

Armenien (85)

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Chapter 1: General provisions

Article 1: the citizenship of the Republic of Armenia.

The order of the acquisition and the termination of the citizenship of the Republic of Armenia is qualified by this Law.
A person loses the citizenship of the Republic of Armenia following the termination of the citizenship.

Every person in the Republic of Armenia has a right to acquire citizenship in the manner prescribed by Law. Ethnic Armenians acquire the citizenship of the Republic of Armenia in the simplified way.

A citizen of the Republic of Armenia cannot be simultaneously a citizen of another State.

A citizen of the Republic of Armenia cannot be deprived of the citizenship of the Republic of Armenia or of the right to change the citizenship but the cases prescribed by this Law.

The changing of the citizenship of the Republic of Armenia is regulated by this Law and international treaties.

The rejection of the citizenship of the Republic of Armenia does not lead perfunctorily to the loss of the citizenship of the Republic of Armenia.

Article 2: the legislation of the citizenship of the Republic of Armenia.

The legislation of the citizenship of the Republic of Armenia includes the Constitution of the Republic of Armenia, international treaties, this Law and other adopted acts of legislation of the Republic of Armenia.

The norms qualified in the international treaties adopted by the Republic of Armenia prevail over the norms of this Law.

Article 3: the citizen of the Republic of Armenia.

The citizens of the Republic of Armenia The persons who have acquired the citizenship of the Republic of Armenia according to this Law.

The citizens of the Republic of Armenia are equal before the Law, irrespective of the basis of the acquisition of the citizenship, nationality, race, sex, language, religion, political and other opinions, social origin, estate or other position, have all rights, freedom and obligations qualified by the Constitution and laws.

Article 4: documents accrediting the citizenship of the Republic of Armenia.

The documents accrediting the citizenship of the Republic of Armenia are: the passport of the citizen of the Republic of Armenia and, prior to age of 16, the birth certificate or the certificate accrediting the citizenship of the Republic of Armenia.

Article 5: the interdiction of extraditing the citizen of the Republic of Armenia to another State.

It is forbidden to extradite (transference) the citizen of the Republic of Armenia to another State.

Article 6: the preservation of the citizenship of the Republic of Armenia.

The residence outside of the territory of the Republic of Armenia does not perfunctorily result in loss of the citizenship of the Republic of Armenia.

The marriage of the citizen of the Republic of Armenia to a foreigner does not perfunctorily result in loss of the citizenship of the Republic of Armenia.

The changing of the citizenship of one of the spouses does not cause a change of the citizenship of the other spouse.

Article 7: the protection of the citizens of the Republic of Armenia outside of the Republic.

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The citizens of the Republic of Armenia enjoy the protection and patronage of the Republic of Armenia.

The Republic of Armenia, its diplomatic and consular mission and the officials of the above are required to protect the rights of the citizens of the Republic of Armenia abroad as well as to take measures towards the restoration of the infringed rights of the citizens of the Republic of Armenia according to the legislation of the host country and international treaties.

Article 8: foreign citizens and stateless persons.

The person, that having no citizenship of the Republic of Armenia, holds a citizenship of another State is considered foreign citizen.

The person with no citizenship of the Republic of Armenia that resides in the territory of the Republic of Armenia and possesses no proof of the citizenship of another State is considered Stateless person.

The Republic of Armenia encourages the citizenship of the Republic of Armenia by Stateless person and does not hinder the acquisition by them the citizenship of another State.

The legal status of foreign citizen and stateless persons on the territory of the Republic of Armenia is regulated by the legislation of the Republic of Armenia and the international treaties of the Republic of Armenia.

Chapter 2 Acquisition of the citizenship of the Republic of Armenia

Article 9: the basis of the acquisition of the citizenship of the Republic of Armenia.

The citizenship of the Republic of Armenia is acquired:

- 1) through recognition of citizenship;
- 2) by birth;
- 3) through acceptance into citizenship;
- 4) through the restoration of the citizenship;
- 5) through acceptance into citizenship by group;
- 6) by the basis provided by the international treaties of the Republic of Armenia;
- 7) in other cases provided by this Law.

Article 10: the recognition of the citizenship of the Republic of Armenia.

The following persons are recognised as the citizens of the Republic of Armenia:

- 1) Citizens of the former Arm. SSR permanently residing on the territory of the Republic of Armenia, who until the enactment of the Constitution has not acquired the citizenship of the another State or has rejected that citizenship within one year from the day of the enactment of this Law;
- 2) Stateless persons or the citizens of the other Republics of the former USSR who are not foreigners, who were permanently residing on the territory of the Republic of Armenia for the last ten years till the day of the enactment of this Law and have applied for the acquisition of the citizenship of the Republic of Armenia within one year from the day of the enactment of this Law;
- 3) The citizens of the Arm. SSR who are residing abroad since 21 September 1991 who has not acquired the citizenship of the other State as well as the ethnic Armenians citizens of the former Arm. SSR who are residing abroad before that and have not acquired the citizenship of the other State and were registered in the consulate till the day of the enactment of this Law.

Article 11: the citizenship of a child born from the citizens of the Republic of Armenia.

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The child, whose parents hold the citizenship of the Republic of Armenia at the moment of his/her birth, acquires the citizenship of the Republic of Armenia regardless of the place of the birth.

The child, whose one parent holds the citizenship of the Republic of Armenia at the moment of his/her birth, while the other parent unknown or is a stateless person, acquired the citizenship of the Republic of Armenia.

In a case when one of the parents holds the citizenship of the Republic of Armenia at the moment of child's birth and the other parent is a foreign citizen, the determination of the child's citizenship based on a written consent of both parents.

In the cases of the absence of such consent the child acquires the citizenship of the Republic of Armenia, if he/she was born on the territory of the Republic of Armenia, or if he/she should become a stateless person unless he/she acquires citizenship of the Republic of Armenia, or in the parents permanently reside on the territory of the Republic of Armenia.

Article 12: the citizenship of the child of Stateless person.

The child of the Stateless persons, who was born on the territory of the Republic of Armenia, acquires citizenship of the Republic of Armenia.

Article 13: acceptance into the citizenship of the Republic of Armenia.

Any person 18 years of age that holds no citizenship of the Republic of Armenia can apply to be accepted into the citizenship of the Republic of Armenia, if he/she has resided on the territory of the Republic of Armenia in a manner prescribed by Law for the last 3 years, is proficient in the Armenian language and is familiar with the Constitution of the Republic of Armenia.

The citizenship of the Republic of Armenia is accepted by the decree of the President of the Republic of Armenia of the granting of the citizenship.

A person with no citizenship of the Republic of Armenia can be accepted into the citizenship of the Republic of Armenia without the condition of the term of residence, if he/she:

- 1) marries a citizen of the Republic of Armenia or has a child, father or mother who are citizens of the Republic of Armenia;
- 2) has parents or at least one parent that had held citizenship of the Republic of Armenia in the past or had been born on the territory of the Republic of Armenia and had applied for the citizenship of the Republic of Armenia within 3 years from becoming 18 years of age;
- 3) Armenian by his origin and has resided in the territory of the Republic of Armenia.

The petition to be accepted into the citizenship of the Republic of Armenia can be rejected, if the applicant violates by his/her activities state and social security, public order, protection of the public health and traditions or rights, freedoms, dignity and good reputation of the others.

The citizenship of the Republic of Armenia can be granted without the keeping of the provisions of this Article to persons who have provided exceptional services to the Republic of Armenia.

The person accepting the citizenship of the Republic of Armenia administers the following oath: "I, (name, surname) becoming the citizen of the Republic of Armenia, swear to be loyal to the Republic of Armenia, to comply with the Constitution and the legislation of the Republic of Armenia, to defend the independence and the territorial integrity of the Republic of Armenia. I am obliged to respect the State language, the national culture and the traditions of the Republic of Armenia."

The person accepting the citizenship of the Republic of Armenia is to read the text of the oath in Armenian and it.

Article 14: restoration of the citizenship of the Republic of Armenia.

The person who has lost the citizenship of the Republic of Armenia may, upon his/her request, have it restored there are no conditions prescribed by the point 4 of the Article 13 of this Law and if he was not deprived from citizenship of the Republic of Armenia.

Article 15: the acceptance into the citizenship of the Republic of Armenia by the group.

The Acceptance into the citizenship of the Republic of Armenia by the group in the case of repatriation or

cases prescribed by Law is implemented by the decree of the President of the Republic.

Change of the citizenship of child in cases of change of citizenship of the parents or adoption.

Article 16: the citizenship of child in case of acquisition by the parents of citizenship of the Republic of Armenia.

Child up to 14 years of age, whose parents have acquired citizenship of the Republic of Armenia, acquires of the Republic of Armenia.

If one of the parents has acquired citizenship of the Republic of Armenia, while the other is a foreign citizen or Stateless person, their child up to 14 years of age acquires citizenship of the Republic of Armenia, if the consent of both parents exists, or if child resides on the territory of the Republic of Armenia and consent of the parent who holds the citizenship of the Republic of Armenia exists.

Article 17: the citizenship of child in case of loss by parents of citizenship of the Republic of Armenia.

The child up to 14 years of age, whose parents have lost the citizenship of the Republic of Armenia, loses citizenship of the Republic of Armenia, if he/she acquired the citizenship of another State.

If one of the parents has lost citizenship of the Republic of Armenia, while the other is a citizen of the Republic of Armenia their child up to 14 years of age loses the citizenship of the Republic of Armenia, if consent of his/her parents exists or if the child resides outside the territory of the Republic of Armenia and consent of the parent who holds citizenship of the Republic of Armenia exists.

Article 18: the citizenship of child in case of adoption.

The child adopted by citizens of the Republic of Armenia acquires citizenship of the Republic of Armenia.

If one of the adopting spouses is a stateless person, while the other is a citizen of the Republic of Armenia the child acquires the citizenship of the Republic of Armenia.

If one of the adopting spouses is a foreign citizen, while the other is a citizen of the Republic of Armenia the child acquires citizenship of the Republic of Armenia, provided:

- 1) the consent of the spouses exists;
- 2) the child resides in the territory of the Republic of Armenia and consent of the parent who holds citizenship of the Republic of Armenia exists;
- 3) the child is a person without citizenship or may become a stateless person.

Article 19: the preservation of the citizenship of the Republic of Armenia in case of adoption.

The child who holds citizenship of the Republic of Armenia and is adopted by foreign citizens or married couple. Where one of the spouses is a foreign citizen and the other is a citizen of the Republic of Armenia, retains its citizenship of the Republic of Armenia. In such a case child can relinquish its citizenship of the Republic of Armenia only through an application by his/her adopting parents.

The child who holds the citizenship of the Republic of Armenia and is adopted by Stateless persons or a married couple. Where one of the spouses is without citizenship and the other is a citizen of the Republic of Armenia, retains citizenship of the Republic of Armenia.

Article 20: the citizenship of a child whose parents are unknown.

The child on the territory of the Republic of Armenia whose parents are unknown, is a citizen of the Republic of Armenia. In case of discovery of at least one of the parents or a trustee, the citizenship can be changed according to this Law.

Article 21: the preservation of the citizenship of a child who is in custody or guardianship.

The child holding the citizenship of the Republic of Armenia, who is in custody or guardianship by the citizens of the Republic of Armenia, retains the citizenship of the Republic of Armenia, regardless of his/her parents giving up the citizenship of the Republic of Armenia. In such a case the child can relinquish its citizenship of the Republic of Armenia through an application of his/her parents in they were not deprived from their parents rights.

Article 22: the necessity of the child's consent in changing his/her citizenship.

In case of changing of the citizenship by the parent the children between 14 - 18 years of age change their citizenship in the manner prescribed by this Law, provided the consent of child exists.

Article 23: the basis for the cessation of the citizenship of the Republic of Armenia.

The citizenship of the Republic of Armenia ceases:

- 1) in cases of changing of the citizenship of the Republic of Armenia;
- 2) in cases of losses of the citizenship of the Republic of Armenia;
- 3) in cases provided for by the international agreements of the Republic of Armenia;
- 4) based on the provisions of this Law.

Article 24: changing of the citizenship of the Republic of Armenia.

Any citizen of the Republic of Armenia, who is 18 years of age, can change the citizenship of the Republic of Armenia by the giving up the citizenship of the Republic of Armenia and acquisition of the citizenship of another state.

The request for giving up of the citizenship of the Republic of Armenia may be rejected, if the person giving up the citizenship:

- 1) is indicted;
- 2) is convicted by the decision or sentence of court and has pending punishment;
- 3) if the giving up contravenes with the State security interests of the Republic of Armenia;
- 4) has unsettled obligations related to vital interests of State, Governmental and non-governmental organisations, citizens.

Article 25: loss of the citizenship of the Republic of Armenia.

The citizenship of the Republic of Armenia may be considered lost

- 1) if the person has acquired the citizenship of the Republic of Armenia by the Article 13 of this Law, has been a permanent resident abroad and has failed to undergo consular registration for 7 years without reasonable justification;
- 2) if the citizenship of the Republic of Armenia has been acquired through false information or documents;
- 3) if the person has acquired citizenship of a State, with which the Republic of Armenia has no agreement of the dual citizenship;

Chapter 5: bodies regulated the issues of the citizenship of the Republic of Armenia

Article 26 : the President of the Republic of Armenia.

The President of the Republic of Armenia takes decisions by his decrees on the issues of the acquisition of the citizenship of the Republic of Armenia, restoration of the citizenship of the Republic of Armenia, the acceptance into the citizenship of the Republic of Armenia by the group, cessation of the citizenship of the Republic of Armenia, determines the procedure of consideration of applications concerning the citizenship.

Article 27 : the Committee of the matters of citizenship at the President's Office.

The Committee on matters of citizenship at the President's office is appointed by the President.

The regulations of the Committee of the matters of the citizenship is approved by the President of the Republic of Armenia.

Article 28: the Government

The Government:

- 1) ensures the conformity of the normative acts of the government, ministries and other governmental agencies to this Law;
- 2) defines the procedure of the registration of the documents accrediting the citizenship of the Republic of Armenia and the transference of the citizens;
- 3) defines the list of the necessary documents of the acquisition and cessation of the citizenship;
- 4) adopts the decisions ensuring the enactment of this Law.

The relevant Bodies of the Government

- 1) receives application and other documents concerning the citizenship of the Republic of Armenia, verifies their authenticity and substantiality;
- 2) transfers the applications, mediation and other such documents along with their judgement to the President of the Republic of Armenia;
- 3) transfers the suggestions of the cessation of the citizenship of the Republic of Armenia to the President of the Republic of Armenia;
- 4) conducts the registration of the citizens of the Republic of Armenia;
- 5) determines according to this Law the belongings to the citizenship of the Republic of Armenia of persons residing on the territory of the Republic of Armenia.

Chapter 6: the process of the causes relating to the citizenship of the Republic of Armenia

Article 29: the proceedings on the presentation and consideration of applications, mediations concerning the issues of the citizenship of the Republic of Armenia.

The written form of applications, mediations concerning citizenship is mandatory.

The applications concerning the issues of the citizenship are acted upon one year. In the case of rejection the application is acted again after one year of the day of rejection according to the proceedings provided by this Article.

Article 30: Appeals of illegal actions of the officials on the issues of citizenship.

Rejection of accepting applications concerning citizenship by officials, violation of the terms of action on them as well as other illegal actions can be appealed to the court.

DECISION No. 192, 25 JUNE 1996, MEASURES PROVIDING FOR THE IMPLEMENTATION OF THE REPUBLIC OF ARMENIA'S LAW ON CITIZENSHIP OF THE REPUBLIC OF ARMENIA

Country: Armenia

Date of Entry into force: 25 June 1996

(NOTE: This is an unofficial translation. This Decision was attested by L. TER-PETROSSIAN, President of the Republic of Armenia on 25 June, 1996.)

GOVERNMENT OF THE REPUBLIC OF ARMENIA

To provide for the implementation of the Republic of Armenia's Law on Citizenship of the Republic of Armenia, the Government of the Republic of Armenia resolves as follows:

1. Approve hereby the attached Regulations for Preparation of Materials Relating to Acquisition, Restoration, Collective Acquisition, and Termination of Citizenship of the Republic of Armenia and Submission thereof to the President of the Republic of Armenia.
2. Approve hereby the form (see attached) of the certificate of citizenship of the Republic of Armenia.
3. Upon the written application submitted by a citizen of the Republic of Armenia the Ministry of Internal Affairs shall issue a notice showing the duration of citizenship of the Republic of Armenia.
4. Appropriate documents required in cases prescribed by Articles 11 and 12 of the Republic of Armenia's Law on Citizenship of the Republic of Armenia shall be executed by the respective civil registry office, in the manner set forth by the Ministry of Justice of the Republic of Armenia.
5. Actions required in cases prescribed by Articles 10, 13, 14, 16, 17, 18, 19, 20, 21, 22, and 24 of the Republic of Armenia's Law on Citizenship of the Republic of Armenia shall be taken by the Ministry of Internal Affairs, if they are to be conducted in the territory of the Republic of Armenia, and by the Ministry of Foreign Affairs, if the said actions are to be conducted in the territory of foreign states.
6. Enforcement of the requirements set forth in Sections 1, 2, and 4 of the second paragraph of Article 24 of the Republic of Armenia's Law on Citizenship of the Republic of Armenia, with regard to the receipt of relevant information from the Republic of Armenia's ministries, departments, governmental agencies, bodies for regional state administration as well as local self-government, judicial bodies and prosecutors' offices, enterprises, institutions, organizations, and private citizens, shall be provided by the Ministry of Internal Affairs of the Republic of Armenia.
7. In cases provided by Articles 16, 18, and 20 of the Republic of Armenia's Law on Citizenship of the Republic of Armenia, the person involved shall receive a certificate of citizenship of the Republic of Armenia.
8. Pursuant to the provisions of Article 13 of the Republic of Armenia's Law on Citizenship of the Republic of Armenia, the regulations for testing in the knowledge of Armenian and in the familiarity of the Constitution of the Republic of Armenia as well as the procedures for administration of oaths shall be established and carried out by the Ministry of Foreign Affairs of the Republic of Armenia and the Ministry of Internal Affairs of the Republic of Armenia respectively.
9. The Ministry of Internal Affairs of the Republic of Armenia and the Ministry of Foreign Affairs of the Republic of Armenia shall be charged hereby with the responsibility to propose within 10 days period, to the Government of the Republic of Armenia recommendations on the manner of registration of the citizens of the Republic of Armenia.

10. The Ministry of Health of the Republic of Armenia shall be charged hereby with the responsibility to propose, within 10 days period, to the Government of the Republic of Armenia recommendations on medical examination of persons seeking citizenship of the Republic of Armenia and on records to fix the results of such examination as well as on the list of diseases that may endanger one's associates.
11. The State Inspectorate of Language, operating under the auspices of the Government of the Republic of Armenia, shall be charged hereby with the responsibility to propose, within 10 days period, to the Government of the Republic of Armenia the test-questionnaire for trying one's ability of making him/herself understood in Armenian.
12. The Ministry of Finance of the Republic of Armenia shall be charged hereby with the responsibility to propose, within one month period and based on the requests of the interested ministries and governmental agencies, to the Government of the Republic of Armenia recommendations on the volumes and sources of financing of the estimated expenditures relating to the organization of the measures as required by this decision.
13. This decision shall become effective on the 25th day of June, 1996.

H. Bagratian, Prime Minister of the Republic of Armenia