

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 PART 1, ARTICLE 426.1 OF THE RA CRIMINAL PROCEDURE CODE WITH THE CONSTITUTION OF THE REPUBLIC OF ARMENIA ON THE BASIS OF THE APPLICATION OF THE RA PROSECUTOR GENERAL

Rapporteur V. Hovhannisyan

Considering the results of the examination of the case and ruled by Paragraph 7 of Part 1 of Article 101, Article 102 of the Constitution, Articles 63, 64, 68 and 71 of the RA Law on “The Constitutional Court”, the Constitutional Court of the Republic of Armenia **DECIDES:**

1. To recognize the expression "**only**" of Part 1, Article 426.1 of the Criminal Procedure Code of the Republic of Armenia, regarding to exclusion of the review of other final legal acts provided by law on the basis of new or newly discovered facts thereby endangering a person's right to an effective remedy before a competent state organs /public authorities/ during pre-trial proceedings, contrary to the requirements of Part 1 of Article 18 of the RA Constitution and invalid
2. Pursuant to Part 2, Article 102 of the RA Constitution this Decision is final and enters into force from the date of publication.

February 4, 2011
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