

The Chamber of Advocates Suggests to Eliminate the Regulation of the Judicial Code assigning judicial fine on the advocate and the prosecutor

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The Chamber of Advocates of RA turned to the President of the National Assembly of RA and The Minister of Justice of RA suggesting:

-To eliminate the regulation imposing fine on advocates and prosecutors from the Judicial Code law draft of RA (hereinafter Draft). To leave the solution of the matter to the Procedural Codes.

-to formulate part1, article 74 of the Draft as following:

"1. The prosecutor participating in the case and the advocate participating in the case examination as a representative of the party or the defense shall not be expelled from the courtroom and may not be subject to judicial fine unless otherwise provided by procedural codes. "

The Chamber of Advocates along with other arguments presented the proposal:

-taking into consideration that such an urgent adoption of this vital issue can lead to unpredictable consequences, and it is hard to organize an effective discussion of the draft, adopted by the first reading in the National Assembly of RA, in this short period of time

- considering the fact that, according to Article 173 (21) of the draft, the rules of Chapter 12 of the Judicial Code are applied to advocates and prosecutors from 1 January 2019, consequently, the absence of an urgent need for the settlement of this issue becomes evident,

- taking into account the fact that the Chamber of Advocates of RA will have the opportunity to present its arguments comprehensively, as well as the viewpoint of the authoritative international bodies on this issue.

The Chamber of Advocates of RA also turned to the CCBE in order to get the latter's viewpoint.

Download the proposal

Tsovinar Khachatryan

The Press Speaker of the Chamber of Advocates of the Republic of Armenia

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