

Human Rights Violation by the Prosecutor's Office

Prosecutor's Office violated the right of the woman who had drunk peroksid solution in the Ombudsman Office out of despair.

Ms. Anahit Vardanyan upon return from a journey found out that her neighbor got possession of her small house on the garage and its furniture. With respect to the case she applied to the Police; however, the case was considered as civil one by the Police, and no criminal case was initiated. While studying the decision on the refusal given by Shirak Criminal Investigation Division to initiate a criminal case it becomes obvious that the explanations were controversial, and only initiation of a criminal case could lead to face to face interrogations and revealing of various circumstances. Consequently, the refusal of initiation of a criminal case is a violation of the citizen's rights.

Moreover, the Police was late with the decision of refusal of initiating a criminal case, thus violating the 10 days period prescribed by Article 180 of the RA Criminal Code. The Article does not provide any cases of extension of the 10 days period. So the clear requirement of the Law was also violated.

Endowing the Prosecutor's Office with broad supervisory powers in pre-trial proceedings pursue several important purposes, that is exclusion of law violations in preliminary stages of investigation, rapid detection of crimes and guarantees for proper performance of human rights. In Ms. Vardanyan's case the Prosecutor's improper supervision led to the violation of performance of preliminary investigation, as well as to a violation of women's rights protection.

Owing to Ombudsman's intervention previously Ms. Vardanyan's right to obtain social aid was restored, but the issue of protection of her procedural rights remains unsettled.

Siranush Harutyunyan,

Head of International Cooperation and
Strategic Development Department

Staff of the Human Rights Defender
of the Republic of Armenia

Address: 56A Pushkin str, Yerevan, Armenia

Tel: (37410) 53 88 42; (37477) 36 11 49

Email: s_harutyunyan@ombuds.am

siranush.harutyunyan@yahoo.com

Website: www.pashtpan.am