

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

**ON THE CASE ON CONFORMITY OF ARTICLE 55, PART 4 OF THE CRIMINAL CODE OF THE REPUBLIC OF ARMENIA WITH THE CONSTITUTION OF THE REPUBLIC OF ARMENIA ON THE BASIS OF THE APPLICATIONS OF “ACBA-CREDIT ARGICOL” CJSC, “ARTSAKHBANK” CJSC, “HSBC BANK OF ARMENIA” CJSC, “VTB ARMENIA” CJSC**

Rapporteur V. Hovhannisyan

Proceeding from the results of consideration of the case and being ruled by provisions of Article 100, Part 1 and Article 102 of the Constitution, Articles 63, 64 and 69 of the RA Law on “The Constitutional Court”, the Constitutional Court of the Republic of Armenia **HOLDS:**

1. To declare the provision “The property is confiscable regardless the ownership or possession by the convict or any other third party” of Article 55, Part 4 of the RA Criminal Code, in accordance with the interpretation used in law-enforcement practice, which does not guarantee necessary protection of property interests and right to ownership of aggrieved (legal possessor), non-conforming with the requirements of Article 20, Part 5 and Article 31, Part 2 of the Constitution of the Republic of Armenia and invalid.
2. Pursuant to Article 102, Part 2 of the RA Constitution this Decision is final and enters into force from the date of announcement.

12 July 2011  
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