

The crime has remained unpunished because of the fault by the Prosecutor General's Office: Ombudsman

Due to insufficient supervision by the Prosecutor General's Office, the right of a woman residing in Vanadzor has been violated. The woman informed the Prosecutor General that her husband had broken the lock of their apartment's door, collected household items in the guestroom and burned them. So, instead of resolving the dispute on maintenance of the common shared property by court procedure, the husband has arbitrarily determined the fate of the property, by depriving the wife of co-ownership rights. However, both the investigation body and the General Prosecutor's Office refused to initiate criminal proceedings based on the wife's crime report, reasoning that the damaged and destroyed property belonged only to the couple by the right to common property.

The woman has applied to the Human Rights Defender. After examining the Case, the Defender Karen Andreyan has provided a written notice to the Prosecutor General's Office on the revealed violations; however, the Prosecutor General's Office didn't admit the existence of those violations. Meanwhile, the Criminal Code provides punishment for the arrogation. Taking this into account, the investigator should have considered the existence of the issue of arrogation in the husband's action. And the Prosecutor should have eliminated the decision on refusing to initiate criminal proceedings, as well as should have initiated criminal proceedings. Also, the inaction by the Prosecutor's Office was unacceptable.

As a result, the Ombudsman has issued a Human Rights Infringement Decision. The woman has been deprived of the opportunity of efficient legal protection because of the unconscientious actions by the Prosecutor General's Office. The Defender urges the Prosecutor General's Office to discuss the issue of eliminating the refusal of initiating criminal proceedings and to impose disciplinary liability on the prosecutor.

Staff of the Human Rights Defender