

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

ON THE CASE OF CONFORMITY OF THE PROVISION “(...) OR TO AN ADULT CO-HABITING WITH HIM OR HER AT THE ADDRESSEE’S NOTIFICATION (RECORD-REGISTRATION) ADDRESS OR TO AN ADULT WORKING WITH HIM OR HER AT THAT ADDRESS” PRESCRIBED IN PART 2 OF ARTICLE 95 OF THE CIVIL PROCEDURE CODE OF THE REPUBLIC OF ARMENIA WITH THE CONSTITUTION ON THE BASIS OF THE APPLICATION OF VAHAN KHACHATRYAN

Based on the review of the case and governed by Clause 1 of Article 168, Clause 8 of Part 1 of Article 169, and Article 170 of the Constitution, as well as Articles 63, 64 and 69 of the Constitutional Law on the Constitutional Court, the Constitutional Court **HOLDS:**

1. To declare the provision “(...) or to an adult co-habiting with him or her at the addressee’s notification (record-registration) address or to an adult working with him or her at that address” contradicting Part 1 of Article 61, Part 1 of Article 63 and Article 75 of the Constitution.

2. Pursuant to Part 10 of Article 69 of the Constitutional Law on the Constitutional Court, the final judicial act issued in respect of the applicant shall be subject to review in the manner prescribed by law due to a newly revealed circumstance.

3. Based on Part 3 of Article 170 of the Constitution, Clause 4 of Part 9 and Part 19 of Article 68 of the Constitutional Law on the Constitutional Court, as well as taking into account the circumstance that declaring the disputed provision as contradicting the Constitution and void at the moment of promulgation of the Decision of the Constitutional Court shall inevitably cause grave consequences for the society, thereby jeopardizing the legal security established by repealing the mentioned normative legal act, to define 1 June 2021 as the deadline for the invalidation of the legal provision declared as contradicting the Constitution by this Decision, providing the National Assembly the possibility to align the relevant legal regulations of the Criminal Procedure Code of the Republic of Armenia with the requirements of this Decision.

4. Pursuant to Part 2 of Article 170 of the Constitution this Decision shall be final and shall enter into force upon its promulgation.

Chairman

A. Dilanyan

February 2, 2021

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