

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

ON THE CASE CONCERNING THE DETERMINATION OF THE ISSUE REGARDING THE CONFORMITY OF ARTICLE 73, PART 1, POINT 3 OF THE CRIMINAL PROCEDURE CODE OF THE REPUBLIC OF ARMENIA WITH THE CONSTITUTION OF THE REPUBLIC OF ARMENIA ON THE BASIS OF THE APPLICATION OF THE HUMAN RIGHTS DEFENDER OF THE REPUBLIC OF ARMENIA

Rapporteur K. Balayan

Proceeding from the results of the consideration of the Case and being ruled by Article 100, Point 1, Article 101, Part 1, Point 8, Article 102 of the Constitution of the Republic of Armenia, Articles 63, 64 and 68 of the Law of the Republic of Armenia on Constitutional Court, the Constitutional Court of the Republic of Armenia **HOLDS:**

1. To declare Article 73, Part 1, Point 3 of the RA Criminal Procedure Code, in regard to the wordings "with the permission of the body of criminal prosecution" and "if the suspect or the accused demand, or if this is requested by the defense attorney at the beginning of the action" contradicting Article 18, Part 1, the provision stipulated by the first sentence of Part 1 of Article 20, and the provisions of Article 43, Part 1 of the Constitution of the Republic of Armenia and void.
2. Pursuant to Article 102, Part 2 of the RA Constitution this Decision is final and enters into force from the moment of its announcement.

8 October 2013
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