medical treatment. On 29 July 2016 the police blocked the way out of Sari Tagh neighborhood, injured persons, including journalists were forced out of vehicles, etc.²⁵

On 3 August 2016 the criminal case was initiated on abuse of power of police officers on 29 July 2016. 63 persons were granted victim status within the criminal case. After more than 2 years pre-trial investigation the Special Investigative Service suspended the investigation on the criminal case on 18 September 2018 due to the absence of the person or persons who should be involved as accused²⁶, although the investigation provided that the use of stun grenades was ordered by the former Chief of Police Troops, Mr. Levon Yeranosyan and the investigation identified all police officers who launched special measures.

During the April 2018 events the police used special measures on 16 April in Baghramyan Avenue and 22 April in Artsakh Street. According to the information provided by the police, the following special measures were used: 4 non-fragmented stun grenades “Zarya-2”, 2 stun grenades “Svirel” on 16 April 2018, and 5 stun grenades “Svirel” on 22 April 2018.²⁷ On 16 and 22 April respectively 55 and 22 persons, including 7 policemen and 3 minors were transferred to medical centers.²⁸ 46 persons were injured in result of use of stun grenades. Related to these events a criminal case was initiated by the Special Investigative Service under Article 309 of the Criminal Code of Armenia abuse of powers by police forces. On 25 September 2018 the former Chief of Police Troops, Mr. Levon Yeranosyan was engaged in the criminal case as accused for using special measures against the demonstrators.²⁹ The criminal case is currently pending.

Minors’ right to freedom of assembly

The April 2018 events were notorious by wide participation of youth and children in gatherings and demonstrations accompanied with strikes. Due to their activism, children, their parents and family members were persecuted by school administration, as well as the police. Particularly, according to the

²⁵ A1Plus, *What happened in Sari Tagh? Story of journalist of A1Plus*, <http://www.a1plus.am/1477514.html> (04:30-09:25).

²⁶ PRWB, *The Special Investigation Service Suspended the Criminal Case Instituted in Regard to People, Who Suffered the Police Activities on July 29 of 2016*, <http://prwb.am/new/2018/09/24/the-special-investigation-service-suspended-the-criminal-case-instituted-in-regard-to-people-who-suffered-the-police-activities-on-july-29-of-2016/>

²⁷ Radio Liberty, *Police: 11 Special Measures have been used since 13 April*, <https://www.azatutyun.am/a/29214771.html>

²⁸ Lragir.am, *During April events an unprecedented number of 1236 persons were apprehended by police*, <https://www.lragir.am/2018/06/21/357986/>

²⁹ Radio Liberty, *Levon Yeranosyan was charged with criminal offence*, <https://www.azatutyun.am/a/29509304.html>



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information provided by the police 121 minor participants of demonstrations and rallies were apprehended and brought to police departments.³⁰

Many of the children were subjected to physical abuse while being apprehended, threats at police departments, e.g. to be separated from parents for years, etc. Cases were reported when parents were reprimanded for failure to look after their children and for the child's participation in demonstrations. Children were interrogated in absence of legal representatives and pedagogues as in breach of requirements of national legislation, as well as were kept in police departments for longer periods than allowed by national legislation.³¹

Lack of effective remedies for the protection of the freedom of assembly

Although criminal cases were initiated related to abuse of power by police during 2016 and 2018 events, no police officer was convicted for criminal offence. During 2016-2018 investigation identified persons who had conducted unlawful actions against journalists. 8 civilian persons were brought to justice and convicted for hampering the lawful professional activities of journalists on 29 July 2016 in Sari Tagh neighborhood. Meanwhile, no police officer was charged with criminal offence with regard to violence committed against peaceful demonstrators, as well as use of special measures. As it was mentioned above, the criminal investigation on 29 July 2016 events in Sari Tagh was suspended while the criminal investigation on abuse of power by police during 17-31 July 2016 events in Yerevan is still pending without any results.

Similarly, a criminal case on abuse of power by police representatives committed during 13-23 April 2018 mass demonstrations was initiated by the Special Investigative Service and 92 persons were granted victim status. However, no police officer who had committed violence and unlawful acts against citizens was identified and brought to justice.

According to the information published by police, during 9 months of 2018 608 internal investigations had been conducted by the Internal Security Department of Police and 185 police officers were reprimanded.³² According to the information of the Judicial Department, during the same period only one criminal case on ground of abuse of power by police officer was transferred to police which was related to July 2016 events.

It should be noted that administrative remedy against police officers is ineffective as the Administrative Court of RA provided that the terms "administrative act", "action" and "inaction" provided in the Administrative Procedure Code are not autonomous and correspond to the acts resulted from the administrative actions in the meaning of the "Law on Fundamentals of Administrative Action and Administrative Proceedings". The activities of administrative bodies which contain elements of criminal acts cannot be considered as administrative acts and subject to examination within administrative court proceedings because there is totally different, special procedure aimed at detecting the criminal acts and subjected to individual liability those conducted the crimes." Thus, if there are characteristics of crime in activities of officials concerned, the legality of those acts are to be examined within the initiated criminal proceedings (Judgment of Administrative Court no. ՎԴ/6967/05/16). This

³⁰ Lragir.am, *During April events an unprecedented number of 1236 persons were apprehended by police*, <https://www.lragir.am/2018/06/21/357986/>

³¹ News.am, *Minors were apprehended*, <https://news.am/arm/news/447003.html>; see also PRWB,

³² RA Police, *Statistics on work conducted by the Internal Security Department of the RA Police during 9 months of 2018*, 10 October, 2018, <http://www.police.am/news/view/nav101018.html>



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means that only after the final result of the criminal investigation the administrative court is eligible to examine the legality of actions of police officers under the administrative proceedings.

Right to freedom of association in Armenia

According to the “Law on Non-Governmental Organizations”, Article 24, if the source of NGO’s income was public funds (including funds of the state or municipality and other bodies and legal entities managing public funds), the organization is obliged to publish the required report on the website for organizations’ reports every year until the 30th of May. The report of the organization should include the name of the project and the place of implementation, the overall annual income (both financial and pecuniary) and the source of income, the use of funds and other property and expenses for statutory purposes, information on results of implemented projects, number of members and volunteers (due to 1 January of reporting year), number of sessions of the assembly and other collegial bodies of the organization, the location of the company. The same article of the Law provides that the organizations whose resources did not come from public funds shall have the right to publish the information provided in the Article, as well as information or materials on any results of its activities on the website for the reports published by the organizations.

On 29 October 2018 the State Revenue Committee published the draft on amendments and additions to the Law 33 which provides for stricter conditions and procedures for reports of organizations. According to the draft “the organization is obliged to publish annual report on the website for organizations’ reports until the 30 May proceeding the reporting year. The part related to the income source (both financial and pecuniary) shall consist of public and not public parts. The public part of the report includes the names of state and municipal bodies, name of the organization (legal entity), its residence and organizational and legal form, as well as group of persons according to the size of entries. The non-public part of the report includes name and surname of the physical person, the amount of entry made, if available, the passport details, the number of public services, residence or registration address, telephone number which are considered as personal data not subject to publication and which processing, transmitting to third parties and using are conducted by the competent public body in accordance with the law. The personal information related to the source of annual income published in the website can be included exclusively on the discretion of the Organization publishing the report in cases of existence grounds provided by law”. According to the Article 18 of the Law, the competent public body is the State Revenue Committee of RA.

Such restrictions and requirements for all NGOs working in Armenia are not justified by the authors of the draft; rather the aim of the draft amendments mentioned was “to avoid the distortions that have emerged during the implementation of the Law, as well as make the reports of the NGO’s publicly available”.

In such circumstances the state widely interferes with the enjoyment of the freedom of association without any legitimate aim. As it was noted by the Venice Commission, the aim of enhancing the transparency of NGOs “would by itself not appear to be a legitimate aim as described in the above

³³ Draft Law on Amendments and Additions to the Law on Non-Governmental Organizations, <https://www.e-draft.am/projects/1283/justification>



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international instruments, rather, transparency may be a means to achieve one of the above-mentioned aims set out in Article 11.2 of the ECHR”.³⁴

In addition, there is a duplication of the obligation to report. Particularly, the information required to submit in the report to the State Revenue Committee are being provided to the Tax Service of RA in the frame of tax annual report, which possesses detailed information about the financial expenses and tax liabilities associated to them, including income received, all expenses of the organization and their legal justification (such as number of the contract, invoice, the purpose of the expense, etc.). The information is provided in monthly basis, and the delay of submission of the report implies liability of the organization. In such circumstances, the reporting obligation gives rise to the issue of proportionality.

Moreover, notwithstanding there may be situations giving the government well founded reasons to require the disclosure of an identity of those who make donations to a NGO; such disclosure should not be automatically required. This might cause a chilling effect on existing and potential donors of the NGOs and running the risk of limiting NGOs’ access to resources to address people’ needs and human rights issues in the country. It should be mentioned that the requirement to disclose information of all donors was not based on the prior impact assessment and any evidence of criminality and wrong doing on the side of the NGOs. Thus, this gives rise also to the issue of legitimacy of the measure.³⁵

³⁴ Venice Commission, OSCE/ODHIR, Joint Opinion on the Romanian draft NGO Law, par. 64; see also paras. 12-14; Opinion on Federal Law N. 121-FY on Non-Commercial Organisations (‘Law on Foreign Agents’) and on Federal Law N. 10—FZ on Making Amendments to the Criminal Code (“Law on Treason”) of the Russia Federation, paras. 58-59. (hereinafter: Opinion on the Russian NGOs Foreign Agent Law). Expert Council, Opinion on the Romanian draft NGO Law, paras. 4-5, 56-59

³⁵ Venice Commission, OSCE/ODHIR, Joint Opinion on the Romania draft NGO Law, paras. 65-67, 70.