

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

**ON THE CASE OF CONFORMITY OF ARTICLE 353.1 OF THE RA CRIMINAL  
CODE AND AFFILIATED CLAUSES 1 AND 3 OF PART 3 OF ARTICLE 7 OF THE RA  
LAW ON PREVENTION OF DOMESTIC VIOLENCE, PROTECTION OF THE  
VICTIMS OF DOMESTIC VIOLENCE AND RESTORATION OF SOLIDARITY IN  
THE FAMILY WITH THE CONSTITUTION ON THE BASIS OF THE APPLICATION  
OF THE FIRST INSTANCE COURT OF GENERAL JURISDICTION OF KOTAYK  
MARZ OF THE REPUBLIC OF ARMENIA**

Based on the review of the case and governed by Clause 1 of Article 168, Part 4 of Article 169, and Article 170 of the Constitution, as well as Articles 63, 64 and 71 of the Constitutional Law on the Constitutional Court, the Constitutional Court **HOLDS**:

**1.** Article 353.1 of the RA Criminal Code and Clause 3 of Part 3 of Article 7 of the RA Law on Prevention of Domestic Violence, Protection of the Victims of Domestic Violence and Restoration of Solidarity in the Family are in conformity with the Constitution.

**2.** Clause 1 of Part 3 of Article 7 of the RA Law on Prevention of Domestic Violence, Protection of the Victims of Domestic Violence and Restoration of Solidarity is in conformity with the Constitution in the interpretation that the restrictions prescribed thereby can be applied to a person having committed domestic violence only in the case when the availability of another place necessary for his residence, as well as the possibility and expediency of moving the person subjected to domestic violence and the persons under his care to another safe place are taken into account.

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

**CHAIRMAN**

**H. TOVMASYAN**

April 14, 2020

DCC-1522