

**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 8 § 1(5), AND
ARTICLE 138 OF THE CONSTITUTIONAL LAW ON THE RULES OF PROCEDURE OF
THE NATIONAL ASSEMBLY, AS WELL AS OTHER PROVISIONS OF THIS ACT
SYSTEMICALLY INTERRELATED WITH THE MENTIONED PROVISIONS, RAISED BY
THE APPLICATION OF AT LEAST ONE FIFTH OF THE TOTAL NUMBER OF THE
DEPUTIES OF THE NATIONAL ASSEMBLY OF THE REPUBLIC OF ARMENIA**

Based on the examination of the case and subject to Article 168(1), Article 169 § 1(2), and Article 170 of the Constitution, as well as guided by Articles 63 , 64 and 68 of the Constitutional Law on the Constitutional Court, the Constitutional Court **HOLDS:**

1. Article 8 § 1(5) of the Constitutional Law on the Rules of Procedure of the National Assembly complies with the Constitution by the interpretation that nominating candidates for the positions of the Chairperson and Deputy Chairperson of the Standing Committee of the National Assembly is not the right but the mandatory power of the competent faction.

2. To declare Article 138 § 5 of the Constitutional Law on the Rules of Procedure of the National Assembly contradicting Article 106 § 2 of the Constitution, insofar as it provides for the possibility for the factions of the National Assembly, by mutual agreement, to cede the right to nominate a candidate for the positions of the Chairperson and Deputy Chairperson of the Standing Committee after determining the right of factions of the National Assembly to nominate candidates for the positions of the Chairperson and Deputy Chairperson of the Standing Committee.

3. To declare Article 138 § 12 of the Constitutional Law on the Rules of Procedure of the National Assembly contradicting Article 106 § 2 of the Constitution.

4. Taking into account the need for the inviolability of legal security, in accordance with Article 170 § 3 of the Constitution, as well as Article 68 §§ 9(4) and 19 of the Constitutional Law on the Constitutional Court, the deadline for invalidating the provisions declared as contradicting the Constitution by this Decision of the Constitutional Court shall be May 31, 2024, thus enabling the National Assembly to reconcile with this Decision the legal regulations of the Constitutional Law on the Rules of Procedure of the National Assembly.

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

December 19, 2023

DCC-1708