

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

**ON THE CASE OF CONFORMITY OF PART 1.1 OF ARTICLE 4, PART 2 OF ARTICLE 6
AND PART 1 OF ARTICLE 8 OF THE LAW OF THE REPUBLIC OF ARMENIA ON LOCAL
REFERENDUM WITH THE CONSTITUTION ON THE BASIS OF THE APPLICATION OF
VAHAGN GEVORGYAN, HEAD OF ABOVYAN COMMUNITY OF KOTAYK MARZ, ARTUR
HARUTYUNYAN, HEAD OF TSAKHKADZOR COMMUNITY OF KOTAYK MARZ AND
GAGIK MATEVOSYAN, HEAD OF NOR HAJN COMMUNITY OF KOTAYK MARZ WITH
THE CONSTITUTION**

Based on the review of the case and governed by Clause 1 of Article 168, Clause 7 of Part 1 of Article 169, and Article 170 of the Constitution, as well as Articles 63, 64 and 70 of the Constitutional Law on the Constitutional Court, the Constitutional Court **HOLDS:**

1. To declare Part 1.1 of Article 4, Part 2 of Article 6 of the Law of the Republic of Armenia on Local Referendum contradicting Part 1 of Article 179 and Article 190 of the Constitution and void, insofar as the latter do not provide the necessary legislative organizational structures and procedures for the effective exercise of the right to express the opinion of the community through a local referendum regarding the issue of community unification or division.

2. To declare Part 1 of Article 8 of the Law of the Republic of Armenia on Local Referendum contradicting Part 1 of Article 179 and Article 190 of the Constitution and void in part of the appointment of a local referendum shall be rejected by the head of the community on the grounds of lack of necessary financial means after receiving the question to be put to a local referendum by the authorized representative of the initiative group put forward in accordance with Article 7.1 of the same Law.

3. To declare Part 3 of Article 13 of the Law of the Republic of Armenia on Local Referendum systemically interrelated with Part 1 of Article 8 of the same Law contradicting Part 1 of Article 179 and Article 190 of the Constitution and void in part of failing to provide the relevant expenditures at the expense of the state budget in the absence of the necessary financial resources or in case of insufficiency of those funds in the community budget for preparing or holding a local referendum on the community unification or division.

4. Pursuant to Part 2 of Article 170 of the Constitution this Decision shall be final and shall enter into force upon its promulgation.

Chairman

A. Dilanyan

May 14, 2021
DCC-1593