

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

**ON THE CASE CONCERNING THE CONSTITUTIONALITY OF ARTICLE 35 § 1(10) OF  
THE CRIMINAL PROCEDURE CODE OF THE REPUBLIC OF ARMENIA ADOPTED ON 1  
JULY 1998 RAISED BY THE APPLICATION OF DAVIT POLADYAN**

Based on the examination of the case and subject to Article 167(1), Article 168(1), Article 169 § 1(8), and Article 170 §§ 1 and 2 of the Constitution, as well as guided by Articles 63, 64 and 69 of the Constitutional Law on the Constitutional Court, the Constitutional Court **HOLDS:**

**1.** Article 35 § 1(10) of the Criminal Procedure Code of the Republic of Armenia adopted on 1 July 1998 complies with the Constitution by the interpretation that the wording “for reopening the case due to newly emerged circumstances” also refers to the review of judicial acts that entered into legal force due to the newly emerged circumstances in civil proceedings.

**2.** According to Article 69 § 10 of the Constitutional Law on the Constitutional Court, the final judicial act rendered against the applicant shall be subject to revision upon the grounds of a newly emerged circumstances as prescribed by the Law, since Article 35 § 1(10) of the Criminal Procedure Code of the Republic of Armenia adopted on 1 July 1998 had been applied against the applicant by an interpretation other than given by this Decision.

**3.** Pursuant to Article 170 § 2 of the Constitution, this Decision shall be final and shall enter into force upon its promulgation.

January 23, 2024

DCC-1712