

THE IMPORTANCE OF AMNESTY LAWS
Research on International Amnesty and Pardon Laws

Amid recent controversial criminal trials, Armenian lawyers and legal professionals are demanding the implementation of amnesty laws within the Armenian legal system as soon as possible. This change will introduce long awaited exemptions from punishment, such as exemptions for the elderly, war veterans, disabled and pregnant women. Amnesty is imperative to ensure the release of the non-exhaustive list of individuals who were involved in the events of March 1, 2008 in Yerevan and who have been wrongfully imprisoned for a quarter of their sentence to date. Finally, Amnesty law is required urgently to release the ‘Sasna Tsrer’ protesters from their sentences.

The following table shows research of Amnesty laws and pardon laws on an international scale, the dates in which the laws were enacted and the groups that were granted amnesty for crimes they were charged with. We believe that adopting Amnesty will provide our legal system with essential forms of exemptions to criminal charges and sentences that is currently nonexistent within our laws.

	AUSTRALIA	USA	GERMANY	LITHUANI A	UK	IRELAND
AMNESTY & PARDON LAWS	<p><u>Constitution of Australia, section 61</u> <i>Royal Prerogative of Mercy:</i></p> <p>The Governor-General may grant:</p> <ol style="list-style-type: none"> 1. a free and absolute pardon 2. a conditional pardon 3. a remission of penalty, 4. or a (non-judicial) inquiry into a conviction. 	<p><u>U.S. Constitution, Article II, Section 2, Clause 1</u> <i>Pardon or Reprieve</i></p> <p>The President may grant Reprieves and Pardons for offences against the United States, except in Cases of Impeachment</p> <p><u>Military Commissions Act 2006:</u> Regulates the legal procedures involving illegal combatants.</p>	<p><u>Basic Law for the Federal Republic of Germany, Article 60</u> <i>Pardon & Immunity</i></p> <p>The Federal President shall;</p> <ol style="list-style-type: none"> 1. exercise the power to pardon individual offenders on behalf of the Federation 2. and may delegate these powers to other authorities. 	<p><u>Constitution of the Republic of Lithuania, Article 84</u> <i>Pardons</i></p> <p>President of the Republic may grant:</p> <ol style="list-style-type: none"> 1. pardons to convicted persons. 2. freedom, 3. reduces a custodial sentence or a punishment 	<p><u>Common Law extra judicial power</u> <i>Royal Prerogative of Mercy:</i></p> <p>The Head of State may:</p> <ol style="list-style-type: none"> 1. grant a pardon 2. grant a delay 3. substitute a less severe form of punishment 4. or remit the whole punishment imposed <p>Criminal Appeal Act 1995, section 16: Secretary of State refers to the Commission whether to recommend the exercise of Her Majesty's prerogative of mercy.</p>	<p><u>Irish constitution Article 13.6</u> <i>Pardon & Clemency</i></p> <p>The President of Ireland may grant pardon for Punishments imposed by any court exercising criminal jurisdiction.</p> <p>However, the President must act on advice of government bodies to grant clemency, commute or remissions.</p>
DATE/ ERA OF ENACTMENT	<p><i>Following independence from United Kingdom in 1901</i></p> <p>Australia drafted and enacted the Australian Constitution in 1901 and the The Royal Prerogative of Mercy came into effect.</p>	<p><i>Following the victory in the American Revolutionary War of 1755 – 1783</i></p> <p>America drafted and enacted the United States Constitution in June 21 1788.</p> <p><i>Following the the Supreme Court's decision on Hamdan v. Rumsfeld (2006)</i></p> <p>Military Commissions Act 2006 was drafted and signed by George W Bush</p>	<p><i>Following WWII and the London 6 Power Conference,</i></p> <p>Germany drafted and enacted the Basic Law for the Federal Republic of Germany and Article 60 came into effect.</p>	<p><i>Following independence from the USSR in 1990,</i></p> <p>the Constitution of The Republic of Lithuania was adopted by referendum in 1992 and Article 84 came into effect.</p>	<p><i>Following the Glorious Revolution of 1688,</i></p> <p>the concept of parliamentary sovereignty has been the bedrock of the British legislative constitution.</p>	<p><i>Following independence from the British Commonwealth in 1937,</i></p> <p>the Irish Constitution was drafted and came into force after a plebiscite in 1937.</p>
NUMBER OF AMNESTIES GRANTED	<p>No comprehensive record of pardons granted: 8 notable cases from 1942 – 1990.</p>	<p>Since George Washington – Donald Trump 37,218</p>	<p>No comprehensive record of pardons granted: Unknown</p>	<p>No comprehensive record of pardons granted: 50,000 + convicted</p>	<p>No comprehensive record of pardons granted: 106 notable cases from 1649 – 1801 2017 49,000 men</p>	<p>No comprehensive record of pardons granted: 3 Presidential pardons 42,000 Irish soldiers 2000 gay men</p>
WHO GAVE THE ORDER?	<p>. Governor General . Attorney General . Minister of Justice</p>	<p>. President of United States . Attorney General . Minister of Justice</p>	<p>. President of Germany . Minister of Justice</p>	<p>President of Lithuania</p>	<p>. The Monarch . Prime Minister</p>	<p>President of Ireland Minister of Justice</p>

<p>TARGET GROUPS RECEIVING AMNESTY</p>	<ul style="list-style-type: none"> . Prisoners . Criminal Law offenders . Anti war protesters . People smuggling offenders 	<p>Those charge with: Treason, Sedition, perjury, rebellion, conspiracy, murder, arson, fraud, whistleblowing,</p> <p>Groups including: Diplomats, democratic members, politicians, lawyers, CIA, Senior Administration officials, CEO's, war criminals, soldiers, veterans,</p>	<p>Criminal law offenders Treason Terrorism Political criminals</p>	<p>Convicted persons Persons sentenced to death</p>	<ul style="list-style-type: none"> . Criminals . Convicted persons . Homosexual men Alan Turing Law 	<ul style="list-style-type: none"> . Criminals, - Military officers, . Politicians,. .Diplomats .WW2 Soldiers/veterans . Posthumous pardons . LGBT groups
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