

NON OFFICIAL TRANSLATION

FOR THE SAKE OF THE REPUBLIC OF ARMENIA

THE DECISION OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF ARMENIA

On the case of conformity of the obligations stipulated by the Agreement between the Government of the Republic of Armenia and the International Center for Relativistic Astrophysics Network (ICRANet) “On the Establishment of the ICRANet Center in the Republic of Armenia”, signed on February 13, 2015 in Rome with the Constitution of the Republic of Armenia.

Yerevan city

May 19, 2015

The Constitutional Court of the Republic of Armenia with personnel consisting of V. Hovhannisyan (chairman), K. Balayan (speaker), F. Tokhyan, A. Tunyan, A. Khachatryan, H. Nazaryan, A. Petrosyan,

with participation of (within the written procedure) Samvel Haroutiunian: the official representative of the President of the Republic of Armenia, the chairman of the State Committee of Science of Ministry of Education and Science of the Republic of Armenia,

in compliance with the Article 100, point 2, Article 101, part 1, point 1, Articles 25, 38 and 72 of the RA Law on “Constitution of the Republic of Armenia”,

during the open session, within the written procedure “The case of conformity of the obligations stipulated by the Agreement between the Government of the Republic of Armenia and the International Center for Relativistic Astrophysics Network (ICRANet) “On the Establishment of the ICRANet Center in the Republic of Armenia”, signed on February 13, 2015 in Rome with the Constitution of the Republic of Armenia” was examined.

The examination of the case was initiated at the request of the RA President to the Constitutional Court of the Republic of Armenia on 23.04.2015.

Having examined the written report of the speaker of the present case, the written explanation of the official representative of the RA President, examining the Agreement,

other documents available in the case the Constitutional Court of the Republic of Armenia
FOUND OUT:

1. The Agreement (Agreement) between the Government of the Republic of Armenia and the International Center for Relativistic Astrophysics Network (ICRANet) “On the Establishment of the ICRANet Center in the Republic of Armenia” was signed on February 13, 2015 in Rome.
2. The purpose of the Agreement is the development and consolidation of the cooperation between the Republic of Armenia and ICRANet to promote research, training and education in the field of Relativistic Astrophysics, as well as to encompass scientists and specialist of the Republic of Armenia in the events, training programs of postgraduate and post doctorate levels implemented by ICRANet, and to support also joint implementation of mobility programs.
3. The Republic of Armenia assumes the following responsibilities by the Agreement:
 - Makes investments on the annual basis within the framework of general funds planned for the scientific and technological activities from the state budget of the given year (Article 4, point 2),
 - Provides the insurance of the premises and equipment of the Center (Article 4, point 4),
 - Ensures that the Ministry of Education and Science of the RA will create a Governing Council in order to coordinate the activities of the Center (Article 5, point 1).
4. Taking into consideration that the establishment of the ICRANet Center in the Republic of Armenia will promote the contribution of research, training and education in the field of Relativistic Astrophysics, will also provide the involvement of scientists and specialist of the Republic of Armenia in the events organized and implemented by ICRANet, the Constitutional Court of the Republic of Armenia considers that the present Agreement which derives from the Article 89 defined in the Constitution of the Republic of Armenia on the implemented state policy of the RA Government in the field of science and education and from the issue of promoting the development of science defined in the Article 48 of the Constitution of the Republic of Armenia.

According to the results of the analysis of the case and guided by the Article 100, point 2 of the RA Constitution, the first and fourth parts of Article 102, Article 63 and 64 of the RA Law on the Constitutional Court, the Constitutional Court of the Republic of Armenia DECIDED.

1. The obligations stipulated by the Agreement between the Government of the Republic of Armenia and the International Center for Relativistic Astrophysics Network (ICRANet) “On the Establishment of the ICRANet Center in the Republic of Armenia”, signed on February 13, 2015 in Rome comply with the Constitution of the Republic of Armenia.
2. According to the second part of the Article 102 of the Constitution of the Republic of Armenia the present decision is final and will come into force upon its publication.

Chairman

V. Hovhannisyan

May 19, 2015

DCC-1209