EUROPEAN COURT OF HUMAN RIGHTS
COUR EUROPÉENNE DES DROITS DE L'HOMME

FIFTH SECTION

DECISION

Applications nos. 9787/17 and 9788/17
Anush HARUTYUNYAN against Armenia and
Maksim SARGSYAN against Armenia

The European Court of Human Rights (Fifth Section), sitting on 18 June 2026 as a Committee composed of:

Andreas Zünd, *President*,
Vahe Grigoryan,
Sébastien Biancheri, *judges*,
and Viktoriya Maradudina, *Acting Deputy Section Registrar*,

Having regard to the above applications against the Republic of Armenia lodged with the Court under Article 34 of the Convention for the Protection of Human Rights and Fundamental Freedoms ("the Convention") on the various dates indicated in the appended table,

Having regard to the observations submitted by the respondent Government and the observations in reply submitted by the applicants,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The list of applicants and their representatives is set out in the appended table.

From 17 to 30 July 2016 the Armenian capital was rocked by protest rallies in connection with the seizure of the Patrol Service Regiment of the Armenian Police ("the PSR") by a group of armed men.

The applicants alleged that on 18 July 2016 they had been arrested during a protest held at Khorenatsi street, not far from the PSR building. They submitted news articles and video material in support of their claim.

As regards the first applicant (application no. 9787/17), video footage submitted showed two women being interrupted by the police while drawing a political poster. At some point, the applicant stepped in – unclear from where – attempting to stop the police from arresting those women, allegedly her friends. The footage further showed that the applicant was placed in a police vehicle together with those women.

As regards the second applicant (application no. 9788/17), video footage showed him standing in a small square with a number of journalists. Police officers approached him and took him into a restraining hold. The applicant asked what was required of him, but a response could not be discerned. The footage seemed to suggest that he had been placed in a police vehicle. The applicant claimed that his friends had sent a lawyer to the police station to provide him legal aid.

The applicants did not apply to any domestic authority, claiming that no effective remedy had been available at the domestic level.

The applicants' complaints under Article 5 § 1 of the Convention, concerning their allegedly unlawful and unacknowledged arrest, and under Articles 10 and 11 of the Convention in relevance to the allegedly unlawful and disproportionate measures against organisers and participants of public assemblies, as well as the second applicant's complaint under Article 5 § 2 of the Convention were communicated to the Armenian Government ("the Government").

THE LAW

A. Joinder of the applications

Having regard to the similar subject matter of the applications, the Court finds it appropriate to examine them jointly in a single decision.

B. Complaints under Articles 5, 10 and 11 of the Convention (unlawful and disproportionate measures against organisers and participants of public assemblies, including arrest)

The applicants, relying on Articles 5, 10 and 11 of the Convention, complained of the events during the demonstration on 18 July 2016, and in particular of their arrest and alleged unacknowledged detention, and interference with their right to freedom of assembly.

The Government disputed the applicants' account of events, having in particular argued that the applicants had not raised these complaints before any domestic authority. The Court does not need to address the Government's objections as regards the exhaustion of domestic remedies since, having examined all the material before it, it considers that the complaints are in any event inadmissible for the following reasons.

The Court observes that the only evidence submitted by the applicants in support of their claims of unlawful arrest and detention is news articles and the video footage described above. However, while the said video footage suggested that the applicants may have been restrained by police officers or placed in a police vehicle, it is plainly insufficient for a finding that they had been subjected to an unlawful arrest in breach of Article 5 § 1 of the

Convention, or that there has been an interference with their rights under Articles 10 or 11 of the Convention. Specifically, the short video recordings (around two-minute-long) do not provide any details regarding the context and circumstances of both incidents. They do not disclose the precise circumstances in which those measures were taken, their duration, or the events that preceded or followed after the applicants were restrained or placed in a police car. Most importantly, they do not establish the alleged unlawfulness of the arrest or the subsequent detention. Nor do they substantiate the applicants' allegations concerning the interference with their rights to freedom of expression or freedom of assembly. In the absence of any contextual elements, the applicants' assertions remain merely speculative.

The Court further observes that no domestic authority established the relevant facts. Yet, despite claiming that the arrest had been unrecorded and the remedies had been unavailable, the applicants failed to make any meaningful effort to obtain additional evidence, for example witness evidence, or otherwise substantiate their version of events, all the more so as the second applicant had been allegedly assisted by a lawyer during his police custody.

The Court is mindful of the fact that a number of demonstrators were arrested in the course of the protest rallies of 17-30 July 2016. However, such a general context, including the applicants' allegation that their arrest had been unrecorded, does not dispense them from the obligation to corroborate their allegations with relevant and sufficient evidence. Having regard to the foregoing, the Court finds that, given the circumstances of the present case and the Court's fundamentally subsidiary role, the applicants were under an obligation to collect evidence to substantiate their allegation, including by applying to competent domestic authorities which could have facilitated that task (see, *mutatis mutandis*, *H.M. v. Sweeden* (dec.), no. 10859/24, 9 December 2025).

In view of the above, the Court finds that the applications are manifestly ill-founded and must be rejected in accordance with Article 35 §§ 3 and 4 of the Convention.

For these reasons, the Court, unanimously,

Decides to join the applications;

Declares the applications inadmissible.

Done in English and notified in writing on 9 July 2026.

Viktoriya Maradudina Acting Deputy Registrar	Andreas Zünd President

APPENDIX

List of applications raising complaints under Articles 5, 10 and 11 of the Convention
(unlawful and disproportionate measures against organisers and participants of public assemblies, including arrest)

No.	Application no. Date of introduction	Applicant's name Year of birth	Representative's name and location
1.	9787/17 18/01/2017	**Anush HARUTYUNYAN** 1987	Melkonyan Araks Yerevan Maralyan Anna Strasbourg
2.	9788/17 18/01/2017	**Maksim SARGSYAN** 1987	Melkonyan Araks Yerevan