

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 POINT 2 OF PART 1
OF ARTICLE 419 OF THE CIVIL PROCEDURE CODE OF THE REPUBLIC OF
ARMENIA, RAISED BY THE APPLICATION OF EMMA TUNYAN**

Based on the results of an examination of the Case and guided by part 1 of Article 167, point 1 of Article 168, part 1 and parts 4-5 of Article 170 of the Constitution, as well as Articles 63, 64, and 69 of the Constitutional Law “On the Constitutional Court”, the Constitutional Court **DECIDED:**

1. Point 2 of part 1 of Article 419 of the Civil Procedure Code of the Republic of Armenia complies with the Constitution in the interpretation that a judicial act shall be subject to revision based on a newly emerged circumstance if the fact of violation of a right stipulated by an international treaty ratified by the Republic of Armenia has been substantiated by a judgment or decision of an international court acting on the basis of an international treaty ratified by the Republic of Armenia, which has entered into force in a case against the Republic of Armenia, in the event that any of the principles of prior adequate compensation for the expropriation of property for prevailing public interests, as prescribed by part 5 of Article 60 of the Constitution, have been declared as violated, also taking into account in that context the fact of deviation by domestic judicial instances from the relevant legal positions expressed in the judgment or decision of an international court acting on the basis of an international treaty ratified by the Republic of Armenia, which has entered into force in a case against the Republic of Armenia, regardless of the fact of a person’s participation in the given case.

2. According to part 10 of Article 69 of the Constitutional Law “On the Constitutional Court”, the final judicial act issued against the Applicant shall be subject to revision based on a newly emerged circumstance as prescribed by the Law, considering that point 2 of part 1 of Article 419 of the Civil Procedure Code of the Republic of Armenia had been applied against the Applicant in the interpretation other than given by this Decision.

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

PRESIDING JUDGE

A. DILANYAN

6 November 2025

DCC-1801