

## **THE ANNOUNCEMENT OF THE ADVOCATES' RIGHTS DEFENCE COMMITTEE CONCERNING THE BREACH OF ADVOCATES' RIGHTS DURING THE RECENT DAYS**

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### RESOLUTION

About the announcement of hindering the working process of the advocates by the Police of RA

The advocates' Rights Defense Committee of RA (henceforth the Committee) with a broadened staff and the participation of the coordinator of the Committee Karen Mejlumyan, the members of the Committee Gegham Hakobyan, Liana Balyan and Arman Khachatryan, in the presence of the coordinator of the Rapid Response Committee of the Chamber of Advocates of RA Gevorg Mkrtchyan, advocates Arsen Mkrtchyan, Ara Karogiozyan and keeping in mind the announcements of the lawyers who had provided legal assistance to the arrested protestors concerning the breach of their rights has clarified the following.

During the recent days the policemen of RA have been arresting the participants of the meetings in Khorenatsi street of Yerevan city.

The persons who had been arrested according to the 27-th article of the Constitution of RA have the right of personal freedom and according to the 1-st part of the 64-th article they have the right of getting legal aid and to ensure it there is the 2-nd part of the same article that guarantees independence, self-governing and legal equality of the lawyers on which their work is to be based. The right of getting legal help by means of advocates anyhow can't be limited in any case.

According to the "Advocacy Law" of RA:

In the 5-th article it is said that the work of advocate is a kind of activity called to protect the rights, freedoms and interests of the person getting legal aid by all means and ways not prohibited by the law.

- In the 21-st article are defined the guarantees for the advocate's work, according to them the advocate is independent in realization of his work and the interfering into his working process by public organs and local self-governmental organs is prohibited, moreover in these organs the advocate must be provided by the officials of these organs with the right of separate, free and isolated communication with his client.

Such kind of guarantees are defined for the advocate's activity by the Constitution of RA and the laws are to ensure the person's right of getting legal help and according to that the 3-rd article of the Constitution tells that the obligation of public government is to respect that right and the latter is restraint by that right, as a right working in a direct manner.

Though the arrested participants of the meeting have the right of personal freedom and the right of getting unlimited legal help in any case and the police is obliged to respect that right as a right working in a direct manner, there were numerous cases when the arrested ones were kept in imprisonment by the police for a much longer period than the limited 3 hours, and the lawyers who came to show them legal help weren't allowed for at least several hours to meet their defendants and provide them legal help.

Summarizing the afore-mentioned:

The Committee of Defence of the Advocates' Rights of the Chamber of Advocates of RA strictly condemns the illegal limitation of the rights of advocates and their defendants and demands from the Police of RA and other governmental organs from now on not to hinder the realization of the advocates' authority and to call to responsibility the ones who have acted that way.

A reminding:

According to the 1-st part of the 332.3 article of the Criminal law of RA hindering the realization of the advocate's authority by an official is considered to be a crime against the justice.

The Committee of Defence of the Advocates' Rights of the Chamber of Advocates of RA

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