MEDIATION IN CRIMINAL PROCEEDINGS IN KAZAKHSTAN AND FOREIGN COUNTRIES: COMPARATIVE LEGAL ANALYSIS

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ABSTRACT

Objective: the purpose of this study is to consider the essence of mediation in criminal proceedings and determine its characteristics in the foreign legal system to improve national legislation.

Theoretical framework: theoretical materials were based on international scientific publications, reports, and scientific papers. And also for a more complete and objective presentation of the problem being studied, practical materials from criminal cases were used.

Method: is a dialectical method of understanding general patterns and particular manifestations of the essence of phenomena of objective reality. The comparative legal method made it possible to qualitatively study foreign legislation from the point of view of legal regulation of mediation in criminal proceedings, especially the experience of France, and in this regard, implement it into national legislation. The logical method made it possible to analyze the mechanism for implementing mediation in criminal proceedings and identify its components that need improvement.

Results and conclusion: mediation relieves the parties from the formal procedures inherent in judicial proceedings, from coercion, without which the exercise of judicial power is unthinkable. The personal participation of the parties in resolving the dispute, their joint search for a way out of the conflict, awareness of the need to find a mutually acceptable condition within the framework of law while respecting the legitimate interests of each party allows them to appreciate the meaning and significance of the law in their everyday life, provides experience in lawful behavior and a legal way out of conflict situations.

Originality/value: the value of the study lies in the fact that, on the basis of theoretical and legal analysis and the study of practical experience, it seems possible to improve the mechanism for implementing mediation in criminal proceedings in national legislation.
Mediation in Criminal Proceedings in Kazakhstan and Foreign Countries: Comparative Legal Analysis

Keywords: mediation, mediation agreement, criminal proceedings, alternative method, mediator.

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MEDIAÇÃO EM PROCESSOS PENAIS NO CAZAQUISTÃO E EM PAÍSES ESTRANGEIROS: ANÁLISE JURÍDICA COMPARATIVA

RESUMO

Objetivo: o objetivo deste estudo é considerar a essência da mediação no processo penal e determinar suas características no ordenamento jurídico estrangeiro para aprimorar a legislação nacional.

Referencial teórico: os materiais teóricos foram baseados em publicações científicas internacionais, relatórios e artigos científicos. E também para uma apresentação mais completa e objetiva do problema em estudo, foram utilizados materiais práticos de processos criminais.

Método: é um método dialético de compreensão de padrões gerais e manifestações particulares da essência dos fenômenos da realidade objetiva. O método jurídico comparado permitiu estudar qualitativamente a legislação estrangeira do ponto de vista da regulamentação jurídica da mediação em processo penal, especialmente a experiência da França, e, neste sentido, implementá-la na legislação nacional. O método lógico permitiu analisar o mecanismo de implementação da mediação em processo penal e identificar os seus componentes que necessitam de melhorias.

Resultados e conclusão: a mediação liberta as partes dos procedimentos formais inerentes ao processo judicial, da coação, sem a qual o exercício do poder judicial é impensável. A participação pessoal das partes na resolução do litígio, a procura conjunta de uma saída para o conflito, a consciência da necessidade de encontrar uma condição mutuamente aceitável no quadro da lei, respeitando simultaneamente os interesses legítimos de cada parte, permite-lhes apreciar o significado e importância da lei em sua vida cotidiana, proporciona experiência em comportamento lícito e uma saída legal para situações de conflito.

Originalidade/valor: o valor do estudo reside no facto de, com base na análise teórica e jurídica e no estudo da experiência prática, parecer possível melhorar o mecanismo de implementação da mediação em processo penal na legislação nacional.

Palavras-chave: mediação, acordo de mediação, processo penal, método alternativo, mediador.

1 INTRODUCTION

Mediation is an alternative way to resolve conflicts in various areas - family, civil, labor, criminal and others. Alternative dispute resolution in the most general sense refers to all methods of resolving legal conflicts that bypass official procedures for judicial or administrative dispute resolution established by the state. It is obvious that such methods of resolving disputes have always existed, throughout the development of the history of
human civilization, however, the institutionalization of this concept began in the 60-70s of the 20th century in the USA, Canada, UK, Australia, New Zealand.

Focusing on foreign experience, mediation has become established in our country. But the experience of its implementation still requires some attention, adjustments and resolution of a number of issues related to legal regulation. According to the principles of mediation - voluntariness, independence in choosing a solution to a legal conflict - it has become possible to use mediation not only in civil, but also in criminal cases.

In this regard, it is necessary to reveal the institution of mediation in criminal proceedings to form theoretical ideas about it, based on a comparative legal study of the use of mediation in foreign countries, to study its procedure in order to identify advanced experience and best practices that can be applied in the context of Kazakhstan.

The question of the purpose of the mediation procedure is still open in national legislation, therefore the task of scientific research is to legislate the question of the purpose of the mediation procedure and, accordingly, to determine the party that should carry out the process of payment for the mediation procedure.

Mediation, as an alternative way to resolve various disputes, should facilitate and optimize the procedural procedure and production. And for this it is necessary to approach this issue more carefully and consider the role of the prosecutor and his participation at the pre-trial stage in the process of applying the mediation procedure.

2 LITERATURE REVIEW

In the United States, federal and state mediation laws consist of a complex body of statutes, codes of civil procedure, local court rules, and common law contractual rules. Current practice strikes a balance between self-determination and court-ordered dispute resolution. Kulms R. (2012) indicates that California, Florida and Ohio have taken the lead in regulating mediation. And increasingly, dispute resolution is moving from authoritative litigation to alternative dispute resolution.

Over the past 15 years, Portugal has increasingly developed mediation as a means of alternative dispute resolution. The Legislature has so far taken a piecemeal approach and created independent mediation regimes for various sectors, such as minor expenses disputes, family law, employment law and criminal law. Jan Peter Schmidt (2013), reviewing the implementation of the EU Mediation Directive in 2009, noted that existing regulations remained largely intact, but for the first time a provision of general application
was introduced. Portuguese mediation legislation is characterized by a significant level of government control: government agencies function as the first port of call for mediation and control the admission of mediators. Mediation procedures are inexpensive for the parties, and outside formal structures they are denied legal support. The practical results of mediation, which is still entirely voluntary, have been promising, but no breakthrough has yet occurred.

The use of mediation in criminal cases has had a nationwide impact since it was introduced by the Chinese judicial system. Mestitz A., Ghetti S. (2005) pointed out the difference from the “Western” practice of restorative justice, criminal mediation in China is closely linked to the powerful state apparatus of criminal justice in China, which is itself limited by the rigidity of the law.

The bulk of European countries belong to the family of continental law and the French criminal code seems to be the closest to Kazakhstan criminal legislation, which will become the object of our further study of the positive experience of using evaluation categories in foreign legislation, therefore, consideration of the experience of France becomes significant for us (Nursaliyeva et al., 2023).

However, it is worth noting that in the 1990s, the practice of victim-offender mediation (VOM) for juvenile offenders spontaneously emerged in the Italian juvenile criminal justice system. Thus, the creation of the first VOM units, groups and centers was undertaken within the framework of the juvenile criminal process. The idea of introducing VOM as a new approach to combating youth crime arose in the wake of innovation sparked by the introduction of penalties in France. Also Koller M. (2005) examined conflict mediation and compensation for damage in the practice of criminal law in Europe. Noting that one of the main objectives of victim protection in criminal procedure law is to ensure that victims of criminal offenses receive personal and financial satisfaction in a simple, quick manner and are spared complex, lengthy and possibly re-traumatic procedures and proceedings. Thus, discussions of possible solutions focus primarily on procedures for personal compensation between the victim and the offender, aimed at resolving the conflict arising as a result of a criminal offense and at incorporating measures for obtaining material compensation and compensation for damages into criminal proceedings.
3 MATERIALS AND METHODS

Within the framework of criminal proceedings, the use of mediation is complicated by the need to correctly determine the position of mediation in the system of norms of the criminal process, the formation of such a legal mechanism of mediation that will ensure the correct interaction of this procedure with the principles and other institutions of the criminal process. The variety of mediation models in criminal proceedings in different countries indicates that each state introducing the mediation procedure strives to find the best option that makes it possible to most effectively use the potential of mediation to resolve criminal legal conflicts and at the same time not violate the basic principles of national criminal proceedings.

Based on comparative analysis, there have been stable trends towards bringing the criminal process closer to the civil branches of law: methods and procedures of civil, arbitration, executive and other branches of substantive and procedural law are used. Previously, in the accusatory process, dispositiveness was recognized exclusively as a civil law institution, the beginning of which is absent in the criminal process. This was explained by the priority of the principle of publicity and the contradiction that includes the principle of dispositiveness with the essence of the accusatory criminal process. However, currently there is an objective process of convergence of private and public law. The main feature of the penetration of private law into the public sphere of criminal proceedings is the stimulation, through contractual legal means, of the individual-willed beginning of the emergence, content and implementation of relations between private and public, only between public or private entities. For example, one of the signs of a contract is a compromise approach and mutual consent of the parties.

The use of mediation to resolve a criminal legal conflict at the pre-trial stages of criminal proceedings or even before the initiation of criminal prosecution requires that officials competent to carry out the proceedings have discretionary powers that will allow them, in each specific case of identifying an unlawful act, to decide on the need to initiate or continuation of criminal prosecution. Despite the historical dominance of the principle of legality in criminal proceedings, it is still impossible not to admit that there is an urgent need to expand the discretionary powers of state bodies and officials competent to carry out criminal proceedings. This is evidenced by the number of criminal cases investigated by preliminary investigation bodies and considered by the courts. A significant number of crimes of minor and medium gravity, which constitute the main workload of
magistrates and district courts, and a large number of cases involving minors indicate the need to expand discretionary powers and introduce mechanisms into criminal proceedings that provide a differentiated approach to cases of various categories.

The use of the mediation procedure as an additional procedural measure aimed at resolving a criminal legal conflict is impossible without taking into account the will of the parties to the conflict. In this regard, the mediation procedure in any of its models and forms in criminal proceedings requires the addition of some basic provisions of the criminal process in terms of expanding the discretionary powers of government bodies and officials (namely, granting the right to refer a case for resolution through the mediation procedure if certain conditions are met), as well as in terms of providing participants in the process with the opportunity, in some cases, to independently determine the outcome of the case or influence it (in particular, to apply for a mediation procedure if there are conditions and grounds for its use). Of course, the law must define the criteria and conditions for choosing the appropriate procedure, which will guarantee the protection of the rights and freedoms of the participants in the process and will avoid abuse of rights both by government bodies and officials, and by private individuals participating in the process.

The use of mediation to resolve a criminal legal conflict requires special legal regulation of this procedure, since the state cannot allow arbitrariness in the activities of persons participating in the process. Regulation of the mediation procedure requires the development and establishment of general standards and conditions for the application of this procedure to resolve a criminal legal conflict.

4 RESULTS AND DISCUSSION

As mentioned above, mediation arose and developed abroad. The first known program of reconciliation between the offender and the person harmed by the act took place in Canada, Kitchener, Ontario, in 1974. As indicated in the literature, at the suggestion of a probation officer and a representative of the local Mennonite community, the judge accepted the decision that the two young men who committed the act of vandalism compensate the victims for the damage caused and apologize to them.

The experience of France in the formation and development of the institution of mediation is quite interesting. Having examined the procedural powers of the prosecutor
in France, we can take them as an example to improve the use of mediation at the pre-trial stage of the investigation of criminal cases in Kazakhstan.

The mediation procedure in French criminal proceedings is enshrined in Article 41-1 of the Code of Criminal Procedure. According to this article, the initiator of mediation is the prosecutor, since the initiation of a criminal case is the prerogative of the prosecutor's office. The principle of expediency is the basis for the use of mediation. There is evidence that in 28% of cases the prosecutor’s office refuses to initiate criminal prosecution due to inappropriateness, and only in 17% of cases a criminal case is initiated (Golovko, 2001). At the same time, the use of mediation at the pre-trial stage of the criminal process, according to paragraph 2 of Article 6 of the European Convention on Human Rights, should not contradict the presumption of innocence, which means that a person is considered innocent until his guilt is established by a court decision. Therefore, before using mediation, in accordance with paragraph 5 of Part IV of Recommendation No. R (99) 19 of the Committee of Ministers of the Council of Europe, it is necessary to establish the main factual circumstances of the criminal offense, which must be recognized by the offender. This recommendation has been taken into account in France, since Part 2 of Article 41-1-1 of the Code of Criminal Procedure obliges the prosecutor to indicate in the protocol the legal qualification of the crime. The offender must sign the report to know what charge he is facing and agree to mediation. The protocol also defines measures to compensate for the damage caused, that is, mediation measures, and the conditions for considering a criminal case in case of refusal of mediation. The offender is given time to consider a decision to resolve the conflict with the help of a mediator - 10 days. When making a decision to use mediation, the financial, social, family status and personality of the perpetrator must be taken into account (Part 2 of Article 41-1-1 of the French Code of Criminal Procedure).

Mandatory conditions for the use of mediation include:

1) the ability of the offender to compensate for the damage caused (Part 4 of Article 41-1 of the French Code of Criminal Procedure);

2) voluntariness and consent of both parties to the conflict to resolve the criminal conflict (Part 5 of Article 41-1 of the French Code of Criminal Procedure). The prosecutor has no right to force mediation.

According to the principle of expediency, the prosecutor invites the parties to a criminal conflict to resolve their dispute with the help of a mediator. If the parties,
including the victim and the offender, agree, the prosecutor will refer the case for mediation to organizations specialized in this field or to a competent private person. The specific person to whom the case materials are transferred for mediation is not specified in the code. The code states in general terms that the case can only be referred to a mediator who is competent to conduct reconciliation and assist the victim. These can be both legal entities and individuals. There are organizations affiliated to the Federation of Socio-Legal Associations (Citoyens et Justice) or the National Federation of Victim Assistance and Mediation (InAVeM) that specialize in mediating legal disputes. These organizations are independent from the criminal justice system and are independent in their activities. However, as D. Myers (2004) notes, “associations involved in accompanying victims must be accredited by the local prosecutor, approved by the state organization for the protection of victims, and then sign a contract with the French Ministry of Justice to provide mediation services. At the local level, the association agrees on the rules of joint work with the local prosecutor’s office”.

Thus, a feature of the French mediation model is that the mediation procedure itself is not carried out by the prosecutor and does not require his direct participation. Instead, mediation is conducted by mediators with the consent of the prosecutor, who cooperates with the mediator to transfer documents related to the criminal case. The prosecutor only initiates mediation, but is not the mediator himself and does not reconcile the parties on his own. If the parties reach a mediation agreement with the participation of a mediator, the prosecutor terminates the criminal prosecution (Article 6 of the French Code of Criminal Procedure). In the future, the mediation agreement documented in the protocol of the proceedings is not subject to appeal. The procedural powers of the prosecutor related to initiating mediation, approving the mediation agreement and terminating the criminal case are in accordance with Recommendation (2000) 19 of the Committee of Ministers of the Council of Europe of the member states "On the role of the prosecutor's office in the criminal justice system", which defines the functions of the prosecutor in individual criminal justice systems, including assistance to victims and alternative methods of prosecution (Article 23).

If a mediation agreement is not reached between the parties to the conflict, the prosecutor resumes criminal proceedings and the case is considered in the traditional manner. Thus, the prosecutor makes the final decision on the case in both cases. It is important to note that in the absence of an agreement, the mediator has the right to refuse
to conduct mediation if the cause of damage does not fulfill the obligations under the mediation agreement. The period for compensation for damage caused cannot exceed one year (Article 41-1-2 of the French Code of Criminal Procedure).

From the above it follows that in France, mediation in criminal cases for adults is used exclusively at the pre-trial stage of the criminal process. This is an important point, since the use of mediation at an early stage of the process allows for the achievement of “procedural economy” for the parties to the conflict, which leads to a faster resolution of the conflict with mutual benefit for both the offender and the victim. When using mediation at the pre-trial stage, it is possible to minimize the unpleasant feelings of the victim from the offense and avoid lengthy trial proceedings. In accordance with the legislation of the Republic of Kazakhstan, mediation conducted to reconcile the parties is considered a non-rehabilitative basis for termination of a case. This means that a person is actually recognized as guilty of committing a criminal offense, but without a criminal record and the right to rehabilitation. The decision to terminate a criminal case can be made both at the stage of the preliminary hearing and at any other stage of the main trial. A verdict can be passed only after the end of the main trial and in cases where the court recognizes that the actions of a person brought to court on charges of committing a serious or especially serious crime actually contain elements for which mediation can be applied in accordance with Article 68 Criminal Code of the Republic of Kazakhstan. Thus, the final decision to find a person guilty can only be made by the court. In this regard, if at the pre-trial stage the parties to the conflict declare reconciliation through mediation, the decision to terminate the criminal case is made by the court at the preliminary hearing, and not by the investigator or prosecutor. However, this procedure does not minimize the moral suffering of the victim and does not solve the problem of overloading the courts. The inability to terminate a case at the pre-trial stage leads to the full progress of criminal prosecution from the pre-trial stage to trial. That is why the use of mediation at the pre-trial stage is significantly less than at the judicial stage, where its use practically predominates.

In accordance with the Criminal Procedure Code of the Republic of Kazakhstan (Article 35, Part 6), the criminal prosecution body may make a decision to terminate a criminal case at any stage of pre-trial proceedings if circumstances are discovered that preclude criminal prosecution. According to Article 36, Part 1 of the Criminal Procedure Code of the Republic of Kazakhstan, the criminal prosecution body may terminate
criminal prosecution with the release of a person from criminal liability on the basis of Article 68 of the Criminal Procedure Code of the Republic of Kazakhstan, in the presence of appropriate circumstances, within its competence. This right can be exercised both by the inquirer and investigator, and by the prosecutor, in accordance with the provisions of Article 193 of the Code of Criminal Procedure of the Republic of Kazakhstan. The prosecutor supervising the pre-trial stage of the criminal process has broad powers, including approving a resolution to terminate the pre-trial investigation, initiating and concluding a procedural agreement and other actions. According to Article 36, Part 1 of the Code of Criminal Procedure of the Republic of Kazakhstan, the right to terminate a criminal case with the release of a person from criminal liability on the basis of Article 68 of the Criminal Code of the Republic of Kazakhstan has both the prosecutor and the investigator or the inquiry body with his consent at the pre-trial stage. Consequently, there are certain procedural grounds for the termination of a criminal case using mediation and the corresponding completion of the proceedings by the prosecutor at the pre-trial stage. The prosecutor can approve the decision of the investigator or inquiry officer to terminate the case within the framework of mediation not only on the basis of Article 68 of the Criminal Code of the Republic of Kazakhstan. In the absence of such a resolution, the prosecutor may independently initiate mediation (explaining its essence and consequences to the parties) and terminate the criminal case by his resolution upon reaching a mediation agreement. Initiating mediation cannot be considered as forcing the parties to mediate. Without the consent of the parties to mediation, it is impossible to reach an agreement, but the prosecutor provides all procedural conditions for the implementation of this right by the parties to the conflict. Currently, the prosecutor, exercising supervision at the pre-trial stage of the criminal process, is not obliged to check the mediation agreement for its legality and compliance with the rights of the victim. This is a gap in the legislation, since the prosecutor, based on his supervisory functions, must fully check the mediation agreement for compliance with the law, including the laws on mediation, the Criminal Code, the Code of Criminal Procedure and the Civil Code of the Republic of Kazakhstan. If inconsistencies and violations in the agreement are identified, the prosecutor must explain them to the parties to the mediation and provide time to eliminate them. After these discrepancies are resolved by the parties to mediation, they can proceed to the approval of the agreement and the issuance of a decision by the investigator or inquiry officer to terminate the case. In the absence of such a resolution
from the investigator or inquiry officer, the prosecutor may independently make a decision to terminate the criminal case.

Thus, expanding the procedural capabilities of the prosecutor at the pre-trial stage when reconciling the parties to a criminal conflict using mediation and terminating criminal proceedings on this basis has the potential to strengthen the protection of the rights of the victim. Once a mediation case is terminated, the victim cannot request resumption of criminal prosecution on the same charges, and the mediator can be either a professional or non-professional mediator. However, many questions arise regarding the preparation of the latter and the effectiveness of his protection of the rights of the victim. In order to be able to terminate criminal proceedings at the pre-trial stage, it is necessary to consider excluding the rule according to which mediation does not stop criminal proceedings at this stage, since it does not correspond to the best practices of legal regulation of mediation in developed European countries. You should also consider the possibility of including the termination of a criminal case with the use of mediation among the circumstances excluding proceedings in the case, provided for in Article 35 of the Code of Criminal Procedure of the Republic of Kazakhstan, as one of the non-rehabilitating grounds. Moreover, it would be useful to consider, as an experiment, the possibility of terminating criminal cases using mediation only at the pre-trial stage for misdemeanors and crimes of minor and moderate gravity, while for serious and especially serious crimes - at the trial stage. However, in this case, it is necessary to clearly define the procedural procedure for terminating a criminal case in each specific case when the prosecutor exercises his discretionary powers.

As practice shows, the current procedural procedure for conducting mediation in Kazakhstan requires a significant investment of time and effort on the part of the criminal prosecution authorities. This is due to the fact that although the mediation procedure can be started at the pre-trial stage, the termination of criminal proceedings in the case occurs only at the trial stage. Studying the experience of France in the use of mediation in criminal proceedings allows us to draw attention not only to the fact that it is used exclusively at the pre-trial stage, but also to the important role played by the prosecutor. In France, the prosecutor occupies an intermediate position between the executive and judicial branches, and is tasked with the functions of criminal prosecution, supervision of the police and investigating judges, and support of the prosecution in court. Having studied the procedural powers of the prosecutor in France, we can take them as an...
example to improve the use of mediation at the pre-trial stage of the investigation of criminal cases in Kazakhstan. In the Code of Criminal Procedure of Kazakhstan, it makes sense to give the prosecutor the right to initiate mediation, approve a mediation agreement and terminate criminal prosecution if an agreement is reached, as well as oblige the prosecutor to check the compliance of such an agreement with the law and the protection of the rights of the victim.

5 CONCLUSION

Article 302 part 1 subparagraph 7 of the Code of Criminal Procedure of the Republic of Kazakhstan is stated in the following wording: resolves the issue of assigning a mediation procedure.

1. Amend Article 85, Part 1, in order to clarify the definition of a mediator as follows: a mediator is a qualified person with special and in-depth knowledge in the field of psychology, which allows him to effectively analyze and influence the criminal consciousness of the accused, as well as facilitate a settlement conflict and achieving a peace agreement between the parties in criminal proceedings.

2. Amend the Law of the Republic of Kazakhstan “On Mediation” and exclude it from Art. 22 part 4 of the Law “are paid by the parties jointly in equal shares”, replacing with the following content “paid by the guilty party, as well as other persons with their consent (relatives of the guilty party, charitable foundations, etc.). If the person who committed the crime is unable to reimburse the costs of mediation procedures, its services are paid for by the state (by analogy with payment for the services of a defense lawyer for a low-income accused in a criminal trial).”

3. Provide for the possibility of expanding the procedural capabilities of the prosecutor at the pre-trial stage when reconciling the parties to a criminal conflict using mediation and terminating criminal proceedings at the stage of pre-trial investigation.

Re-formulate the conclusion:

In conclusion, Article 302, Part 1, Subparagraph 7 of the Code of Criminal Procedure of the Republic of Kazakhstan addresses the assignment of a mediation procedure. To further clarify and strengthen the role of a mediator, it is proposed to amend Article 85, Part 1, defining a mediator as a qualified individual with specialized
knowledge in psychology, enabling effective analysis and influence on the criminal mindset of the accused, as well as facilitating conflict resolution and achieving a peace agreement in criminal proceedings.

Additionally, amendments to the Law of the Republic of Kazakhstan "On Mediation" are suggested, specifically in Article 22, Part 4, by replacing the provision "paid by the parties jointly in equal shares" with the new content, which entails that the costs of mediation services should be covered by the guilty party and other individuals with their consent (e.g., relatives of the guilty party, charitable foundations, etc.). In cases where the person who committed the crime cannot afford mediation costs, the state will cover these expenses, similar to the payment for legal services of a defense lawyer for low-income defendants in criminal trials.

Furthermore, the proposal includes the provision for expanding the procedural powers of the prosecutor during the pre-trial stage to mediate and resolve conflicts between parties involved in criminal cases, potentially leading to the termination of criminal proceedings during the pre-trial investigation phase.
REFERENCES


** Final report for AGIs Project. Restorative Justice: an agenda for Europe. Supporting the implementation of the restorative justice in the south of Europe. http://www.euforumrj.org

*** Recommendations No. 19 of the Committee of Ministers of the Council of Europe to member states “On the role of the prosecutor’s office in the criminal justice system”. http://docs.cntd.ru


