

**IN THE NAME OF THE REPUBLIC OF ARMENIA
DECISION OF THE CONSTITUTIONAL COURT OF
THE REPUBLIC OF ARMENIA**

**ON THE CASE OF CONFORMITY OF PART 1 OF ARTICLE 385, PART 2 OF
ARTICLE 397 AND PART 1 OF ARTICLE 4142 OF THE CRIMINAL PROCEDURE
CODE OF THE REPUBLIC OF ARMENIA WITH THE CONSTITUTION ON THE BASIS
OF THE APPLICATION OF ARNDRANIK GALSTYAN**

Based on the review of the case and governed by clause 1 of article 168, clause 8 of part 1 of article 170 of the Constitution, articles 60, 63,64 and 69 of the Constitutional Law on the Constitutional Court, the Constitutional Court **HOLDS:**

1. The legal regulation enshrined in Part 2 of Article 397 of the RA Criminal Procedure Code is in conformity with the Constitution with the interpretation, according to which the Court of Appeals shall provide the person with a legal possibility to defend himself effectively against the 28 charges.

2. To terminate the proceeding of the case of conformity of part 1 of article 385, part 2 of article 397 and part 1 of article 4142 of the Criminal Procedure Code of the Republic of Armenia with the Constitution on the basis of the application of Andranik Galstyan on terms of part 1 of article 385 and part 1 of article 4142.

3. Pursuant to Part 10 of Article 69 of the Constitutional Law on the Constitutional Court, the final judicial act issued in respect to the applicant in case of a newly revealed circumstance referred to in this article shall be subject to review in the manner prescribed by law, as Part 2 of Article 397 of the RA Criminal Procedure Code was applied to the applicant with an interpretation different from the one provided in the first paragraph of this decision.

4. Pursuant to part 2 of article 170 of the Constitution this Decision is final and shall enter into force upon its promulgation.

November 17, 2020

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