

**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 181 OF THE RA ADMINISTRATIVE  
PROCEDURE CODE WITH THE CONSTITUTION OF THE REPUBLIC OF ARMENIA ON  
THE BASIS OF THE APPLICATION OF THE CITIZEN SAMVEL ALAVERDYAN**

Rapporteur H. Nazaryan

Proceeding from the results of consideration of the case and ruled by Article 100, Point 1, Article 102 of the Constitution of the Republic of Armenia, Articles 19, 63, 64 and 69 of the RA Law on Constitutional Court, the Constitutional Court of the Republic of Armenia **HOLDS**:

1. To declare Article 181 of the Administrative Procedure Code of the Republic of Armenia, insofar as it blocks challenging of legality of effective judgments due to other legitimate “newly emerged” circumstances, resulting in limitation of the person’s right to access to court and right to fair trial, as contradictory to Articles 1, 3, Article 6, Part 2, Articles 18 and 19 of the Constitution of the Republic of Armenia.
2. To determine 31 December, 2015 as the deadline for invalidation of norms declared as unconstitutional by this decision based on Article 102, Part 3 of the RA Constitution and Article 68, Part 15 of the RA Law on the Constitutional Court, considering the fact that the declaration of the norms in dispute as unconstitutional on the moment of the announcement of the decision of Constitutional Court, shall result in legislative gap which will distort the legal security to be established on the moment of the invalidation of the given norm, as well as enabling the National Assembly to bring the above-mentioned legal regulation in line with the requirements of this decision taking into consideration also the international legal experience regarding the issue.
3. In accordance with Article 102, Part 2 of the RA Constitution this decision is final and enters into force from the moment of its announcement.

June 26, 2015  
DCC-1222