

27th Session of the Human Rights Council

Statement by the Czech Republic

Interactive Dialogue with the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence, Pablo de Greiff (10-09-2014)

Mr. de Greiff,

The Czech Republic would like to thank you for your Report and the important work on the promotion of truth, justice, reparation and guarantees of non-recurrence.

We share your opinion that in transitional situations in the aftermath of mass violations, efforts should be directed at increasing the effectiveness of the prosecutions. We welcome the outlined prosecutorial prioritization strategies as a means to fight impunity and strengthen accountability for violations of international human rights and humanitarian law.

The Czech Republic concurs that the independence and impartiality of prosecutors are highly important factors that have a direct impact on the legitimacy and effectiveness of the domestic prosecutorial strategy in transitional situations. We share the opinion that the exercise of public interest by criminal prosecution should not be confused with defending the interest of the current or previous Governments, a political party or any other State institution. States should also refrain from reprisals against prosecutors for their independent and impartial efforts.

We share the concerns related to patterns observed in recent post-conflict situations when the main concentration is focused on charges making the State appear the ultimate victim of the majority of violations. Meanwhile violations of international human rights and humanitarian law are either ignored or demoted to a secondary level. States in transitional situations must also avoid one-sided prosecutorial strategies that pursue deliberate focusing on investigating and prosecuting violations committed by one side of the conflict only.

Mr. de Greiff,

In your Report you advocate the arrangement of the relationship between the prosecutorial services and the ministries that ensures no political influence on the prosecutors. Based on your experience, could you share with us some of the most efficient legal measures to guarantee the independence of prosecutors?

Thank you, Mr. de Greiff.