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CONFERENCE OF PROSECUTORS GENERAL OF EUROPE

The role of public prosecution in the protection of human rights and public interests outside the criminal law field

*organised by the Council of Europe and the Prosecutor General's Office
of the Russian Federation*

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**“Issues of protection of human rights and public interests in the work of the
Coordinating Council of the Prosecutors General of the Member States of the
Commonwealth of Independent States”**

**Presentation by Agvhan Hovsepian
Prosecutor General of the Republic of Armenia**

Dear Ladies and Gentlemen,

Let me firstly welcome all my colleagues and the participants of the Conference, and stress that we highly appreciate the joint efforts of the Council of Europe and the Prosecutor General's Office of the Russian Federation to organize and hold the Conference that underlines the importance and necessity to bring together the prosecutors of the European countries. This is an important event that contributes to strengthening the Rule of Law and law-order not only in Europe but also in CIS countries.

The theme of the Conference "The Role of the Public Prosecution in the Protection of Human Rights and Public Interests Outside the Criminal Law Field" is very actual and essential for now days.

Mutual agreement and joint efforts in actions, enlargement of the co-operation between CIS countries Prosecutors in the field of human rights and freedoms are the basic issues of the Coordinating Council¹ that was founded according to the joint decision of the Prosecutor Generals, dated December 7, 1995.

According to the decision of the Head of States Council of CIS countries dated January 25, 2000, the status of International Body was awarded to the Coordinating Council.

A human being - his/her dignity, is considered as having great value. And the States warrantee the protection of fundamental human rights and freedoms in accordance with the concept and norms of the International Law. Due to that Coordinating Council pays special attention to protection of human rights and their public interests.

Twice a year the Coordinating Council holds its conferences in one of the CIS countries where the most actual issues on prosecutorial functions are discussed. During last five years the Coordinating Council has paid special attention to the issues of protection of human rights and their public interests.

The issue of "Human Rights Protection, Mostly of Those that are out of Their Home Country, within the Territory of the CIS Countries" has been discussed on the Conference hold by the Council in Bishkek. The issue of "Role of Prosecutorial Supervision over Implementation and Application of the Law in the Sphere of Human Rights and Freedoms, as well as of Public and State Interests" has been discussed on the Conference held in Kiev in 2004. Later, such topics like "Cooperation of the Prosecutor General's Offices of the CIS Countries in Counter-Terrorism Fight", "Cooperation of the Prosecutor General's Offices of the CIS Countries in Protection of Rights and Freedoms of Minors", "Cooperation of the Prosecutor General's Offices of the CIS Countries Against Corruption", "Cooperation of the Prosecutor General's of the CIS Countries Against Trafficking in Human Beings" have been discussed within the frame of Conferences held by the Council. According to the decision of the Coordinating Council, held in Yerevan on October 9, 2007, the issue of supervision over human rights protection, mostly of those that are out of their home country, was established as a priority issue in the frame of functions of CIS countries Prosecutor's Offices.

Above mentioned materials are available on the web site of the Council as well as are published in the periodical "Prosecution & Investigation Practice". Moreover, the Coordinating Council periodically monitors the implementation of the Decisions held and the Conventions concluded by the Council.

It should be also mentioned that Coordinating Council participates in preparation and implementation of the Program of co-operation between CIS member state.

Therefore, I would like to mention, that one of the means of prosecutorial supervision over human rights protection, mostly of those who are out of their home country², is receipt and

¹ Coordinating Council of the Prosecutors Generals of the Member States of the Commonwealth of Independent States

² Can be citizens of RA or foreigners

consideration of the statements of those people with the request to take into consideration the information on violation of their rights and freedoms within the territory of the CIS countries.

Bases on the convention “On Legal Assistance and Legal Relations on Civil, Family and Criminal Cases” done in Minsk City, on January 22, 1993, once receiving such statement, it is sent to our corresponding counterpart – Prosecutor General’s Office of the foreign country with the kind request to consider it on the territorial basis. Later, the results are reported by the requested Prosecutor General’s Office to the requesting party and the claimant. In this way the mechanism of prosecutorial supervision is established to overview the violations of rights and freedoms of the citizens that are out of their home country.

Let me also present situation of human rights protection by the Prosecutor General’s Office of the RA.

Due to co-operation with Council of Europe huge law reforms in judicial, prosecution as well as in whole law-enforcement systems of the Republic of Armenia have been made. The mechanisms for development of the legislation and law-implementation practice in the sphere of human rights have been created. The law reform is still current in Armenia. The Prosecutor’s Office is considered as one of the main instruments to ensure legality.

Step by step, the authority of the law and the rights is getting up, the inertness of state bodies in problem solving of sharp legal issues is overcome. The active struggle against organized crime, corruption, trafficking in human being, as well as towards other crimes and violations has been held, underlining protection of human rights and freedoms as the basic and unchangeable function of the prosecutor’s system.

The other direction in protection of human rights and public interests is ensured by co-operation with the Prosecutor Generals Offices of the foreign countries on the basis of bi-lateral agreements.

Such memorandums on mutual legal assistance have been concluded with the Prosecutor General’s Offices of the Russian Federation, Republic of Lithuania, Republic of Belarus, Georgia, Republic of Latvia, Republic of Kazakhstan, Republic of Slovakia, Republic of Hungary, Public Republic of China, United Arabian Emirates and with others.

Dear Colleagues,

The Coordinating Council is aimed to continue the reinforcement of the system of constitutional warranties of human rights and freedoms.

Prosecutor General’s Office of the Republic of Armenia is ready to keep business and partnership relations co-operating not only with its counterpart Offices of CIS or European countries, but also with international right-protection organizations. This co-operation has common goals and values for every state and the united efforts are needed to struggle against the common goals – human rights protection.

Concluding, I have to mention, that the frame of problems related to the human rights protection in modern conditions is rather large, and not every relation related with right-protection activities could be regulated or covered by legislation.

One more time I express my gratitude to those who have organized and participated in the Conference and I believe that this forum will reinforce and consolidate our joint efforts in the human rights problem-solving and will ensure the grounds for mutual cooperation.

Armenians say “All decent people shall be friends with each other, since scoundrels are in friend-team for a long time”

Thank you for attention.