

**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 1003¹, POINT 1 OF THE CIVIL CODE OF THE REPUBLIC OF ARMENIA (WORDING DATED APRIL 9, 2007) WITH THE CONSTITUTION OF THE REPUBLIC OF ARMENIA ON THE BASIS OF THE APPLICATION OF “INGO ARMENIA” ICJSC

Rapporteur A. Khachatryan

Based on the review of the Case and being governed by Article 100, Point 1 and Article 102 of the Constitution of the Republic of Armenia, Articles 63, 64 and 69 of the RA Law on the Constitutional Court, the Constitutional Court of the Republic of Armenia **HOLDS:**

1. Article 1003¹, Point 1 of the Civil Code of the Republic of Armenia is in conformity with the Constitution of the Republic of Armenia, taking into account that in the meaning of Article 42, Part 2 and Article 83.5, Part 2 of the RA Constitution the constitutional legal content of the notion “obligation” supposes to be a rule of compulsory behavior stipulated by the Constitution and law regardless of the will of the subject of law, and the constitutional legal content of the notion “duty” supposes to be a relevant behavior assumed by virtue of law or by his/her own free will and due to his/her actions.

In the law enforcement practice the given notions cannot be interpreted or applied otherwise stipulated by the constitutional legal content expressed in this Decision.

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.

June 14, 2011

DCC-975