

**PROCEDURAL DECISION
OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF ARMENIA**

**ON THE CASE CONCERNING THE DETERMINATION OF THE ISSUE REGARDING
THE CONFORMITY OF PART 1 AND 2, ARTICLE 309.1 THE RA CRIMINAL
PROCEDURAL CODE WITH THE CONSTITUTION OF THE REPUBLIC OF ARMENIA
ON THE BASIS OF THE APPLICATION OF THE CITIZEN A. MANUKYAN**

The Constitutional Court of the Republic of Armenia **DECIDED:**

Pursuant to Part 3 of Article 31 of the Law of the Republic of Armenia on “The Constitutional Court” initiate proceeding of the case concerning the determination of the issue regarding the conformity of Parts 1 and 2 of Article 309.1 of the RA Criminal Procedural Code with the Constitution on the basis of the application of the citizen A. Manukyan, and on the basis of Part 7, Article 69 of the Law of the Republic of Armenia on “The Constitutional Court” reject the consideration of the application concerning the determination of the issue regarding the conformity of Part 7, Article 221 of the Criminal Procedural Code of RA with the Constitution, as the challenged provision was not implemented by the final judicial act. Besides, the applicant raises not the issue not constitutionality but legality of the challenged norm, and the applicant has not grounded the cause-effect relation of the challenged norm and the fact of infringement of his constitutional rights.

December 25, 2009
PDCC-127