

REPUBLIC OF WESTERN ARMENIA

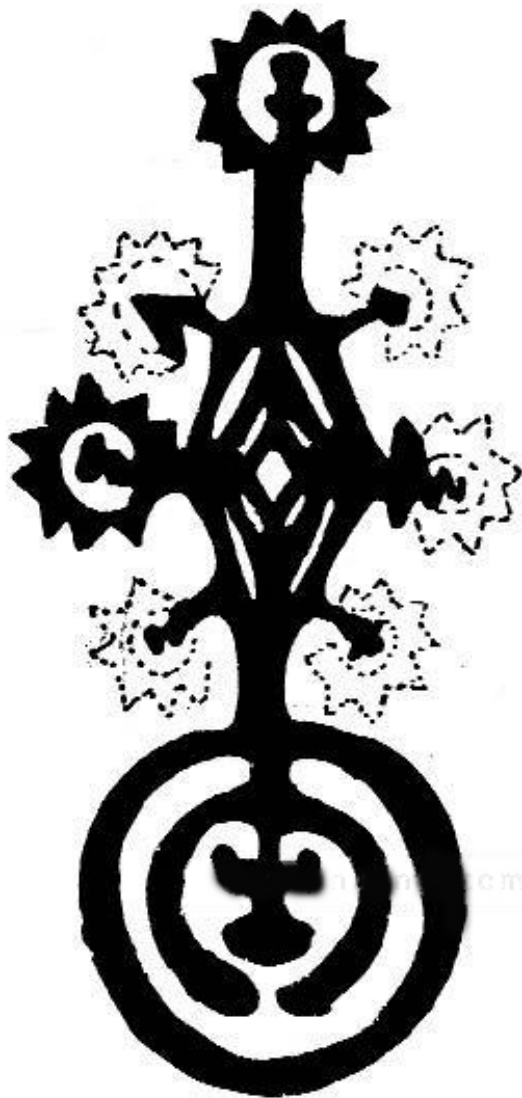


THE CONSTITUTION OF THE REPUBLIC OF WESTERN ARMENIA

May 9, 2016



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the tree of Life

THE CONSTITUTION OF THE REPUBLIC OF WESTERN ARMENIA

May 9, 2016

The Armenian people and Citizens of Western Armenia who have returned to their own Identity, taking as a basis;

International Decisions that made on the Republic of Western Armenian (State of Armenia) 1916-1920, the Sevres Peace Treaty and judgments, as well as the 2004-2016 , the declarations, decrees and decisions adopted by the National Council of the Western Armenia, by the president of Western Armenia, by the Government and by the Members of the National Assembly, to confirm the rights of the Armenians of Western Armenia over Western Armenia (including Kilikia), to ensure the rights of the Armenians of Western Armenia to live, to exist, to live freely and develop on their own sovereign, historical territories. In addition, to promote peaceful coexistence and true interrelation between nations and states in the Middle East (and the world).

Hereby, In May 2016 the Constitution of the Republic of Western Armenia (State of Armenia) was adopted.

Republic of Western Armenia (State of Armenia) May 9, 2016

THE CONSTITUTION OF THE REPUBLIC OF WESTERN ARMENIA

Preface

Main laws of the Republic of Western Armenia

The history and the recognition of the Republic of Western Armenia

Laws, decisions and declarations that form the basis for the Constitution

1 - The decision of the executive assembly of the Armenian National Council of Western Armenia, 08.11.2004

2 - The official declaration of The National Assembly of The Western Armenians, 2004.12.17.

3 - Declaration adopted by the deputy of national parliament 20.01.2007

4 - Declaration of National council of Western Armenia on forming a government-in-Exile, 04.02.2011

5 - The Decision of the National Council on the Western Armenia neutrality, 29.03.2011

6 - Decree on the flag of the Republic of Western Armenia, 21.0.2011

7 - The decree on the Creation of Self-Defense Forces of the Armenians of Western Armenia

8 -The declaration on the formation of National Assembly of Western Armenia 24.05.2013

9 -The decree of the president of Western Armenia; resolution-commemoration on The Republic of Western Armenia that it is a continuation of the Armenian State.

10 - The decree on drafting constitution of the Republic of Western Armenia 10.08.2014

11 - The rights of Armenians in Artsakh and the right of the Artsakh region

12 - The rights of Armenians in Nakhchavan and the rights of Nakhchavan region

13 -The rights of Armenians in Javakhk and the rights of Javakhk Region

14 - The rights of Armenians in Kilikia the rights of Kilikia Region

15 - The relations with the Republic of Armenia (Eastern Armenia)

...Articles from 11-15 are presented in the annex of the Constitution

Blessings

- ¹ <http://www.western-armenia.eu/WANC/Armenie-Occidentale/Coammunigues/cna08.11.04.htm>
- ² http://www.western-armenia.eu/stat.gov.wa/arm/2011/Haydararutyun_HAKH1.pdf
- ³ <http://www.western-armenia.eu/stat.gov.wa/arm/2011/Hrtchakagir.pdf>
- ⁴ <http://www.western-armenia.eu/stat.gov.wa/arm/2011/Hrtchakagir-04.02.2011.pdf>
- ⁵ <http://www.western-armenia.eu/stat.gov.wa/arm/2011/Arevmdian-Hayastani-Azgayin-Khorhuri-Vorochum-2011.03.29.pdf>
- ⁶ <http://www.western-armenia.eu/stat.gov.wa/arm/2011/Nakhaqahagan-Hramanaqir-21.10.2011.pdf>
- ⁷ <http://www.western-armenia.eu/stat.gov.wa/arm/2011/Nakhaqahagan-Hramanaqir-26.12.2011.pdf>
- ⁸ http://www.western-armenia.eu/stat.gov.wa/arm/2013/HRTCHAGAQIR_AREVM DYAN_HAYASDANI_AZGAYIN_JOGHOV-01.06.2013.pdf
- ⁹ http://www.western-armenia.eu/stat.gov.wa/arm/2014/Nakhaqahagan-Hramanaqiri-Charounaqagan_bedyan_veraberial-23.02.2014.pdf
- ¹⁰ http://www.western-armenia.eu/stat.gov.wa/arm/2014/Nakhaqahagan_Hramanaqir-23-2014.08.10.pdf

11. The rights of Armenians in Artsakh and the right of the Artsakh Region
12. The rights of Armenians in Nakhchavan and the rights of Nakhchavan Region
13. The rights of Armenians in Javakhk and the rights of Javakhk Region
14. The rights of Armenians in Kilikia the rights of Kilikia Region
15. The relations with the Republic of Armenia (Eastern Armenia)

THE CONSTITUTION OF THE REPUBLIC OF WESTERN ARMENIA

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CHAPTER 1

THE FUNDAMENTALS TO CONSTITUTIONAL ORDER

Article 1.

The Republic of Western Armenia is a free, independent, sovereign, legal, social, democratic state.

2. Taking as an historical basis the recognition of the State of Armenia de facto on January 19, 1920, and de Jure on May 19, 1920, have been established by the Allied States on the geographically demarcated areas fixed by Woodrow Wilson's jurisdiction, as well as on the three provinces of Western Armenia and Kilikian Armenia that have been left out from the legal verdict, the Republic of Western Armenia must be considered as a continuing state of the Armenian State, recognized in 1920.

The name of the Republic of Western Armenia is internationally recognized as Republic of Western Armenia; République d'Arménie Occidentale, Република Западная Армения.

Article 2.

The Republic of Western Armenia shall recognize the basic rights and freedoms of the human beings and Native people as a basis of freedom, justice and peace.

Article 3.

1. The Government of the Republic of Western Armenia being as an Armenian State Power shall belong to Armenian Nation.

2. The people shall exercise their power through free elections, by referendum, as well as through state bodies and officials in the manner prescribed by the Constitution and Law.

3. The Power to be taken over by any organization or an individual shall be a crime

Article 4.

1) The Human Being and Native people, their dignity, their basic rights and freedoms shall be the highest value.

2) The State shall ensure the defense of the basic rights and freedom of human being, citizens, native people, based on the principles and standards of international law.

Article 5.

The Election of the National Assembly as well as the referendum, shall be held by universal, equal and direct suffrage on a secret ballot.

Article 6.

1) The State Power shall be implemented in accordance with the Constitution and Laws based on the equality, harmony and division of Legislative, executive and judicial authorities.

2) State bodies and officials are eligible to exercise only those actions for which they are authorized to by the Constitution and Law.

Article 7.

1) The Constitution shall have an highest legal power and the Constitution standards shall be executed directly.

2) Laws must comply with the Constitution .Other domestic legal decisions must comply with the Constitution and the Law. Legal decision by domestic standards shall be adopted on the basis of the Constitution and Laws for the purpose of their implementation.

3) Laws and domestic legal decisions shall enter in force after their official promulgation in the manner prescribed by law.

4) Laws adopted in the contrary of the Constitution as well as other domestic legal decisions and contracts decisions that made in the contrary to the Constitution and Law shall have no legal force.

5) International Treaties of The Republic of Western Armenia shall be an integral part of the legal system of the Republic of Western Armenia.

6) Laws and other legal decisions must comply with the principals of the international popular laws and with the canonical standards.

7) For the Republic of Western Armenia the international treaties shall enter in force only after they be ratified and confirmed. In case of any other canonical standards shall have been established in the ratified international treaties than established in the manner prescribed by law therefore the canonical standards of the treaty may be applied.

8) International treaties which shall contradict the Constitution, may not be ratified. Treaties which shall contradict the Constitutional Laws may also not be affirmed.

Article 8.

1) Freedom of economic activities and free economic competition shall be guaranteed for the whole entire territory of the Republic of Western Armenia.

2) Unfair competition shall be prohibited.

3) Restriction of competition as well as the possible types of monopoly and the permitted extent may be prescribed only by law, for the purpose of protecting public interest.

4) The State shall guarantee the free development of all forms of property and protection of equal rights .

Article 9.

1) Social structures and formations, movements, patriotic, cultural, spiritual unions and associations shall form the basis of the civil society of The Republic of Western Armenia.

2) They shall form freely, they shall promote to national-state formation and to free expression of people's will. Their activity can't contradict to the Constitution and Law, and neither their tactic behavior to democracy principles.

3) They shall ensure the publicity for their financial activity.

Article 10.

The Republic of Western Armenia is a secular state

Article 11.

1) The Republic of Western Armenia is a current, armed, positive and neutral state.

2) The armed forces of the Republic of Western Armenia shall ensure, protect and keep, the defense, security, territorial integrity, and inviolability of the borders of the Republic of Western Armenia.

3) The armed forces of the Republic of Western Armenia shall maintain neutrality in political matters and shall be under the Control of the Security and under the control of The President of the Republic of Western Armenia.

Article 12.

The Republic of Western Armenia shall implement the Foreign Policy comply with the principals and standards of International Law

Article 13.

1) The citizens of the Republic of Western Armenia shall be under the defense of the Republic of Western Armenia from both sides; in the territory and out of the borders of the Western Armenia.

2) To get a citizenship of The Republic of Western Armenia and the procedure of stopping it shall be prescribed by the Law.

Article 14.

1) The state language of the Republic of Western Armenian is The Armenian Language, the literary language is the Western Armenian language.

2) The Republic of Western Armenia shall guarantee and allow the free usage of the languages that are wide spread in the population.

Article 15.

1) The state symbols of The Republic of Western Armenia, flag, coat of arms and anthem shall be prescribed by law.

2) The flag of Western Armenia is the light of Armenian life which brightens and illuminates Armenia with its symbols of eternity, the Sun and The Armenian State; with its light apricot color and state purple, with its blue horizons and with its white truth. The detailed description of the flag shall be prescribed by law.

3) The coat of arms of the Republic of Western Armenia is the shield. The detailed description of the coat of arms is prescribed by law.

4) The anthem of the Republic of Western Armenia is an Armenian song "Zartnir Lao".

5) The capital city of the Republic of Western Armenia is Karin

CHAPTER 2

BASIC RIGHTS OF THE HUMAN BEING AND CITIZEN FREEDOMS AND DUTIES

Article 16.

The dignity of a human being as an integral basis of his/her rights and freedoms shall be respected and be protected by the State.

Everyone shall be equal before law.

Discrimination based on sex, race, skin color, ethnic or social origin, genetic features, language, religion, world view, birth, political or other views, belonging to national minority, property status, birth, disability, age, or other personal or social circumstances shall be prohibited.

Article 17.

Everyone shall have the right to live. No one may be sentenced or subjected to death penalty.

Article 18.

Everyone has right to personal liberty and immunity. Person may be deprived of personal liberty only in the manner prescribed by law.

- Law may provide deprivation of liberty only for the following cases:
- The person has been sentenced for committing a criminal offence by a competent court ;
- The person has failed to obey legitimate court order
- For the purpose of ensuring the fulfillment of a certain obligation prescribed by law
- When there exists a reasonable suspicion that the person has committed a criminal offence, or a justified necessity of preventing the committal of a criminal offence by the person or his or her fleeing after having done so;
- For the purpose of placing a minor under educational supervision or presenting him or her before a competent authority;
- For the purpose of preventing the spread of diseases, as well as the danger posed by persons with mental disorder, drug addicts and alcoholics dangerous for the public
- For the purpose of preventing the illegal entry of a person into the Republic of Western Armenia, or for deporting or extraditing a person to another state.

Everyone deprived of personal liberty shall be relevantly informed, in a language which he or she understands, about the reasons for deprivation of liberty, whereas in case a criminal charge is brought shall also be informed about the charge. Everyone is deprived of personal liberty shall be entitled to have the person of his or her choice be as soon as informed thereon.

If within 72 hours the court fails to arrest a person he or she shall immediately be released.

No one may be deprived of personal liberty merely on the ground of inability to fulfil civil-law obligations.

No one may be searched in any other way than in the manner prescribed by law and by an appropriate order.

Article 19.

No one may be subjected to torture, inhuman or degrading treatment or punishment. Persons deprived of liberty shall have the right to human treatment.

No one may be subjected to scientific, medical or other experiments without his or her personal agreement.

Article 20.

Everyone shall have his/her right to effective means of legal protection of his /her rights and freedoms in front of judicial bodies and other official bodies.

Everyone shall have right to protect his/her freedoms and rights by all means not forbidden by law.

Everyone shall legally and on the basis of law have right to get support from the Human Rights Defender for the protection of his/her freedoms and rights.

Everyone may in compliance with the Western Armenian international treaties apply to the International Human Rights Defender on the issues relate to his/her freedom and rights.

Article 21.

Everyone shall have right of restoring his/her violated rights, to clarify the validity of the accusation against him under conditions of equality, observing all the requirements of justice of the right to a public hearing of his case of investigation by the court .

For the well of society, public order, national security, for the safety of the life of the participants of the trial, the entry and participation of news media, and public representatives shall be forbidden during the whole or partially whole process of judicial investigation.

Article 22.

Everyone shall have right of getting juridical assistance. In the manner prescribed by law the juridical assistance shall be provided at the means of state fund.

Everyone shall have right of his choice to have a defense attorney by his choice at the time of inducement.

Everyone shall have right to review the verdict against him/her in the manner prescribed by law.

Every convicted one shall have right to petition for pardon.

The Inflicted damage of the injured person shall be compensated in the manner prescribed by law.

Article 23.

The convicted is presumed innocent yet the guilt has not been proven.

The convicted must not have to prove his innocence.

Article 24.

No one shall be obliged to give testimonies against his spouse or close relatives.

Law may suggest other ways of giving testimonies for releasing them from those obligations.

A punishment may not be imposed more severe than that applicable by the law at the time of committing the criminal offence , No one shall be sentenced for an action committed at the time than that is applicable by the law.

A law removing an act or mitigating the punishment therefor shall have retroactive effect.

A Law defining or deteriorating the obligations shall have retroactive effect.

No one may be arraigned twice for the same act.

Article 25.

Everyone shall have right of respecting his/her personal life and family life.

Without an agreement of a person it is not allowed to collect, use or share information on him/her than it is prescribed by law;

Everyone shall have the right to get familiar with the data concerning him or her collected at state and local self-government bodies.

Everyone shall have the right to request correction of any inaccurate data concerning him/ her, as well as elimination of data obtained illegally or no longer having legal grounds.

Everyone shall have the right to freedom and secrecy of correspondence, right to telephone conversations and other means of communication which may be restricted only by law and upon court decision prescribed by law.

Article 26.

Everyone shall have the right to inviolability of the home. It shall be prohibited enter persons' home without their will except for the cases prescribed by law.

A home may be searched only upon a court decision, in the cases and under the procedure prescribed by law.

Article 27.

Everyone lawfully within the territory of the Republic of Western Armenia shall have the right of movement freely and choice of place of residence.

Everyone shall have the right to leave the Republic of Western Armenia.

Every citizen and everyone having the right to lawfully reside in the Republic of Western Armenia shall have the right to enter the Republic of Western Armenia again.

Article 28.

Everyone shall have the right to freedom of thought, conscience and religion. This right shall include the freedom to change religion or belief and, either alone or in community with others and in public or in private, the freedom to demonstrate them in preaching, church ceremonies, other rites of worship or in other forms.

This expression of rights may be restricted only by law for the purpose of state security, for the protection of public order, health and morals or the basic rights and freedoms of others.

Article 29.

Everyone shall have the right to freely express his or her opinion. To compel someone to change or refuse from his/her opinion is prohibited

Everyone shall have the right to freedom of speech (speech liberty) including in seeking, receiving and disseminating information and ideas through any media, regardless of state frontiers.

The freedom of the press, radio, television and other means of information shall be guaranteed.

The State shall guarantee the activities of independent public television and radio offering diversity of informational, educational, cultural and entertainment programmers.

Article 30.

Everyone shall have the right to submit applications suggestions to state and authority bodies and officials on the protection of his/ her personal and public interest and to receive an appropriate reply within a reasonable time period.

Article 31.

Everyone shall have the right to freedom of association with others, including the right to form and join the unions.

Every citizen shall have the right to establish associations and unities together with other citizens and the right to get membered with them.

No one may be compelled to join any political party.

The activities of a political party may, in the cases prescribed by law, be suspended and prohibited only upon the decision of the Constitutional Court.

Article 32.

Everyone shall have right to hold assemblies peacefully and without any weapon.

By the Armed Forces, Police, National Security, The Service- workers of the Prosecution Bodies, as well as the members of The Constitutional Court and Judges, the restriction of exercising of those laws may be prescribed only by law

Article 33.

Citizens of the Republic of Western Armenia having attained the age of eighteen shall have the right to elect and the right to participate in the referendums as well as the right of participation in state government bodies.

Law may prescribe the right to take part in the elections and in referendums for those not holding citizenship of the Republic of Western Armenia

Persons sentenced and those serving the sentence, may not be imputed to elect.

Article 34.

A child born to citizens of the Republic of Western Armenia shall be a citizen of the Republic of Western Armenia. Every child with one of the parents holding citizenship of the Republic of Western Armenia((Native Armenians;) or one of the parents is a Western Armenian (or the generation of which have been survived after genocide,) 1, shall have the right to acquire citizenship of the Republic of Western Armenia. The procedure of acquiring or terminating the citizenship of Western Armenia is prescribed by law.

Nobody can be deprived from the citizenship of the Republic of Western Armenia and from the right to change the citizenship .

The rights and obligations of citizens of holding dual citizenship shall be prescribed by law.

Article 35.

The citizens shall have right of getting general public service based on the common ground.

The principals of the public service and the procedure of its planning are prescribed by law.

Article 36.

Everyone shall have the right to possess, use and dispose of legally acquired property at his or her discretion. The implementation of property right shall not cause damage to the environment as well as to violate public interests or the basic rights and freedoms of others

No one may be deprived of ownership except through judicial procedure, in the cases prescribed by law.

Alienation of property with a view to ensuring overriding public interests shall be carried out in exceptional cases and under the procedure prescribed by law, only with prior and equivalent compensation.

Foreign citizens and stateless persons shall not enjoy the right of ownership over land, except for the cases prescribed by law.

Intellectual property shall be protected by law.

Article 37.

The state shall protect interests of consumers and shall organize events in the manner prescribed by law for the purpose for supervision over the quality of goods, services and works;

Article 38.

Everyone shall have the right to free choice of employment and the right to protection against unemployment

Every worker shall, in accordance with law, have the right to healthy, safe hygienic and decent working conditions.

Workers shall have the right to strike for the protection of their economic, social and labor interests. The procedure for holding a strike shall be prescribed by law.

Admission of children under the age of sixteen to permanent employment shall be prohibited. The procedure and conditions for admission to temporary employment shall be prescribed by law.

Compulsory, forced labor shall be prohibited.

Article 39.

Everyone shall have right to rest. The limitation of maximum working hours, to daily and weekly rest, as well as to annual paid leave shall be prescribed by law.

Article 40.

Everyone shall have right not forbidden by law to exercise freely entrepreneurial activity. Monopoly or dominant position in the market, as well as unfair competition shall be prohibited.

Restriction of competition, the possible types of monopoly and the permitted extent thereof may be prescribed only by law, for the purpose of protecting public interests.

Article 41.

Everyone shall have right to live in an environment that promotes and improves his/her health and also everyone is obliged personally or together with others take care of the protection of the environment.

The State officials shall bear responsibility to hide the information that relates to environment also shall refuse to provide any information on it.

Article 42.

Everyone shall have right of improving the middle level of his and his family including housing. The state shall undertake any appropriate measures to implement this program.

Article 43.

Family is the natural and basic cell of society and shall have right of special protection and care by the State and society.

A woman and a man having attained the marriageable age shall have the right to marry and form a family with free expression of their will. A woman and a man are entitled to equal rights as to marriage, during marriage and at its dissolution.

Dismissal from work due to reasons related to maternity shall be prohibited. Every employed woman shall, in case of pregnancy and child delivery, have the right to a paid leave and in case of birth of a child or adoption of a child, have the right to a vacancy.

Article 44.

Parents shall have the right and obligation to take care of the upbringing, education, health, comprehensive and harmonious development of their children.

Deprivation or restriction of parental rights may be exercised only by law, upon court decision.

Adults capable of working shall be obliged to take care of their parents who are incapable of working and are in need.

Article 45.

Everyone has right to social security in cases of old-age, disability, sickness, loss of employment, and in other cases in accordance with law. The ways and volumes of social security shall be defined by law.

Everyone shall, in accordance with law, have the right to social security in cases of maternity, having many children, sickness, disability, accidents at work, need of care, loss of bread-winner, old-age, unemployment, loss of employment, and in other cases.

Article 46.

Everyone shall, in accordance with law, have the right to health care and medical services.

Everyone shall have right of free of charge of basic medical services; the list and the procedure on it are prescribed by law.

Article 47.

Everyone shall have the right to education.

Basic general education is compulsory except by the circumstances prescribed by law. Higher level of compulsory education may be established by law.

Secondary education within state educational institutions shall be free of charge.

Article 48.

Everyone shall have right and freedom of the literary, artistically, scientific, industrial creating as well as an active participation to the cultural life of society.

Article 49.

Everyone has right to keep his/her national and ethnic identity.

Persons belonging to national minorities shall have the right to preserve and develop their traditions, religion, language and culture.

Article 50.

The basic rights and freedoms enshrined in the Constitution shall not be excluded by law as well as rights and freedoms defined by international treaties.

Everyone shall be free to do anything that shall not be forbidden by law and shall not violate the rights of others. No one may bear obligations that are not prescribed by law.

Laws that induce to deteriorate the personal status of a person and as well as other legal decisions shall have no legal force.

Laws that induce to improve a person's personal status shall have legal force, if those laws shall be prescribed by those decisions.

Article 51.

The basic rights and obligations of a human being and a citizen shall refer to the legal persons as well insofar as they are applicable to them by law.

Article 52.

The basic rights and freedoms enshrined by the articles of the Constitution may be limited only by the Constitution, if it shall be necessary for the protection of the national state security, maintenance of public order, crime prevention, for the health of the population and morality, for honor and good reputation.

The limitations of the basic rights and freedoms of the a human being and a citizen may not surpass the borders established by the international standards of obligations for Western Armenia.

Article 53.

The basic rights and obligations of the human being and the citizens except for those pointed by the article of the Constitution, may temporarily be limited during martial law.

Article 54.

Everyone shall be obliged to pay taxes and duties prescribed in accordance with law and make other mandatory payments.

Article 55.

Every citizen in the Republic of Western Armenia shall be obliged to participate in the defense of the country in the manner prescribed by law.

Article 56.

Everyone shall be obliged to follow the Constitution and law, to respect others rights and freedoms.

Article 57.

The State has the following issues inside economics, culture, social spheres;

- Protect, sponsor and take care of family, motherhood and childhood
- Promote the improving of working conditions of populating
- Promote housing construction, promote of improving the issues on having houses

- Implement programs for the protection of health of society; promoting to an effective and affordable medical service condition establishment
- Promote youth to an active participation in political, cultural and economical life of the State. -
- Promote the development of gymnastics and sport
- Implement programs on presentation and treatment of disability
- Promote the development to a free higher education and other professional education
- Promote the development of science and culture
- Implement a policy of ensuring environmental safety of the new and future generation
- Promote to universal and national values on a freely communication of everyone
- Promote a dignified standards of living of older people

The State is responsible to take measures of implementing the issues enriched by this article in the scope of the State's possibilities.

CHAPTER 3

The Environmental, Economic, Demographic, Social, (Civil security, land, charter healthcare system Natural Resources (Welfare)

Article 58.

The state shall be responsible for protecting and using sparingly Country 's land and the crust, the forests, rivers, lakes, coastal waters, and other Natural riches for passing them properly to the Future generation.

Article 59.

The citizens of Western Armenia shall be obliged and have right to protect and strengthen those spiritual and material connections that unite them to their country, lands, waters, rivers, wellsprings, and other natural wealth, they also in this regard shall have the responsibility for the future generation.

Article 60.

People of Western Armenia shall have right to be the owners and carriers of their lands of country to value and use those riches (wealth) including rivers, lakes, plants and animals, and other natural resources everything they have in their land and country to use and perform traditionally.

They shall fundamentally recognize their laws and traditions, customs, the ways of performing and using their natural resources, in case of any impediment against them they may apply to any Power Authority Institution for protection against any violated situations have arisen therein.

Article 61.

The citizens of Western Armenia shall have right to reclaim their country , land, waters, to their natural resources by using them and exploiting them traditionally.

Article 62.

The citizens of Western Armenia shall have the right to restore and protect the environment in its integrity, in their land in the usage capacity of their land, In this regard having an aid by the state with the contribution of international cooperation.

The citizens of Western Armenia shall endeavor to forbid any dangerous and toxic substances be spilled or kept on the lands.

Armenians of Western Armenia shall betake the use of measures which shall ensure the control for those Armenians which have been harmed by those substances.

Article 63.

Armenians of Western Armenia shall have the basic rights of the recognition of their cultural and mental wealth as well as having proper right to protect and insure them.

Article 64.

The Armenians of Western Armenia shall have right of a relevant funding for the development and supervising their education, culture, art, the inherited wealth, including their human potential, prescription, the singularity of their flora and fauna, their literature, fine arts and the pattern- images, visual art and their theater art.

Article 65.

The Armenians of Western Armenia shall have rights to establish preferences and develop strategies for the value of their country, lands, and natural resources.

They shall have a special right to demand that the State shall take into the consideration and support their will which may play a positive influence on their country, lands and other natural resources, especially those issue that concerns to the exploitation and the development of the minerals, water resources and other resources.

With the consent of the citizens of the Western Armenia they shall have a fair compensation for damage concern to the spiritual, environmental, economical cultural level.

CHAPTER 4
LANGUAGE, CULTURE AND TRADITIONS

Article 66.

The State shall protect , provide and relive the development of culture, education and science of preserving and developing traditions, religion, language and culture, ceremonies, habits traditions like archaeological and historical sites, crafts, painting creations, and samples, ceremonies, theater art and literature refers to an ancient , present and for future times.

Article 67.

The State shall explore, use, develop and educate the Armenian traditions, customs as well as the religious ceremonies by preserving, protecting and keeping the religious and cultural places.

The State shall take measures on demand to save, protect and also bear responsibility to respect the sacred places which are considered to be a value for the Armenian people, including burial grounds.

Article 68.

The state shall relive, develop, use and spread The Armenian Language in order to pass them to the Future generations, including the memorized traditions, philanthropy, writing style and literature, also the traditional names and personal names.

In case of any danger posing to any of rights of the Armenian Values, the State shall take an immediate and appropriate measure of protecting them.

CHAPTER 5

PRESIDENT OF THE REPUBLIC

The President, Presidential Council

Article 69.

The President of the Republic shall be the head of the State.

The President of the Republic of Western Armenia shall monitor the preservation of the Constitution, shall ensure the activities of normal functioning of legislative, executive and judicial bodies.

The President of the Republic of Western Armenia shall be the guarantee of independency, territorial entity and security.

Article 70.

The President of the Republic of Western Armenia shall be elected by the National Assembly for a term of five years.

The President of the Republic shall be elected everyone having attained from the age of thirty up to eighty years old, having held citizenship of only the Republic of Western Armenia for the preceding seven years.

The same person may not be elected as President of the Republic more than once.

Elections of the President of the Republic

Article 71.

President of The Republic of Western Armenia shall be elected by the Constitution and in the manner prescribed by law.

The election of the President of The Republic shall take place immediately in fifty days after the expire of the power of the acting President.

The candidate having received at least two third of votes of the total number of constituency shall be elected as President of the Republic.

If two candidates are nominated for the President and none of them received an appropriate number of votes therefore a second round of elections of President of the Republic shall be held within a period of fourteen days.

In the second round, the two candidates having received a greater number of votes may participate. In the second round, the candidate having received the majority of votes of the total number of two thirds.

In case election of President of the Republic is not implemented, a new election for the President of the Republic shall be held in the manner prescribed by law.

The President of the Republic of Western Armenia shall assume office on the day of expiry of power of the previous president of the republic.

In case if an appellant occurs by The Constitutional Court to investigate on the results of the elections of the President of the Republic the decision shall be rendered no later than within ten days after the application have been received.

Article 72.

In case of any insuperable obstacle shall occur for one of the candidates for The President of the Republic, therefore the elections shall be postponed for three weeks.

In case of non-removal of the insuperable obstacles on the one for the Candidates of the President, a new election shall be held by voting in the manner prescribed by law.

Article 73.

In the event of removal from office of the President of the Republic, impossibility to exercise the powers thereby, resignation or death thereof, an extraordinary election of the President of the Republic shall be held not later than forty days after the office of the President of the Republic becomes vacant.

Article 74.

During martial law or state emergency the elections for The President of The Republic shall not take place, thereby the acting President shall continue his power.

Article 75.

The President of the Republic shall assume office in the manner prescribed by law.

- 1) By a special sitting of the National Assembly
- 2) By taking the following oath to the people;

“Assuming the position of the President of the Republic of Western Armenia, I swear in front of the LIGHT;

Unconditionally fulfil the requirements of the Constitution, to respect Human’s and Citizen’s rights and freedoms , to ensure the independency of the Republic, and protect territorial entity and security of the country, in glory for The Republic of Western Armenia, and for the welfare, prosperity and enlightenment for the people of the Republic of Western Armenia.”

On the Strategy of The Republic of Western Armenia

Article 76.

The President of the Republic of Western Armenia

- 1) May deliver an address to the people and the National Assembly
- 2) The President of the Republic shall sign and promulgate a law adopted by the National Assembly within a period of twenty-one days. He shall within the same time period with suggestions and objections return back a law adopted by the National Assembly for a new discussion on demand.

A re-enacted Law adopted by The National Assembly shall be signed and promulgated within a period of five days.

3) In the manner and procedure prescribed by the article of the Constitution; The National Assembly shall be called, thereafter extraordinary election shall be held.

4) According to seats of deputies of the National Assembly, the President of the Republic shall appoint as Prime Minister the candidate of the most trustworthy person elected by the majority number of voices of the deputies.

Appointment of the Prime Minister

The President of the Republic shall appoint a Prime Minister within ten days of period after the resignation of the former prime-Minister and the Government.

The Government shall be formed within a period of twenty days following appointment of the Prime Minister.

The President of Western Armenia shall exercise the appointments and the dismissals of the members of the Government upon the recommendation of the Prime Minister.

The President of the Western Armenia shall submit the resignation of the Government on the day of the first sitting of the newly elected National Assembly; on the day of not seeking confidence in the Government, not approving the program-plan of the government, the Prime Minister shall submit a resignation or the office of the Prime Minister shall become vacant. The members of the Government shall continue performing their duties until a new Government shall be formed.

5) The President shall make appointments of officials to the state positions in the manner prescribed by law.

6) The President shall form The National Security Council headed by the president, also any other relevant councils may be formed in which may officially be included the Prime Minister of Western Armenia, the President of the National assembly, the President of the Constitutional Court as well as the heads of the institutions of having strategic importance and other officials.

7) It shall be formed and be headed by the Presidential Council(presidium) that shall be composed officially by The Prime Minister, the President of the National Assembly, the President of the Constitutional Court, as well as the heads of the relevant institutions of having strategic importance and other officials.

The strategy of the Western Armenia shall be implemented and confirmed through the discussions within the Presidential Council.

The staff of the president of Western Armenia may be formed.

May appoint and dismiss the plenipotentiary representatives of the President of the Republic of Western Armenia.

On The Ratification of Treaties

8) It shall represent Western Armenia to the international relations, shall implement the general administration of Foreign Policy, shall sign and seals the ratifications of the International Treaties, approve, suspend or revoke international treaties not requiring ratification.

By the President of the Republic of Western Armenia may be ratified those international (treaties) agreements which carries a political or military character, and shall be intended for amendments to the State boarder.

9) it shall appoint and call back the diplomatic representatives, related to foreign states and international organizations, of The Republic of Western Armenia, credentials and recall – back letters of the Diplomatic Representatives of international organizations.

10) It shall suggest to the National Assembly the candidates for the position of The Prosecutor s in General, The Chairperson of the Central Bank, and the Chairperson of the Chamber Audit.

11) It shall appoint three members for the Constitutional Court. If a Chairperson of the Constitutional court shall not be appointed by the given point of the article of the Constitution therefore a Chairperson shall be chosen and be appointed from the staff of the Constitutional court.

Upon the conclusion of the Constitutional Court, it may terminate the power of the candidate appointed by him, or may give a consent against him, by the court order to subject him to an administrative responsibility.

12) Upon the recommendation of the Council of Justice it shall appoint the Chairpersons of the Supreme Court as well as chairpersons and Judges, of the Chamber of the Supreme Court, the Chairpersons of the Courts of Appeal of the first Instance and the Chairpersons of the Specialized courts; and may also terminate their powers.

On the Armed Forces

13) The President of the Republic of Western Armenia is the Commander-in-Chief of armed forces. He shall make appointments and dismissals of the staff of the armed forces and of the highest military official.

14) The President of the Republic of Western Armenia declares the amnesty.

15) In the event of an armed attack against the Republic or imminent danger thereof or declaration of war shall declare martial law, and may call for a general or a partial mobilization. . During the war the President may dismiss the Chief Commander of the armed forces. In case of the use of the means of armed forces and the declaration of martial law, a special sitting of the National Assembly shall be immediately convened by virtue of law.

16) In the event of an imminent danger posed to the constitutional order, the Prime Minister shall declare a state of emergency after consulting the issue with the National Assembly.

In case of declaration of a state of emergency, a special sitting of the National Assembly shall be immediately convened and deliver an address to the people.

17) It shall give right to the identity and citizenship of the Republic of Western Armenia or may deprive of citizenship in the manner prescribed by law.

18) A political refuge shall be granted in the manner prescribed by law.

19) Shall decorate with orders and medals of the Republic of Western Armenia, and confer military and other honorary titles.

20) Shall grant pardon to the convicts.

On the decrees

Article 77.

The president of the Republic of Western Armenia shall promulgate orders and decrees which must not contradict to the Constitution and laws of the Republic of Western Armenia and are to be executed over the entire territory of the Republic of Western Armenia.

The President of Western Armenia shall sign and promulgate laws of The Republic of Western Armenia.

Article 78.

The President of The Republic of Western Armenia shall be immune.

During the term of his or her powers and thereafter. The President of the Republic may not be prosecuted and subjected to responsibilities for actions deriving from his or her status.

The President of the Republic may be subjected to responsibilities for actions not related with his or her status only after the expiry of the powers thereof.

Article 79.

The President of the Republic may be removed from the office for state treason, or for serious crime.

The decision to remove the President of the Republic from office shall be adopted by the National Assembly, on the basis of the conclusion of the Constitutional Court, by at least two thirds of votes of the total number of Deputies.

In the case on the absence of grounds for removing the President of the Republic from office, the issue on the removing of the President shall be taken out of discussion from the National Assembly.

Article 80.

The President of Republic shall submit his or her resignation to the National Assembly.

After the resignation of The President upon expiry of the ten-day period, within two days to resubmit the resignation; the resignation of The President of the Republic shall be considered admitted and an extraordinary election of the president shall be held in the manner prescribed by the Constitution.

Article 81.

In the case the office of the President remains vacant before the newly-elected President assumes the office the powers of the President of the Republic shall be exercised by the Chairperson of the National Assembly and if that's not possible than The Prime Minister shall exercise the power.

While the Chairperson of the National Assembly shall execute the power of The President of The Republic the Deputy Speaker of the National Assembly shall held the executions of affairs of the National Assembly. During that time it shall be forbidden to appoint a Prime-Minister, to recall a referendum, to appoint and dismiss officials of the Armed forces in the manner prescribed by Law.

Article 82.

The President shall form his staff in the manner prescribed by law. The procedure on salary, maintenance and the security of the President shall be defined in the manner prescribed by law.

CHAPTER 6

THE NATIONAL ASSEMBLY

Article 83.

The National Assembly of the Western Armenia shall be the highest legislative representative body.

The formation and the procedure of formation of the bodies of National Assembly and its operation shall be prescribed by the Constitution and by the laws on the National Assembly.

The National Assembly may declare and adopt announcements in the manner prescribed by the canonical laws of the National Assembly.

Article 84.

The number of the deputies of the National Assembly is defined by the law on the National Assembly.

The term of powers of The National Assembly shall be of five years.

Article 85.

The term of powers of the newly-elected National Assembly shall start at the time of opening the first session of the newly-elected National Assembly convened on the day of expiry of the term of powers of the National Assembly of previous after the oat.

Article 86.

The National Assembly may not operate during martial law.

During martial law or state of emergency the election of the National Assembly shall not be held and the term of powers of the National Assembly shall be prolonged after the end of martial law on the first day of the opening of sittings of newly-elected National Assembly. The election of the National Assembly shall be held not earlier than within thirty days after the end of martial law.

Article 87.

Everyone having held the citizenship of the Republic of Western Armenia and everyone having the right to vote may be elected as a deputy.

Elections of the National Assembly shall be held directly and on a secret ballot.

Article 88.

A Deputy may not hold any position, within state judicial bodies, or perform any other paid work, except for scientific, educational and creative work.

Deputy shall perform his/her power on the permanent basis.

Article 89.

Deputies of the National assembly shall enjoy the immunity they have.

Article 90.

Deputies shall not be bound by imperative mandate but shall be guided by their conscience and convictions.

A Deputy may not, during his or her term of powers be prosecuted or held responsible for the actions within the framework of his/her parliamentary activities.

Criminal prosecution may not be initiated against a Deputy only upon without the consent of the National Assembly

A Deputy may not be prosecuted or deprived of liberty without the consent of the National Assembly.

A Deputy may not be deprived of liberty, except for the case of having been caught at the time of committing a criminal offence. In this case, The Chairperson of the National Assembly shall be immediately notified of the deprivation of liberty of the Deputy by the Prosecutor General

A deputy may be deprived from immunity only by The National Security Council with a special decision.

Also, only the Prosecutor General may perform with an application against a deputy of depriving him/ her from the immunity.

Regular Elections of the National Assembly

Article 92.

Regular elections to the National Assembly shall be held not earlier than in sixty days and not later than thirty days after dissolution of the National Assembly

Extraordinary elections to the National Assembly shall be held not earlier than in sixty days and not later than in thirty days after dissolution of the National Assembly

The elections to the National Assembly shall be called by the decrees of the President of the Republic.

Article 93.

The first sitting of a new elected National Assembly shall be convened by the election of the deputies and after the promulgation of the result of elections within fifteen days.

In the case of the extraordinary sittings of a new elected National Assembly shall be convened by the election of the deputies and after the promulgation of the result of elections no later than thirty days.

The Central Electoral Commission should promulgate the results of elections no later than after ten days.

Article 94.

The regular sessions of the National Assembly shall be convened according to the agenda and time period defined by the initiator.

in the manner prescribed by law.

The sittings of the National Assembly shall be public.

A closed sitting of The National Assembly may only be convened on the decision of the National Assembly.

Article 95.

An extraordinary session may be suggested by

The president of the Republic, The Government and a half part of the total number of the Deputies

The extraordinary session or sitting shall be held according to the agenda and time period defined by the initiator.

An extraordinary session or sitting of the National Assembly shall be convened by the Chairperson of the National Assembly.

Article 96.

Laws, except for the cases prescribed by the Constitution, shall be adopted by the majority of votes of the Deputies participating in the voting,

Decisions of the National Assembly, shall be adopted by majority number of votes of Deputies participated in the voting, except for the cases prescribed by the Constitution.

Article 97.

In case of not accepting the objections and suggestions of the President of the Republic, the law returned back again to the National Assembly shall be adopted by the majority number of votes of the Deputies.

The law reback by the President shall be discussed in an extraordinary session .

The Chairperson of the National Assembly

Article 98.

Ad hoc committees and presidium may be established within The National Assembly execution and obligations which shall be defined based on the canonical laws of the National Assembly.

The National Assembly Presidium is a permanent acting leading body, which shall operates during the period of time of the sessions.

GOVERNMENT

Article 99.

After the formation of Government the later shall submit its program-plan within twenty days. The National Assembly shall approve the Program-plan of the Government during the extraordinary sitting. The decision on approving the program shall be confirmed by the majority number of votes of the total number of Deputies.

Article 100.

The President shall call the National Assembly. In case the National Assembly does not approve the program of the Government twice during a month;

The National Assembly shall be dissolved by,

- 1) The decree of the President of the Republic
- 2) Upon the recommendation of The Chairperson of the National Assembly and by the Prime Minister in case,
 - a) The National Assembly in three month's make not a decision on the urgent program suggested by the Government
 - b) The regular sittings have not been convened more than three months
 - c) The National Assembly have render a decision on the program suggested by the National Assembly.

Article 101.

The President of the Republic, the members of the National Assembly, the Government Supreme Court, the Public Prosecutor, the Ombudsman in their respective fields have the right of legislative initiative.

The Government may determine the sequence in which its bills are to be discussed and may require that only those amendments that it deems acceptable be put to the vote.

Based on the conclusion of the Government the law programs –plan relate to increasing or reducing of the revenues of state budget the National Assembly shall adopt by the majority number of votes of the Deputies.

The government regarding the adoption of the draft of law Government may raise the issue of its confidence The draft decision on seeking confidence in the Government shall be put to vote not later than within twenty-four hours upon the submission at least one third of total number of deputies shall not put a draft on the non confidence to the Government the decision shall be adopted by the majority of votes of the total number of Deputies.

The Government may raise the issue of its confidence regarding the adoption of the law program no mere than four time during the same siting.

Article 102.

The National Assembly upon the recommendation of Government shall confirm the state budge.

The procedure on the discussion and establishment of state budget shall be confirmed in the manner prescribed by the canonical law of the National Assembly.

Article 103.

The National Assembly shall exercise supervision over the execution of State Budge in the end of the year as well as shall exercise supervision over the use of loans and the credits received from foreign states and foreign organizations.

The National Assembly shall discuss and adopt a decision on the annual report relating to the performance of the State Budget upon of an opinion of the Audit Chamber

The Deputies of the National Assembly may affirm the draft on the state budget; also they may make changes, make control over its implementation.

Article 104.

The Chairperson of the National Assembly is elected by the majority of votes of the Deputies of the National Assembly.

The Chairperson of the National Assembly shall conduct the sittings, operates its resources and ensure its normal functioning

The National Assembly shall elect its two deputy-speakers the Chairperson of the National Assembly.

The Presidency (Presidium) of the National Assembly

Article 105.

The composition of the National Assembly shall be confirmed by Session of the National assembly. The new members of the National Assembly can be admitted by the majority of the deputies of the National Assembly.

A working staff, expert- working groups shall be formed by the Ad Hoc Committees of the National Assembly and by the National Assembly.

The Presidency of National Assembly shall be a permanent operating body of National Assembly.

The Presidency of National Assembly shall be eligible to make decisions independently.

Laws may be adopted by the majority number of the Deputies of the National Assembly.

The agenda and time period shall be confirmed by the Chairperson of the National Assembly.

Article 106.

Deputies shall have the right to address oral and written questions and groups and group-forms by their statements to the Government.

In one of the sittings convened during the sittings week of the regular session, the Prime Minister as well as members of the Government shall answer the oral questions of the Deputies. The National Assembly shall not adopt decisions in respect of the questions of the Deputies.

Interpellations shall be presented in written form no later than ten days before the discussion.

The order of making decisions and the procedure of Interpellations shall be defined only by the order of law of National Assembly.

Article 107.

The National Assembly upon the recommendation of the President of the Republic of Western Armenia shall ratify, suspend and revoke international treaties except for those which have a political or military nature;

Those international treaties are subjected to ratification by National Assembly which;

- a) Which relate to the basic rights and freedoms and obligations of the human being
- b) Which envisage financial obligations for the Republic of Western Armenia;
- c) The application of which amendments shall imply to a law or adoption of a new law

Article 108.

The National Assembly may, upon recommendation of the President, adopt a decision on declaring war or establishing peace, by majority numbers of votes of the total number of Deputies.

In case of impossibility to call a sitting of the National Assembly, the President himself shall decide the issue on declaring war.

Article 109.

The National Assembly upon the recommendation of Government shall define the administrative-territorial division by the general amount of the number of Deputies.

Article 110.

1) The 1/3 part of members of the Constitutional Court shall be formed upon recommendation of National Assembly

2) Based on the conclusion of the Constitutional court the National Assembly may terminate the powers of those members which have been appointed by the National Assembly by the majority of voices of the total numbers of deputies; may give consent or initiating a lawsuit against him by an administrative order.

3) After the office of the Chairperson of the Constitutional Court becomes vacant within thirty days a new Chairperson shall be elected within the members of the Constitutional Court.

4) One third of the staff of the Council of the Justice shall be elected by National Assembly.

Article 111.

The National Assembly shall elect the Human Rights Defender and The Native Nation Defender by more than half of the total number of Deputies for a term of five years.

Everyone with higher professional education, abilities and knowledge, and enjoying high reputation among the public may be elected as Human Rights Defender.

The Human Rights Defender and The Native Nation Defender shall be an independent separate officials who implement the protection of human and native people rights and freedoms under the recommendation and supervision of the State Bodies and Officials. State Bodies and Officials shall collaborate with the Human Rights and Native Nations Rights Defender.

The Human Rights and Native Nations Rights Defender shall be granted with the immunity prescribed for a Deputy of the National Assembly.

The activities and other forms of performances of the Human Rights and Native Nations Rights Defender shall be guaranteed in the manner prescribed by law.

Article 112.

For the purpose of providing the freedom, independence, diversity of broadcast media an independently governed body shall be established; five of which shall be elected by the National Assembly for a term of five years, the others shall be appointed by the President of the Republic for a term of five years.

Article 113.

The chairperson of the Central Bank shall be appointed upon the recommendation of the President of the Republic of Western Armenia by National Assembly for a term of five years.

The same person may not be elected as a Chairman of the Central bank for more than twice.

The Chairperson of the Central bank may be dismissed from the position by the majority of votes of total number of deputies of National Assembly upon recommendation of the President of Western Armenia in the manner prescribed by law.

Article 114.

The Chamber Audit is an independent body which conducts the use of State Budget and community budgets funds.

The acting plan of the Audit Chamber shall be confirmed by the National Assembly

Per year no less than one time the Audit Chamber shall submit a report to the National Assembly on the results of the activities of Audit Chamber.

The activity procedure of the Audit Chamber and the competency is prescribed by law.

The members and the chairperson of the Audit Chamber shall be appointed upon the recommendation of The Republic of Western Armenia by National Assembly for a term of five years.

The same person may not be elected as a chairperson of Audit Chamber of more than twice.

Article 115.

Exclusively, according to laws of Western Armenia shall be defined;

- 1) The procedure and conditions of protecting the rights of legal and physical persons.
- 2) The limitations of freedoms and rights and obligations of legal and natural persons as well as the kinds and dimensions of obligations, the procedure of subjecting to a liability, the means of enforcement and its procedure of application, taxes payable by the legal and natural persons, and other compulsory payments, taxes, duties.
- 3) The procedure, conditions and means of exercising supervision and set control over the legal and natural persons.
- 4) The procedure and the conditions of suspending and terminating the activity of the legal person.
- 5) The list of including personal and family information of natural person as well as the list of information of legal person that is not considered as a trade secret.
- 6) The procedure on the elections and referendums of The National Assembly of Western Armenia.
- 7) The formation of the State budget and the procedure of budget spending.
- 8) The administrative territorial units of Western Armenia and their borders.

Article 116.

A non confidence may be expressed towards government by the majority of votes of the total number of deputies

CHAPTER 7

GOVERNMENT

Article 117.

The Government of Western Armenia shall implement the executive power of the Republic of Western Armenia.

The Government shall, develop and implement the domestic and foreign policies of the State in agreement with the President of Western Armenia.

The foreign policy of the Republic of Western Armenia shall be developed by the Presidential Council and shall be implemented by the Minister of Foreign Affairs together with the President.

The matters related to the executive power and not reserved to other state administration bodies shall fall under the competence of the Government.

Based on the Constitution, International treaties, laws and the activities of the President of the Republic of Western Armenia, the government shall adopt a decision which shall be subjected to execute over the entire territory of the Republic.

The members of the government of Western Armenia shall be of the Prime Minister, the deputy prime ministers and ministers.

The powers of the execution of Government shall be defined by the Constitution and law.

The prime minister and ministers shall be the citizens of Western Armenia .

The formation of government shall be established by law upon recommendation of the government.

Article 118.

Sittings of the Government shall be called and chaired by the Prime Minister. Issues that relate to Foreign policy, Defense, National security sittings shall be called and chaired by The President of the Republic.

Decisions of the Government shall be signed by the Prime Minister.

Article 119.

The Prime-Minister shall lead the activity of the government and shall organize the execution of work of ministers.

The Prime-Minister shall adopt decisions on the issues relate to the activities of the government.

Article 120.

The governors and Mayors shall be appointed and dismissed upon decisions of the Government. The decisions shall finally be ratified by the President of the Republic.

Village heads shall be appointed and dismissed upon decision of provincial administration.

Governors shall implement the territorial policy of the government, shall co-ordinate the activities of the territorial subdivisions of state administration bodies, except for the cases prescribed by law.

Territorial administration of the capital of the Republic is prescribed by law.

Article 121.

The government shall;

- 1) Present its program-plan according to the article of the Constitution
- 2) The Government shall present the program-plan on the State Budget to the National Assembly and shall provide its operation on which a report shall submit to the National Assembly.
- 3) Shall supervise the state property
- 4) Shall implement the financial-economic, credit, tax unified state policy.
- 5) Shall implement the state policy of regional development
- 6) Shall implement state policy inside the field of science, education, culture, healthcare, social security, and Nature protection .
- 7) Shall provide the implementation of the State Protection, National security and foreign policy
- 8) Shall provide the preservation of public order and shall take measures for reinforcement of lawfulness ,and the for rights and freedoms of people.
- 9) Shall implement any other functions and powers prescribed by la and Constitution.

Article 122.

The Government shall submit the draft State Budget to the National Assembly at least ninety days prior to the beginning of the fiscal year and may demand to be put to vote with the amendments adopted by The Government.

Regarding the confirmation of the annual State Budget is not adopted within this time period, , the Government may raise the issue of its confidence. If the National Assembly in the manner prescribed by the article of Constitution, shall not express its non confidence towards Government the state year budget shall be adopted.

Regarding the confirmation of the annual State Budget in the case of expressing its non confidence towards Government the new Government shall present a year state budget to the National Assembly which shall be confirmed within thirty days prescribed by this article.

CHAPTER 8

COURT SYSTEM

Courts

In the Republic of Western Armenia, justice shall be administered only by courts in compliance with the Constitution and laws.

The final judgments shall be adopted under the name of The Republic of Western Armenia.

Article 124.

The General Jurisdiction Court of first Instance , Courts of Appeal, the Court of Cassation, shall be operated in the Republic of Western Armenia. Also , other specialized courts may be operated in the cases provided by law.

In the Republic of Western Armenia the Supreme Court Instance shall be the Court of Cassation, except for the field of constitutional justice that shall ensure the uniform application of laws. The Powers of the Court of Cassation shall be defined by the Constitution and law.

Establishment of extraordinary courts shall be prohibited.

Article 125.

The Constitutional Court

The Constitutional justice shall be administered by the Constitutional Court in the Republic of Western Armenia.

Article 126.

The independence of the courts shall be guaranteed by the Constitution and Law.

The powers , the procedure for formations and rules of operations for the Courts shall be prescribed by the Constitution and laws.

The powers and the procedure for formation of the Constitutional Court shall be prescribed by the Constitution, whereas the procedure for the operation thereof shall be prescribed by the Constitution and the Law on the Constitutional Court.

Council of Justice

Article 127.

Council of Justice shall be operated and be formed in the manner prescribed by law and Constitution.

The members of The Council of the Justice shall be composed by three judges, elected by the General Assembly of Judges on a secret ballot for a term of five years in the manner prescribed by law; also binary lawyer- scientists appointed by The President of Western Armenia and by The National Assembly.

The Chairperson of the Court of Cassation shall conduct the sittings with no right of voting.

Article 128.

The Council of Justice in the manner prescribed by law shall;

1) Submit the list of candidates for Judges and the working promotion of Judges based on which the appointments may be held.

- 2) Express an opinion about the judges represented in the list as candidates for judges
- 3) Recommend the candidacy of judges for the Courts of Cassation, Court of Appeal, The Court of First Instance, as well as for the Specialized courts.
- 4) Express an opinion at the request of the President on the issues concern to granting pardon.
- 5) Subject judges to a disciplinary liability, represent an opinion to The President on the agreement of the termination of powers of judge, to arrest , and to subject to an administrative liability.

Article 129.

Judges and its Members shall be irreplaceable.

Judges and the members of the Constitutional Court shall hold office until attaining the age of ninety. The termination of the powers of a judge and its members shall be decided only in the manner prescribed by the Constitution and Law.

Article 130.

When administering justice, a judge shall be independent, and act only in accordance with the Constitution and laws.

The grounds and procedure for subjecting a judge to disciplinary liability shall be prescribed by the Law on the Constitutional Court and the Judicial Code. Judges and the member of the Constitutional Court may not be deprived of liberty, with respect to the exercise of his or her powers, without the consent of the Constitutional Court and Council of Justice.

Judges and the member of the Constitutional Court may not be deprived of liberty except where he or she has been caught at the time of or immediately after committing a criminal offence, in this case The President of Western Armenia, The Chairperson of Appeal Court and the Chairperson of The Constitutional Court shall be immediately notified of the deprivation of liberty of a judge.

Article 131.

Judges and members of the Constitutional court may not engage in entrepreneurial activities, hold any position not related to his or her status inside other state government bodies, any position inside commercial organizations, or perform other paid work, except for scientific, educational and creative work.

Judges may not be a member of any international organization or be engaged in political activities.

Article 132.

Constitutional Court

The staff of The Constitutional Court shall be defined by an appropriate law.

The Constitutional Court, as prescribed by the Law shall;

- 1) Define the compliance of laws, decisions of the National Assembly, the decrees of the President of the Republic, decisions of the Government and the Prime Minister, with the Constitution;
- 2) Prior to the ratification of an international treaty determine the compliance of the commitments enshrined therein with the Constitution;
- 3) Settle disputes related to referendums

- 4) Settle disputes related to decisions those of the elections of the Deputies and President of the Republic of Western Armenia;
- 5) Recognize insuperable or cancelled the barriers appeared for the candidacy for the President of The Republic
- 6) Make an opinion on the existence of grounds for removing the President of the Republic from office;
- 7) Make a decision on the impossibility of exercising the powers of the President of the Republic;
- 8) Make a decision on termination of the powers of the member of the Constitutional Court, arresting and decide on giving agreement for initiating criminal prosecution against him and subjecting to an administrative liability
- 9) Make a decision on the grounds of termination of power of the Head of the Community.
- 10) Make a decision prescribed by law on suspending or prohibiting the activities of an organization.

Article 134.

According to The Constitution and by the law on the Constitution
The Constitutional Court may apply;

- 1) The President of the Republic of Western Armenia in the cases prescribed by points of the article of the Constitution compliance with the Constitution.
- 2) The National Assembly in the cases prescribed by points of the article of the Constitution
- 3) At least one fifth of the total number of Deputies in the cases prescribed by points of the article of the Constitution
- 4) Government in the cases prescribed by points of the article of the Constitution
- 5) Everyone — under a specific case where the final act of court is available, all judicial remedies have been exhausted he or she challenges the constitutionality the relevant provision of a legal act applied against her/him.
- 6) Courts and Prosecutors on the issue of the constitutionality of provisions of regulatory legal acts related to specific proceedings.
- 7) The Human Rights Defender in compliance with the points of the article of the Constitution on the issues relates to the criterion transactions of the provisions compliance with the Constitution.
- 8) Native Nations Defender; in the cases prescribed by points of the article of the Constitution
- 9) Candidates for the President of the Republic and the Candidates for the Deputies in compliance with the article of the Constitution with the issues related to them.

The Constitutional Court shall examine a case only in case of availability of the relevant application.

Article 135.

The Constitutional Court shall adopt decisions and conclusions only by The Constitution and in the manner prescribed by law on the Constitution.

The decisions and conclusions of the Constitutional Court shall be final and shall enter into force upon their promulgation.

The Constitutional Court may, upon its decision, not complying with the Constitution. Constitution, as well as opinions shall be adopted by at least two thirds of votes of the total number of judges of the Constitutional Court; the other decisions shall be adopted by majority of votes of the total number thereof.

The Constitutional court may in compliance with the points of the article of the Constitution may adopt decisions and conclusions; decisions and conclusions shall be adopted by at least two thirds of votes of the total number of members, the other decisions shall be adopted by majority of votes of the total number thereof.

In the case if the conclusion of the Constitutional court shall be negative the issue shall be excluded from the examination of the competent authority.

Prosecutor's Office

Article 136.

The Prosecutor's Office shall be a unified system, headed by the Prosecutor General of the Republic of Western Armenia.

The Prosecutor General shall be appointed by the National Assembly for a five terms upon the recommendation of the President of the Republic of Western Armenia. Upon the recommendation of the President of the Republic of Western Armenia in the manner prescribed by law The Prosecutor General may be dismissed by the majority of the total number of votes of deputies of the National Assembly.

Prosecutors shall be appointed by the Prosecutor General. The Prosecutor's Office, in the cases and under the procedure prescribed by law, shall :

- 1) Initiate criminal prosecution
- 2) Exercise oversight over the lawfulness of pre-trial and investigation criminal proceedings;
- 3) Protect the inducement initiated by the State
- 4) Bring an action to court with regard to protection of state interests.
- 5) Appeal against decisions of courts; judgments and decisions
- 6) Exercise oversight over the lawfulness of applying punishments and other coercive measures.

The Prosecutor's Office shall act within the scope of powers vested therein by the Constitution, on the basis of law.

CHAPTER 9

Article 137.

Courts

- 1) In the Republic of Western Armenia the Judicial Power is implemented by the courts compliance with the Constitution and Law.
- 2) The Supreme Military Court is formatted and operated due to the Constitution of the Republic of Western Armenia in the manner prescribed by law.
- 3) The Judicial Power is implemented through constitutional, civil, criminal and through any other proceedings prescribed by law.
- 4) Courts are independent.
- 5) Everyone is equal before the Law regardless of their religious, political, social, national belonging.

Article 138.

- 1) The Judicial system of The Republic of Western Armenia is composed of courts of first instance of general jurisdiction, courts of appeal, the Supreme Court as well as other specialized courts prescribe by law
- 2) Establishment of Extraordinary courts are prohibited.
- 3) The final act-decisions shall be adopted under the name of the Republic of Western Armenia.

Article 139.

A judge may not hold any position not related to his or her status inside other state government bodies, any position inside commercial organizations, to be engaged in entrepreneurial activities, or perform other paid work, except for scientific, educational and creative work. Judges may not be a member of any international organization or be engaged in political activities.

Article 140.

- 1) Judge is independent while administering justice.
- 2) The guarantees of a judge's activities and the ground of his/her liability shall be defined by the Constitution and law.
- 3) A judge may not be deprived of liberty without the conclusion of the Council of Justice and without agreement of the President of The Republic prescribed by the article 10 of the Constitution.
- 4) A judge may not be arrested except for the cases when he or she has been caught at the time of or immediately after committing a criminal offence. The President of the Republic and The Chairperson of the Supreme Judicial Court shall be immediately notified of the deprivation of liberty of a judge.

Article 141.

Supreme Court

The highest judicial body in the Republic of Western Armenia is the Supreme Court. The Supreme court consists of the Military Courts, criminal, civil, economic chambers, and the Traditions Keeping Council.

The Supreme Court ensures the uniform application and the adoption of the final of decision. The president of the Supreme Court and the judges of the Supreme court are appointed by the National Assembly upon the request of the President of the Republic.

Article 142.

The Supreme court in the manner prescribed by law, shall;

- 1) Resolve the disputes related to the results of referendums
- 2) Resolve the disputes related to the decisions adopted upon the results of a referendum, those of the elections of the National Assembly and President of the Republic
- 3) Recognize invincible or eliminated the obstacles that have been arisen for the candidacy of the Republic.
- 4) Render a decision on the impossibility of exercising the powers of the President of the Republic;
- 5) Decide on termination of the powers of the judge of the Supreme Court.

Council of the Justice

Article 143.

The Council of the Justice

- 1) The Council of the Justice shall be formed and be operate in the manner prescribed by the Constitution and law.
- 2) Judicial Council shall be composed of five judges elected on a secret ballot by the Judges of the general assembly of the Republic of Western Armenia for a term of five years in the manner prescribed by law as well as binary lawyers appointed by The President of the Republic and by The National assembly .
- 3) The sessions of the Supreme court are conducted by the president of the Supreme Court without right of voting.

Article 144.

The Council of Justice shall, in the manner prescribed by law

- 1) Draws up the lists of candidates for the magistracy and the official promotion of magistrates and submits them to the President of the Republic for approval. submitted to the President of the Republic for his approval, on the basis of which judges of first instance of first instance and the courts of appeal are appointed.
- 2) To make a recommendation to the President of the Republic of Western Armenia on the appointment of judges.
- 3) Judges are subject to disciplinary liability.
- 4) The President of the Republic of Western Armenia shall decide on the termination of a judge's of a judge. The opinion of the President of the Republic on the judge of the Supreme Court shall be based on that of the Supreme Court.
- 5) The President of the Republic of Western Armenia shall conclude, with the agreement of the judge that he may be indicted, detained or prosecuted. The opinion of the President of the Republic on the judge of the Supreme Court shall be based on that of the Supreme Court.

CHAPTER 10

The Interrelations among the State Systems; The president, The National assembly, The Government, the Constitutional court, the Court System shall be defined by law.

Article 145.

The relations between the state system of the Republic of Western Armenia shall be governed by the decree of the President, the National Assembly, the Government, the Constitutional Court and the Judiciary.

CHAPTER 11

The Local Self- Governance Body of Armenians of Western Armenia

Article 146.

The Local Self governance of the Armenians of Western Armenia shall be implemented in communities. Local self-governance shall be the right and capacity of Armenians of Western Armenia by their own responsibility for the welfare of citizens and Armenians of Western Armenia of solving issues in compliance with the Constitution and laws.

Article 147.

Community shall be the entirety of residents within one or several settlements.

Community shall be a legal person having right of property and other property rights.

Article 148.

Managing and performing the property of the community the Community shall exercise as own power. Some part of the executed powers of the Communities shall be called as compulsory. For a more efficient execution of The Powers of the State Authority Bodies those may be assigned to the Local Self Governance Bodies of the Western Armenia.

Article 149.

The land located in the administrative territory of a community, , except for the land owned by the State, as well as by natural and legal persons shall be under the ownership of the community.

Article 150.

The Community shall form its budget locally (independently)

The sources of income of the community shall be prescribed by law.

The law shall prescribe sources for the Community that may ensure the implementation of their powers. The powers assigned to the Communities shall be subject to a compulsory financing from the State Budget. The Communities shall define local taxes and duties in the measure prescribed by law. The Community may Set fees for the services they have been implemented.

Article 151.

The right of the Self Government Body shall be implemented through the Local Self Government Body, The Head of the community, Elders who shall be elected for terms of four years. The Elder of the Community shall manage the property of the Community and upon the presentation of the Head of Community shall confirm the Community budget, shall make control over the execution of the budget, shall impose taxes and payments in the manner prescribed

by law, shall adopt legal decisions for the compulsory execution. The decision made by the Head of the Community shall not contradict to the legislation, therefore the procedure of the promulgation of and amendments to the decisions shall be prescribed by law. The Powers and the procedure of execution of powers of the Head of Community shall be prescribed by law. The members of Community may have a direct participation in the execution of the Community affairs by resolving public issues of community through a local referendum. The procedure of formation of the local referendum shall be prescribed by law.

Article 152.

Armenians of Western Armenia who returned to their own (roots) identity, shall accept the Community as a Local. The general features of the formation of the Local Self Government of Western Armenia in abroad, shall be prescribed by law. A direct or in direct election of the Head of the Community shall be prescribed by law.

Article 153.

For the purpose of ensuring the basic execution of legitimacy of the Community a legal oversight shall be exercised. The procedure of the State oversight over the powers that have been assigned to the Community shall be prescribed by law.

Article 154.

Government may on the cases prescribed by law based on the conclusion of the Constitutional Court dismiss the head of the Community.

Article 155.

For the interest of society, Communities may be joint or divided by law. The National Assembly shall adopt a suited law upon the recommendation of Government. Before presenting a legislative initiative government shall point places for referendums. The results of the referendums shall be attached to the legislative initiative. Communities may be joint or be divided regardless of the result of referendums. The procedure and principals of "to be joint" and "to be divided" of local Communities as well as the election term of the new formed local self governance shall be prescribed by law.

Therefore, may also community units be established in the manner prescribed by law.

The Interrelations Between Armenians Abroad

Article 156.

Within the scopes of norms and standards of international rights The State shall contribute and promote to strengthen the relations with Armenians abroad. To contribute to the preservation of the Armenian language, Armenian historical and cultural values and to the development of Armenian educational and cultural life in other states.

Article 157.

The State shall discover, develop, teach and use Armenians pure language, traditions, customs, spiritual and religious rituals, and shall protect the cultural and spiritual places, by disposing the whole Armenian values and rights belonging to Armenian Nation.

CHAPTER 12

ADOPTION OF AND AMENDMENT TO THE CONSTITUTION, AND REFERENDUM

Adoptions and Amendments to the Constitutions shall be adopted through referendum on the initiative of The President of the Republic and the National Assembly.

The referendum shall be appointed by the President of the Republic on the request and recommendation of the National Assembly. The National Assembly shall adopt a proper decision on the referendum by the majority of votes of the total number of Deputies.

The president of the Republic after getting the draft on the amendments to the Constitution and the amendments within the Constitution within a period of twenty-one days may return it back to the National Assembly by a request or rejections on a demand for a new discussion of the draft.

By the National Assembly by at least two thirds of votes of the total number of Deputies the re-proposed amendments to the Constitution the President of the Republic shall put the draft on referendum within the a period of time established by the National Assembly.

If the President shall take an initiative, therefore the National Assembly, shall put the draft to referendum after getting the draft on the amendments to the Constitution within a period of three months. If the draft is voted by the majority of votes of the total number of Deputies of the National Assembly therefore the draft may be adopted and the President may put it to a vote.

Article 159.

Laws shall be put to a vote upon the recommendation of the National Assembly or by a request of the Government prescribed in the manner by the article of the Constitution.

Article 160.

- 1) The draft put on referendum may be adopted only when the majority of the participants voted for the draft.
- 2) The main articles of the Constitution shall not be modified.

CHAPTER 13

FINAL AND TRANSITIONAL PROVISIONS

Article 161.

After entry into the force the amendments to the Constitution

1) The National Assembly within two years shall comply the applicable laws with the amendments to the Constitution

2) The National Assembly shall within two years establish the anthem by law. Prior to the new established anthem the current anthem shall have an effect.

3) The social rights established by the Constitution shall act in a volume established by a relevant law.

4) Prior to the opening day of the first session of subsequent convocation of the National Assembly the President of the Republic may;

- After having consulting with the Prime Minister may set the National Assembly and appoint an extraordinary session;

- Dismiss the prime minister from the office

5) Prior to the opening day of the first session of subsequent convocation of the National Assembly the President of the Republic shall call and chair the sittings of the government or by the Prime Minister upon the order of the President. The Resolutions shall be signed by the Prime Minister and shall be ratified by the President of the Republic.

6) Prior to the legal regime of the state emergency, in case of a direct threat to the Constitution, the President of the Republic after consulting with the Chairperson of the National Assembly and with The Prime Minister the President of the Republic shall take situation dictated measure whereupon shall address people with a message.

7) The president of the Central bank shall held office until the expire of the term defined by the current law.

8) The Judge of Council of the Justice and the Lawyer-Scientists shall continue holding office until the expire of the term of their powers. During three months the National Assembly shall choose two Lawyer-Scientist members.

9) The acting members of the Constitutional Court shall continue holding office until the age of 80.

REPUBLIC OF WESTERN ARMENIA



THE CONSTITUTION OF THE REPUBLIC OF WESTERN ARMENIA

May 9, 2016

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