

Council of Europe
The Secretary General

Strasbourg, 6 February 2017

Dear Mr Sakunts,

Thank you very much for having sent me a copy of the Helsinki Citizens' Assembly – Vanadzor's report on the draft Law on the Republic of Armenia's Human Rights Defender.

I should also like to thank you for having shared this report with the Venice Commission of the Council of Europe before it drafted its Opinion on this draft Law, which was adopted by its Plenary Session in Venice, Italy, on 9-10 December 2016.

The Venice Commission's rapporteurs and the secretariat found the Helsinki Citizens' Assembly – Vanadzor's report very helpful and I would like to thank you for having shared it with them.

You should know that the Venice Commission concluded in its Opinion that the draft Law largely complied with European and international standards, but suggested that a number of important recommendations be taken into account.

These recommendations include providing for a transparent competitive selection of the Human Rights Defender, which should include proposals from civil society and from political parties in order to enable the selection of highly qualified candidates so as to provide legitimacy to the process.

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Mr Artur Sakunts
Helsinki Citizens' Assembly – Vanadzor

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The Venice Commission also recommended including express provisions on the functional immunity of the Defender, the Defender's staff and experts of the National Prevention Mechanism for words spoken or written, recommendations, decisions and other acts undertaken in good faith while performing their functions.

In addition, the Venice Commission recommended that the Human Rights Defender as the National Prevention Mechanism should have access to all private and public institutions where persons are held against their will, including "semi-closed" institutions and guarantee the institutional participation of NGOs in its work.

You will find the Venice Commission's opinion on the following site:
[http://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD\(2016\)033-e](http://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD(2016)033-e)

Yours sincerely,

A handwritten signature in blue ink, consisting of a stylized 'T' followed by a horizontal line and a small loop at the end.

Thorbjørn Jagland