

The Ombudsman's Support to "Joghovurd" Daily Newspaper

The Ombudsman's Support to "Joghovurd" Daily Newspaper, Our Society Suffering from Courts, as well as to Judges who have Remained Fair under the Pressure of the RA Court of Appeals and the RA Council of Justice

Due to the court the "Joghovurd" daily newspaper is in a thorny situation. Again due to the court our society has been even in a more difficult situation for already two decades. The RA Court of Appeals (17 people) and the RA Court of Universal Jurisdiction (11 people) are to be blamed for the current situation of our court and our society. Many don't know who those people are because of whom a whole society suffers and today already one daily newspaper (you can find them through the following link www.court.am). Many don't realize well how those 28 people are related to the customs worker who destroyed their business, to the employer who left them unemployed, to the wealthy man who deprived them of their house, to the policeman beating them, to the monopolists impoverishing them, in a word, to people who instigated them to emigration. They are definitely to blame for all this (actually their decision making majority).

Today the media is exposed to danger of closure because of the first instance judge illegal decision which not only is in contradiction with the binding decision of the Armenia's Constitutional Court, but also with a number of norms of the international right. The Constitutional Court has clearly defined that "when determining the legitimacy of the compensation claim, courts are obliged to take into account journalists' means, income amount in order not to determine for them disproportionately serious financial burden which will have a negative decisive financial influence on the journalist's activity". Such court decisions later cause a great material and moral damage to our State in Strasbourg court. (In order to prevent at least a part of expected contradictions from the judicial system, we wish to note that in fact we don't interfere, and this estimation only refers to the interim final judicial act).

In Armenia any judge permits himself to make an illegal decision or a decree as the Court of Appeals will not always quash that obvious illegal decree and the Council of Justice will not expose the judge to liability for it. A judge can be free of everyone and everything but never of the "powerful" members of those two bodies. A judge can ignore the law, the Constitutional Court decision, the international law norm, but never the illegal inner instruction of the "zonal" judge of the Court of Appeal. This time without even touching upon the judicial corruption, its manifestations, amounts and mechanisms, we can repeat that this system is a stigma for our state, is the source of all the pains in our citizen's life, and as Hrayr Tovmasyan noted is the heel of Achilles in our judicial system.

We express our support to the "Joghovurd" daily newspaper, our society suffering because of our courts, as well as the judges who remained fair under the pressure of the RA Court of Appeals and the RA Council of Justice.

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