



## Explaining the principles governing the prosecutor's human rights obligations in constitutional and administrative law

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### Abstract

As one of the fundamental pillars of the criminal justice system, the prosecutor plays an effective role in ensuring respect for human rights in judicial processes. In constitutional and administrative law, the prosecutor's obligations are rooted in fundamental principles such as the rule of law, the principle of equality before the law, the principle of judicial impartiality and independence, and the principle of human dignity. From this perspective, the prosecutor is not only an enforcer of the law, but is also responsible for protecting the fundamental rights of individuals against any infringement by public or private authority. The principles governing the prosecutor's human rights obligations include the duty to protect individual freedoms, guarantee the right to a fair trial, prohibit arbitrary detention, observe the principle of proportionality in prosecution and punishment, and be accountable for administrative decisions. In the administrative law system, the prosecutor is also subject to the requirements of transparency, accountability, and procedural justice and must avoid any discrimination or abuse of administrative authority. In summary, the principles governing the prosecutor's human rights obligations demonstrate a deep connection between criminal and administrative duties and fundamental human rights values, such that the prosecutor's mission is not limited to prosecuting crimes, but is based on protecting justice, freedom, and human dignity.

**Keywords:** Prosecutor, human rights, fundamental rights, administrative rights, rule of law, human dignity.

Received Date: 15 April 2023

Revised Date: 1 July 2023

Accepted Date: 11 July 2023

### Introduction

The most common definition of man (man as man) is a rational animal, meaning "the rights that are related to the human species." (Noqreh Kar, 2012). In this definition, which is a complete and formed limit of species and division, animal is the genus and rational is the human species. As a result, man is considered a living being who has the power of thinking and reasoning, and this feature of speech and thinking distinguishes him from other animals. (Javadi Amoli, 2009) However, if we define man in terms of his identity, from the perspective of Islam and Islamic philosophy, he is a being composed of body and soul. His body is material and of the type of the natural world, and his soul is divine and of the type of abstract things. The true identity of man is also shaped by his soul, which is indestructible. Also, man is created by God and has the nature of seeking God. (Misbah Yazdi, 1997) What is meant by human in contemporary human

rights discourse is nothing more than the essential definition of a rational animal, because the subject of this human rights system is "human as human" who is considered merely a living being endowed with reason, freedom, and agency, but both the spiritual and divine aspects of man have been neglected, and the incidental characteristics and attributes of man, such as culture, ethnicity, race, language, and others, have been ignored. Accordingly, those human rights that are related to the spiritual aspect of human existence, even if they are neglected in scientific circles, this neglect does not cause those rights to be removed from the ranks of natural human rights. The Universal Declaration of Human Rights has remained silent and ignored the spiritual aspect of man. Although there was much debate and controversy when drafting the Declaration regarding the inclusion of the divine and innate origin of human rights in it, and some were in favor of it, such as the representative of the Netherlands who expressed regret in his speech that the divine origin and immortality of the human soul were not mentioned, in the end, the Declaration agreed on reason and conscience as the common nature of man, and the innate and divine dimension of man remained silent (Johnson, 1999). However, the characteristics and attributes of man have been explicitly denied in the Universal Declaration of Human Rights, as Article 2 of it is dedicated to eliminating any racial, gender, linguistic, religious, etc., distinctions. Some, defending a minimal approach to man in the human rights system, stipulate that the man who is considered in the contemporary human rights system is a biological man, not an ideological man. In other words, man in the contemporary human rights discourse refers to a being that biologists call man. In this view of man, no value burden is considered, neither religion nor sect, nor social class, nor race nor language, but man becomes the will of man.

Today's human rights man is an abstract, trans-geographical, trans-cultural, trans-racial, trans-religious, trans-political, and trans-social human. What distinguishes this man from other animals is rationality, which is considered the main characteristic of this man and distinguishes him from other animals, and based on the power of reason, he is called a choosing being and enjoys freedom and responsibility (Qari Seyyed Fatemi, 2011).

This view of human rights has been criticized by many Islamic thinkers, and the degradation of man to the level of natural life and the neglect and silence of human rights regarding the innate and divine identity of man have been considered as its shortcomings. As some contemporary jurists, by enumerating the existential dimensions of man, consider the true identity of man to have three dimensions and layers: animal, human, and divine, and consider it necessary to observe all these dimensions in formulating his rights.

Therefore, the disagreement over which human being is the subject of the human rights system is one of the challenges of contemporary human rights, and in this regard, the following points should be noted:

-1 Since international human rights have sought to attract the agreement of states and international consensus as much as possible, with a minimal view of man, they have refrained from mentioning the divine origin and the innate dimension of his existence.

-2 From the perspective of Islam and Islamic philosophy, man benefits from a material nature and divine nature, and human rights are the requirements of the nature and human nature of man, whose origin goes back to God. Therefore, it is possible to criticize and evaluate the issue in theoretical discussions to provide the basis for the development and promotion of human rights.

-3 Relying on the innate and divine dimensions of man does not mean limiting the scope of human rights to a specific religion, sect, nationality, and race, because all human beings have such a nature and nature.

-4 The contemporary human rights discourse, which has refrained from mentioning some principles and has left some existential dimensions of man silent in order to gain global agreement, can be interacted with if it can achieve fundamental and essential human rights and reach such an agreement. In this case, it should not be completely rejected and rejected, but rather it should be tried to improve and promote it through criticism and opinion.

-5 From the perspective of Islamic philosophy, man can be viewed as a being with two dimensions, natural and divine, and human rights can be recognized based on his existential identity, nature, and nature. Such

human rights will be general and universal because they are formed on the basis of human identity (Mohseni and Talebi, 2018).

Kashani Nejad, Vahid, (2016), in a thesis entitled "A Jurisprudential and Legal Study of the Duties and Responsibilities of the Prosecutor as a Defender of Public Rights", (University of the Quran and Hadith), after explaining the structure and a brief description of the jurisprudential and legal competence of prosecutorial officials, studies the position and structure of the prosecutor in the criminal legal system of our country and some other countries and the approach of Islamic jurisprudence. In the following, the duties and competence of the prosecutor from the perspective of Islamic jurisprudence and the criminal legal system of our country in relation to public rights are studied in detail.

A notable point in this research is the neglect of the human rights obligations and even the citizenship rights of the prosecutor in relation to the implementation and granting, realization and restoration of public rights. In addition, what is mentioned in this research is mainly criminal law issues. Even the main topics studied in the field of Islamic jurisprudence also have the same approach. Therefore; the role and competence of the prosecutor in the field of public law, including constitutional rights and administrative law, was not the focus of the above-mentioned research.

-Al-Sadat Seyed Jafari's thesis, Neda, (2017), entitled "The Position of the Prosecutor's Duties and Responsibilities in Civil Affairs" (Islamic Azad University, Shahrood Branch); after explaining the introductory and basic issues such as introducing the prosecutor's office and defining the prosecutor's office, in the final chapters he has analyzed and criticized the set of duties and responsibilities of the prosecutor from the perspective of civil affairs. That is, there is no mention of the set of human rights obligations of the prosecutor, whether in civil affairs or in matters of public law (fundamental-administrative).

#### **Legal concept of prosecutor:**

The prosecutor is the senior judicial officer who represents the government in judicial matters. The prosecutor is also called the public prosecutor and the community lawyer. Prosecutors are typically lawyers who work for the court in which they intend to represent the community (Shams, 2015). These individuals usually only become involved in a criminal case when a suspect has been identified and charges need to be filed against him. They are typically employed by a government agency, and there are guarantees that such agencies can successfully prosecute government officials.

Although the prosecution was established under the name of the Public Prosecutor's Office by law passed in 1328 AH, the prosecutor is the person who heads the prosecution office and supervises the bailiffs in terms of their duties as bailiffs (Hakiminejad, 2016). According to the Iranian legal system; In addition to heading the prosecution and his duties regarding investigation and prosecution, the prosecutor or public prosecutor also has other duties such as executing judgments and supervising the courts. The prosecutor is a position that performs duties to protect public rights, supervise the proper implementation of laws, and prosecute criminals and delinquents in accordance with the laws.

#### **Prosecutor from the perspective of administrative law:**

The administrative prosecutor, as the public prosecutor, creates the capacity in the administrative proceedings to act alongside the investigating judges, such as the reporting judges in the State Council, and in addition to the reasons stated by the plaintiff, to organize additional investigations and to appear in an efficient manner in order to discover the truth; especially in situations where the principle of equality of arms is not observed in administrative proceedings and the other party to the dispute (the government) enjoys special privileges and authorities, and the plaintiff may encounter numerous obstacles in obtaining adequate evidence. The prosecutor can, by invoking his general power, investigate in addition to the plaintiff and adjust the inequality of the parties during the dispute. In addition to the inequality of the parties to the lawsuit and the mixing of administrative lawsuits with public affairs and public interest, the need for a public prosecutor is also worth considering because the existence of the prosecutor's office and the administrative prosecutor ensures that the lawsuit is properly directed at the beginning of the case and

that by clarifying the various aspects of the case (given the ambiguity of administrative issues), a judicial decision that is fair and fast and far from any delay in the proceedings is made (Motamin Tabatabaei, 2016). It should also be taken into account that the administrative prosecutor is a responsible authority. And he must provide arguments and documents for all his actions. Now, in the field of proceedings and the position of public prosecutor, one should not deviate from the fundamental principles. The administrative prosecutor must consider various principles of administrative law in the administrative system, such as the principle of continuity of public services, the principle of equality in benefiting from public services, the principle of prohibiting discrimination, the principle of the rule of law, the principle of establishing justice in the relationship between the individual and the state, and respect for individual freedoms. Therefore, if we consider the criminal prosecutor in Article 10 of the Criminal Procedure Code as the protector and advocate of the three principles of community rights, public order, and divine regulations in the legal system, it seems that the administrative prosecutor should be considered the protector and guardian of the numerous principles governing administrative law that refer to the administration and are rooted in citizenship rights. By accepting this view, it does not seem correct to make an exception for the administrative prosecutor over the criminal prosecutor, but the prosecutor and even the administrative procedure itself have a special system (Demerçeli, 2017). Another noteworthy point that some have stated is that the criminal prosecutor has become a filter that prevents the creation of cases and tends to reduce lawsuits. For example, he takes steps to settle. If the administrative prosecutor has such a method, it becomes an obstacle to litigation, because the purpose of establishing an administrative prosecutor is to help the plaintiff, and the administrative prosecutor's action in settling or preventing the filing of an administrative lawsuit is itself a grievance. Therefore, the administrative prosecutor must be an institution that is eager to accept claims and try to guide the plaintiff. (Demerchli, 2017).

#### **The prosecutor from the perspective of fundamental rights:**

The position of the prosecutor in terms of the basic structure of different countries in the world is affected by two things: the history of the countries and the process of development of the fictional institution in it and the way they look at the practice of prosecution and criminal prosecution. For this reason, the position of the prosecutor in all legal and judicial systems of countries is very prominent and important. The importance of this issue is such that "sometimes it is introduced as the legal defender of states and sometimes as the defender of the rights of the nation and the state" (Noqrekar, 2012).

#### **Principles Governing the Prosecutor's Human Rights Obligations in Fundamental Rights:**

##### **•Human Dignity and Personality**

In any case, human dignity is important and valuable because this category is recognized as the basis and foundation of many human rights, privileges and duties. In other words, human dignity is not only considered as a right or a set of inalienable and transferable rights, but also as the axis and basis of human rights, and sustainable progress in any society and political system requires respect for the dignity of citizens. Therefore, any behavior that violates human dignity is immoral behavior that must be avoided. What is stated in international human rights documents are in fact rights and regulations that have been established to protect human dignity. Based on the principle of dignity, the rights of all individuals in society are equal and do not relate to a particular class or race, so refugees also enjoy these rights equally (Aghaei, 2014.)

##### **• Human rights documents**

In the text of the ratified human rights conventions, dignity is the most prominent common article that prohibits degrading treatment against human dignity and declares that such actions against human dignity are prohibited at any time and in any place. The Additional Protocols to the Conventions relating to the Protection of Victims of International Armed Conflicts also emphasize the prohibition of violations of human dignity. They include degrading treatment, enforced prostitution, and any other form of unlawful attack on fundamental guarantees, which, when committed in violation of the Convention or the Protocol, will be considered acts of apartheid and other inhuman and degrading treatment or violation of human

dignity. Since the post-World War II human rights protocols, the Statute of the International Criminal Courts, and the Rome Statute establishing the International Criminal Court, have included references to personal dignity (McCrudden, 2017).

### **Principles Governing the Human Rights Obligations of the Prosecutor in Administrative Law:**

#### **Formal Principles:**

Formal principles refer to the set of principles governing human rights obligations that the prosecutor is obliged to observe by virtue of laws and regulations governing (formal) procedural law, a topic that will be studied below.

#### **The Principle of Impartiality and Independence**

One of the important formal principles in the field of administrative law and in relation to the human rights obligations of the prosecutor is the principle of impartiality and independence. This principle must be observed not only by the prosecutor but also by all judicial authorities in the prosecution and court.

In explaining the aforementioned principle, it can be said that independence and impartiality in proceedings are generally used as one principle and these two terms overlap to a large extent. However, these two terms do not have the same meaning. Independence in international human rights proceedings means the lack of subjection and influence of the court and proceedings from external pressures and factors, including governments, international organizations, and powerful individuals. This concept in the domestic system stems from Montesquieu's theory of the separation of powers and indicates the lack of influence of the executive branch on the judiciary. However, impartiality means the absence of bias and prejudice in favor of one of the parties to the proceedings, and independence is basically one of the factors that ensure impartiality (Mohammadi, 2018).

#### **The principle of observing a reasonable deadline**

Although the principle of observing a reasonable deadline for the purpose of administering justice is considered one of the basic principles of criminal proceedings, today this principle is also emphasized in administrative law. With the explanation that for the purpose of administering legal justice, legal, criminal, or administrative proceedings should be based on a reasonable legal deadline.

In other words; The principle of reasonable time for trial, which means conducting the trial in the shortest possible time while maintaining the quality of the trial and the parties enjoying their rights of defense without any haste or haste, is considered a fair trial criterion as one of the rights of citizens in the criminal law systems of Iran and France. In order to identify the most important foundations of this issue in Iranian law, we can refer to the Constitution, the Law on the Protection of Legitimate Freedoms and Citizens' Rights, the Criminal Procedure Code, the Charter of Citizens' Rights, and the International Covenant on Civil and Political Rights, and in French law, we can refer to the Constitution, the Criminal Procedure Code, the International Covenant on Civil and Political Rights, and the European Convention on Human Rights. The application of this principle in the pre-trial stage is related to the performance of all actors, including the prosecutor through some measures and orders, including oral indictment and alternative measures of prosecution, the investigator through compliance with the deadlines stipulated in the law, both immediate and time-bound, from the beginning of the investigation to its conclusion, and other individuals involved in the criminal process, including witnesses, experts, and lawyers, by adhering to the legally assigned duties within the legal and judicial deadlines, whether immediate or time-bound, can achieve a reasonable deadline in criminal proceedings to a desirable extent and ultimately a manifestation of citizenship rights in the light of a fair trial (Khaleghi, 2018). Criminal justice, which is the goal of every criminal trial, will never have a chance to emerge without establishing a fair trial in which the rights and freedoms of the accused are respected. The most obvious aspect of such an impact is the rights of the accused before the court, a brief list of which is as follows: Equality of persons before the court, fair and public trial in a competent, independent and impartial court, prompt and detailed explanation of the nature and cause of the accusation, the right to appear immediately before the court and be tried without delay, to appear in

court and defend oneself in person or through a lawyer, to confront opposing witnesses, to be given a free interpreter, to be prohibited from forcing a confession, and to have the charge heard within a reasonable time are all mentioned in the European Convention on Human Rights (Article 6, paragraph 1) and the Statute of the International Criminal Court (Article 3, paragraph 5, paragraph (c)) as a reasonable time (Lorenzi, 2013). Thus, according to international documents, the necessity of observing this principle has been specified as one of the requirements for observing human rights (Chadeh, 1998) in the stages of preliminary investigations and trials. • The principle of the right to be heard

The principle of the admissibility of claims is one of the principles governing the law of claims. According to this principle, the court of law must overcome minor and remediable defects and defects and, as a result, move the claim towards the essence of the claim (the stage of hostility or the discovery of the truth). Therefore, the court of law moves the claim towards admissibility by interpreting the claim and inviting the plaintiff to provide an explanation. In Iranian law, although this principle is not explicitly mentioned in the procedural laws, this principle can be accepted by considering Articles 167, 159, and 34 of the Constitution and Article 3 of the Code of Procedure. In fact, the legislator has implicitly ruled on the necessity of hearing the claim by stating that the court must proceed with the stage of hostility (Rostami, 2017).

The right to be heard, which is closely related to the participation of individuals, has several advantages: the first is that it helps to improve judicial decisions, which improve judicial decisions by ensuring that the facts of the case are correctly decided, that the laws are correctly applied, and that the judgments of the judicial authority are reasonable when exercising discretionary powers. In fact, someone who is in a situation and the judicial authority wants to make a decision about him or her often has the opportunity to provide the judicial authority with useful information about that situation, information that is not easily available (DJ, 1996). Of course, this is not necessarily true in all cases, because in some cases, a correct and correct decision about a person may be reached without using that person's information. This depends more on the type of investigation and investigation, the nature of the issues and facts, and the criteria that are to be applied. For example, an investigation into a criminal offense is certainly different from an administrative decision to issue a driver's license. In any case, the best results are usually obtained after various arguments, consultations, and advocacy. Another reason for the advantage and usefulness of hearing and listening is that the process of hearing is also important in that it may reveal flaws in the decision made. At this level, the principle of hearing and listening is a kind of ritual for obtaining better results. However, the principle is more than this; for it is also closely related to fair and equitable treatment, in fact better results; that is, the case and the issue are examined correctly and correctly and in accordance with valid legal standards, and the treatment of individuals based on valid legal standards is considered a key component of fair treatment. Therefore, the principle of hearing and listening is a tool for fair treatment. However, this instrumental principle is conditional because its place in the processes and procedures of judicial decision-making depends on the extent to which it is effective in improving the results. Correct and correct results may be achieved without resorting to this principle or may be achieved by using other procedures that are less costly (Ellis, 2008).

- The principle of the right to access the file

From a human rights perspective, the right to access the file is considered one of the basic principles for defendants. The prosecutor's duty in this principle is to handle cases that the defendants have not been allowed to access. The law should require the courts and judges to implement the laws in order to ensure the defendants' right to access their files (Mohammadi, 2019). However, today, the right to access the file, like the right to access information and documents, is one of the basic principles of democratic governments and is not limited to legal and criminal matters.

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#### •The principle of providing reasons for administrative decisions

From a human rights perspective, the principle of providing reasons for administrative decisions is that administrative authorities must clearly state the reasons for their decisions; in such a way that it is clearly determined by what criteria and justification the decision was made and on what basis the law was made. In accordance with this principle, every person has the right to be informed of the reasons for the decision made by the administrative decision-maker. For example, if a citizen's request for an administrative permit is rejected by a government authority, or if the rejection of the request is not sufficient, the legal basis for the refusal to issue the permit must be stated. In general, when an administrative decision affects the rights and interests of citizens, the statement of reasons is unavoidable. Also, in discretionary powers, due to the difficulty of otherwise complying with the text of the law, the provision of reasons will be doubly necessary, in which case the possibility of judicial supervision of the usual action or decision taken will be impossible (Kanske, 2007). In addition, the reasons and grounds for those decisions that are taken contrary to the usual and previous administrative procedure or those that go beyond the scope of necessity, as well as in cases where a citizen takes action from a government authority, must be stated. On the other hand, there are exceptions to this principle; The first exception concerns the case where the administrative decision is desirable for the citizen and in accordance with his request and does not contradict the request of other citizens (Calara, 2004). Another exception is decisions in the field of internal affairs of the administration and have no connection with the rights and interests of the applicant or beneficiary in the proceedings. Also, in decisions where the reason is clear and obvious, it is not necessary to state the grounds. In addition, in cases where national security or the protection of public interests require not to provide reasons or due to the urgency of the matter, there is no opportunity to state the grounds, the principle of providing the reasons for the decision is also subject to exception.

#### Conclusion

A review of the principles governing the prosecutor's human rights obligations shows that this position goes beyond simply enforcing the law and acts as a guardian of justice and human dignity. In the constitutional system, the prosecutor is required to strike a balance between state authority and individual freedoms, so that his criminal prosecution and supervision simultaneously safeguard public security and the fundamental rights of citizens.

Principles such as the rule of law, judicial independence and impartiality, prohibition of discrimination, observance of proportionality in criminal and administrative decisions, and accountability for the exercise of authority determine the mandatory framework for the prosecutor's behavior. These principles ensure that criminal power does not lose its human and moral aspect and that every action of the prosecutor is measured in the light of respect for human rights.

In the area of administrative law, the prosecutor is still required to observe transparency, procedural fairness, and protection of the rights of individuals against the actions of state institutions. Therefore, the prosecutor must be an advocate for the fundamental principles of freedom, dignity, and justice, both in judicial decisions and in the supervision of administrative performance.

Finally, it can be said that the prosecutor's human rights obligations in constitutional and administrative law are a practical manifestation of the human-centered idea in criminal and administrative justice; an idea whose ultimate goal is not simply to enforce the law, but to ensure justice in the service of humanity.

## References

- Naqreh Kar, Pishin, 2012, p. 65.
- Javadi Amlı, Abdullah, Right and Duty in Islam, Qom, Israa Publication, 2009, pp. 81-80.
- Mesbah Yazdi Mohammad Taqi, Quranic Studies, Qom, Imam Khomeini Educational and Research Institute Publication, 2007, p. 447.
- Johnson, Glenn, Universal Declaration of Human Rights and Its History, Translated by: Mohammad Jafar Poyandeh, Tehran, Nay Publication, 2009, pp. 63-64-70-71.
- Qari Seyed Fatemi, Mohammad, Human Rights in the Modern World, Vol. 1, Tehran, Shahr Danesh Publication, 2011, pp. 29-34.
- Mohseni and Talebi, Pishin, 2018, p. 17.
- Shams, Abdullah, Civil Judiciary Code, Vol. 2, Tehran, Mizan Publication, 2015, p. 125.
- Hakimi Nejad, Amrollah, Ali Etemad Khaiavi, The Institution of the Prosecutor in the Current Legal System, Tehran, Sepehr Adab Publications, 2016, p. 178.
- Moatamani Tabatabaei, Manouchehr, Administrative Law, Tehran, Samt Publications, 2016, p. 92.
- Demarcheli, Reza, Feasibility Study of Establishing the Position of Administrative Prosecutor in the Administrative Justice Court, Master's Thesis, Faculty of Law and Political Sciences, Allameh Tabatabaei University, 2017, p. 34.
- Aghaei, Bahman, (2014), Human Rights Culture, Tehran, Ganj Danesh Library, 4th Edition, p. 140.
- McCrudden, Christopher (2017). Human Dignity and Judicial Interpretation of Human Rights, Translated by Tawfiq and Najafi, Tehran, Kharsandi Publications, p. 123.
- Mohammadi, Hamid, Judicial Justice in Judges' Rulings, Tehran, Legal Publications, 2018, p. 219.
- Khaleghi, Ali, Points in the Criminal Procedure Code, Shahr Danesh Publications, 2018, p. 125.
- Rostami, Vali et al., Fair Trial in Specialized Administrative Authorities of Iran, 3rd Edition, Tehran, Faculty of Law and Political Science Publications, University of Tehran, 2017, p. 127.
- Mohammadi, Fatemeh, Principles Governing Fair Trial (Domestic and International Regulations), Tehran, University of Tehran, 2019, p. 94.
- D.j, galligan, Due Process and Fair Procedure, A study of Administrative procedures , Clarendon press, oxford, 1996, p 384.
- Künnecke, Martina, 2007, Tradition and Change in Administrative Law, Springer.
- Klara Kanska, Towards Administrative Human Rights in the EU. Impact of the Charter of Fundamental Rights, European Law Journal, Vol. 10, No. 3, 2004.
- Ellis, Jones, Essential Administrative Law , second Edition, Cavendish publishing, 2008.
- Lorenzi, Bernardini and Gritti V, Italy, 2013, European Court of Human Rights, Application No: 13301/87, 27/02/1992, in: <http://hudoc.echr.coe.int/sites/eng/pages/search.aspx>: Reasonable Time), Last Visit: Winter.
- . Chadee V, 1998, Trinidad and Tobago, United Nations Human Rights Treaties, Communication Number 813/1998, in: <http://hudoc.echr.coe.int/sites/eng/pages/search.aspx>: Reasonable Time, Last Visit: Winter 2013.

