

LAW OF THE REPUBLIC OF ARMENIA

Adopted by the National Assembly on 23 October 1995, N-041-I

Adopted by the National Assembly on 6 November 1995, N-061-I, with the objections and recommendations of the President of the Republic of Armenia

ON THE CITIZENSHIP OF THE REPUBLIC OF ARMENIA

CHAPTER 1

GENERAL PROVISIONS

Article 1. Citizenship of the Republic of Armenia

The procedure for acquiring and terminating the citizenship of the Republic of Armenia shall be as prescribed by this Law. A person shall forfeit the citizenship of the Republic of Armenia as a result of terminating the citizenship.

Every person shall have the right to acquire the citizenship of the Republic of Armenia as prescribed by law. Armenians by national origin shall acquire the citizenship of the Republic of Armenia through a simplified procedure.

(Part 3 repealed by HO-75-N of 26 February 2007)

A citizen of the Republic of Armenia may not be deprived of the citizenship of the Republic of Armenia or of the right of changing it, except for the cases provided for by this Law.

A change of the citizenship shall be governed by this Law and international treaties of the Republic of Armenia.

Renouncing the citizenship of the Republic of Armenia or accepting the citizenship of another State shall not per se entail forfeiture of the citizenship of the Republic of Armenia.

(Article 1 amended and edited by HO-75-N of 26 February 2007)

Article 2. Legislation on the citizenship of the Republic of Armenia

Legislation on the citizenship of the Republic of Armenia consists of the Constitution of the Republic of Armenia, international treaties of the Republic of Armenia, this Law and other legal acts of the Republic of Armenia.

If ratified international treaties of the Republic of Armenia prescribe norms other than those provided for by this Law, norms of the international treaty shall apply.

Article 3. Citizen of the Republic of Armenia

The citizens of the Republic of Armenia are those who have acquired the citizenship of the Republic of Armenia in accordance with this Law.

Citizens of the Republic of Armenia shall be equal before the law, irrespective of the grounds for acquiring the citizenship of the Republic of Armenia, national origin, race, sex, language, belief, political or other opinions, social origin, property or other status, shall have all the rights, freedoms and responsibilities prescribed by the Constitution and laws.

Article 4. Documents attesting the citizenship of the Republic of Armenia

The documents attesting the citizenship of the Republic of Armenia shall be the passport of the citizen of the Republic of Armenia, and, before attaining the age of 16, also the birth certificate or the certificate attesting the citizenship of the Republic of Armenia.

(Article 4 supplemented by HO-75-N of 26 February 2007)

Article 5. Impermissibility of extradition of a citizen of the Republic of Armenia to another State

Extradition of a citizen of the Republic of Armenia to another State shall be prohibited.

Article 6. Maintenance of the citizenship of the Republic of Armenia

Residing outside the Republic of Armenia shall not per se entail termination of the citizenship of the Republic of Armenia.

Marriage of a citizen of the Republic of Armenia to a foreign citizen shall not per se entail a change of the citizenship.

A change of the citizenship by one of the spouses shall not per se entail a change of the citizenship of the other spouse.

Article 7. Protection of the citizens of the Republic of Armenia

Citizens of the Republic of Armenia outside the Republic shall enjoy the protection and auspices of the Republic of Armenia outside the Republic.

The Republic of Armenia, its diplomatic and consular representations and officials thereof shall be obliged to protect the rights of the citizens of the Republic of Armenia in other States, as well as to take measures in order to restore their violated rights in accordance with the legislation and international treaties of the States concerned.

Article 8. Foreign citizens and stateless persons

A person, who does not hold the citizenship of the Republic of Armenia and holds the citizenship of another State, shall be deemed to be a foreign citizen.

A person not holding the citizenship of the Republic of Armenia and residing in the Republic of Armenia, who has no evidence of holding the citizenship of another State, shall be deemed to be a stateless person.

The Republic of Armenia shall encourage the stateless persons residing in the Republic of Armenia to acquire the citizenship of the Republic of Armenia and shall not hinder acquisition of the citizenship of another State by them.

The legal status of foreign citizens and stateless persons in the Republic of Armenia shall be governed by the legislation of the Republic of Armenia and the international treaties of the Republic of Armenia.

CHAPTER 2

ACQUIRING THE CITIZENSHIP OF THE REPUBLIC OF ARMENIA

Article 9. Grounds for acquiring the citizenship of the Republic of Armenia

The citizenship of the Republic of Armenia shall be acquired:

- (1) through recognition of citizenship;
- (2) by birth;
- (3) through getting citizenship;
- (4) through restoring citizenship;
- (5) through collective acquisition of citizenship;

(6) on the grounds provided for by the international treaties of the Republic of Armenia;

(7) on other grounds provided for by this Law.

Article 10. Recognition of the citizenship of the Republic of Armenia

The following persons shall be recognised as citizens of the Republic of Armenia:

(1) citizens of the former Armenian SSR permanently residing in the Republic of Armenia, who had not acquired the citizenship of another State before the entry into force of the Constitution or had renounced it, within one year following the day of entry into force of this Law;

(2) stateless persons permanently residing in the Republic of Armenia, or citizens of other Republics of the former USSR, who are not foreign citizens and who apply for acquiring the citizenship of the Republic of Armenia before 31 December 2012;

(3) the former citizens of the Armenian SSR, who are Armenians by origin and reside outside the Republic of Armenia and who have not acquired the citizenship of another State.

(Article 10 amended by HO-157 of 18 November 1997, edited by HO-5 of 12 October 1999, HO-157 of 20 March 2001, amended by HO-313 of 20 March 2002, HO-33-N of 18 November 2003, HO-75-N of 26 February 2007, HO-34-N of 6 April 2010)

Article 11. Citizenship of a child born to citizens of the Republic of Armenia

A child, whose parents are citizens of the Republic of Armenia at the moment of his or her birth, shall acquire the citizenship of the Republic of Armenia, regardless of the place of birth.

A child one of whose parents is a citizen of the Republic of Armenia at the moment of his or her birth, and whose other parent is unknown or is a stateless person, shall acquire the citizenship of the Republic of Armenia.

Where at the moment of a child's birth, one of the parents is a citizen of the Republic of Armenia and the other parent is a foreign citizen, the citizenship of the child shall be determined upon a written consent of the parents.

In the absence of consent, the child shall acquire the citizenship of the Republic of Armenia, if he or she was born in the Republic of Armenia, or if in case of not acquiring the citizenship of the Republic of Armenia, the child becomes a stateless person, or if the parents permanently reside in the Republic of Armenia.

Article 12. Citizenship of a child of stateless persons

A child born in the Republic of Armenia, whose parents are stateless persons, shall acquire the citizenship of the Republic of Armenia.

Article 13. Getting the citizenship of the Republic of Armenia

Any person not holding the citizenship of the Republic of Armenia, who has attained the age of 18 and has active legal capacity, shall have the right to apply for getting the citizenship of the Republic of Armenia, if he or she:

(1) has been permanently residing in the Republic of Armenia for the last three years as prescribed by law;

(2) may express himself or herself in Armenian and

(3) is familiar with the Constitution of the Republic of Armenia.

A person not holding the citizenship of the Republic of Armenia may get the citizenship of the Republic of Armenia without satisfying the requirements prescribed in points 1 and 2 of part one of this Article, if:

(1) he or she has married a citizen of the Republic of Armenia or has a child who is a citizen of the Republic of Armenia;

(2) his or her parents or one of them has previously held the citizenship of the Republic of Armenia or was born in the Republic of Armenia, and he or she has applied for getting the citizenship of the Republic of Armenia within three years after attaining the age of 18;

(3) he or she is of Armenian origin, *i.e.*, has Armenian predecessors;

(4) he or she has abandoned the citizenship of the Republic of Armenia after 1 January 1995 upon his or her request.

The citizenship of the Republic of Armenia may, without satisfying the requirements prescribed in points 1, 2 and 3 of part one of this Article, as well as in part two, be granted to persons who have provided outstanding services to the Republic of Armenia.

A person seeking the citizenship of the Republic of Armenia must, in person, submit the application for getting the citizenship to the authorised body of the Government of the Republic of Armenia.

One shall get the citizenship of the Republic of Armenia upon a decree of the President of the Republic of Armenia on granting citizenship.

An application for getting the citizenship of the Republic of Armenia shall be rejected, if the person concerned harms, by his or her activities, the state security and public safety, public order, public health and morals, others' rights and freedoms, honour and good reputation. A rejection of an application for getting the citizenship of the Republic of Armenia need not be substantiated.

A person getting the citizenship of the Republic of Armenia shall take the following oath: "I (name-surname), becoming a citizen of the Republic of Armenia, hereby declare, on oath, that I will bear allegiance to the Republic of Armenia, abide by the Constitution and laws of the Republic of Armenia, protect the independence and territorial integrity of the Republic of Armenia. I hereby undertake to respect the state language, national culture and customs of the Republic of Armenia."

The person getting the citizenship of the Republic of Armenia shall sign the text of the oath.

The person getting the citizenship of the Republic of Armenia shall be given the Constitution of the Republic of Armenia and an information manual on the peculiarities of the legislation of the Republic of Armenia, prepared by the authorised body of the Government of the Republic of Armenia.

(Article 13 edited by HO-75-N of 26 February 2007)

Article 131. Dual citizenship

A person holding the citizenship of more than one State shall be deemed to be a dual citizen.

A person holding the citizenship of another State (countries) in addition to the citizenship of the Republic of Armenia, shall be deemed to be a dual citizen of the Republic of Armenia.

For the Republic of Armenia, a dual citizen of the Republic of Armenia shall be recognised only as a citizen of the Republic of Armenia. Those citizens of the Republic of Armenia, who, after 1 January 1995, have accepted or have got the citizenship of another State without abandoning the citizenship of the Republic of Armenia in the prescribed manner, as well as those who have renounced the citizenship of the Republic of Armenia unilaterally, shall also be subject to this provision.

A dual citizen of the Republic of Armenia shall have all the rights provided for a citizen of the Republic of Armenia and shall bear all the responsibilities and liability provided for a citizen of the Republic of Armenia, except for the cases provided for by the international treaties and law of the Republic of Armenia.

In case of accepting or getting the citizenship of another State, a citizen of the Republic of Armenia shall be obliged to inform thereon the authorised body of the Government of the Republic of Armenia within a period of one month, as prescribed by the Government of the Republic of Armenia.

A violation of the requirements of this Article shall result in liability provided for by law.

(Article 131 supplemented by HO-75-N of 26 February 2007)

Article 14. Restoration of the citizenship of the Republic of Armenia

The citizenship of a person who has forfeited the citizenship of the Republic of Armenia may, upon his or her application, be restored, if the grounds prescribed in part 4 of Article 13 of this Law are missing, and if he or she has not been deprived of the citizenship of the Republic of Armenia.

Article 15. Collective acquisition of the citizenship of the Republic of Armenia

Collective acquisition of the citizenship of the Republic of Armenia shall be carried out in case of immigration and other cases prescribed by law, upon the decree of the President of the Republic of Armenia.

CHAPTER 3

CITIZENSHIP OF A CHILD IN CASE OF A CHANGE OF PARENTS' CITIZENSHIP OR IN CASE OF ADOPTION

Article 16. Child's citizenship on the ground of parents' citizenship

In case of acquiring the citizenship of the Republic of Armenia, a child under the age of 14 of parents having acquired the citizenship of the Republic of Armenia, shall acquire the citizenship of the Republic of Armenia.

Where one of the parents acquires the citizenship of the Republic of Armenia, while the other is a foreign citizen or a stateless person, their child under the age of 14 shall acquire the citizenship of the Republic of Armenia, if the consent of the parents is available, or if the child resides in the Republic of Armenia and the consent of the parent holding the citizenship of the Republic of Armenia is available.

Article 17. Child's citizenship on the ground of parents' citizenship

In case of forfeiting the citizenship of the Republic of Armenia, a child under the age of 14 of parents having forfeited the citizenship of the Republic of Armenia shall forfeit the citizenship of the Republic of Armenia, if he or she acquires the citizenship of another State.

Where one of the parents has forfeited the citizenship of the Republic of Armenia, while the other is a citizen of the Republic of Armenia, their child under the age of 14 shall forfeit the citizenship of the Republic of Armenia, if the consent of the parents is available, or if the child resides outside the Republic of Armenia and the consent of the parent holding the citizenship of the Republic of Armenia is available.

Article 18. Citizenship of a child at the time of adoption

A child adopted by citizens of the Republic of Armenia shall acquire the citizenship of the Republic of Armenia.

If one of the spouses having adopted a child is a stateless person, while the other is a citizen of the Republic of Armenia, the child shall acquire the citizenship of the Republic of Armenia.

If one of the spouses having adopted a child is a foreign citizen, while the other is a citizen of the Republic of Armenia, the child shall acquire the citizenship of the Republic of Armenia, if:

(1) the consent of the spouses having adopted the child is available;

(2) the child resides in the Republic of Armenia and the consent of the spouse, who holds the citizenship of the Republic of Armenia and has adopted the child, is available;

(3) the child is a stateless person or becomes a stateless person in case of not acquiring the citizenship of the Republic of Armenia.

Article 19. Maintenance of the citizenship of the Republic of Armenia in case of adoption

A child holding the citizenship of the Republic of Armenia, who has been adopted by foreign citizens or by spouses, one of whom is a citizen of the Republic of Armenia, while the other is a foreign citizen, shall maintain the citizenship of the Republic of Armenia. In such a case, the child may change the citizenship only upon the application of the adopters.

A child holding the citizenship of the Republic of Armenia, who has been adopted by stateless persons or by spouses, one of whom is a stateless person, while the other is a citizen of the Republic of Armenia, shall maintain the citizenship of the Republic of Armenia.

Article 20. Citizenship of a child whose parents are unknown

A child within the Republic of Armenia, whose parents are unknown, shall be a citizen of the Republic of Armenia. In case one of the parents or a guardian is found, the citizenship of the child may be changed in accordance with this Law.

Article 21. Maintenance of the citizenship of a child who is under guardianship or curatorship

A child holding the citizenship of the Republic of Armenia, who is under the guardianship or curatorship of citizens of the Republic of Armenia, shall maintain the citizenship of the Republic of Armenia, notwithstanding his or her parents' abandoning the citizenship of the Republic of Armenia. In such a case, the child may abandon the citizenship of the Republic of Armenia upon the application of his or her parents, provided that they are not deprived of parental rights.

Article 22. Necessity for children's consent when changing their citizenship

In case of a change of the citizenship of the parents, the citizenship of children at the age of 14-18 shall change in accordance with this Law, in case the children's consent is available.

CHAPTER 4

TERMINATION OF THE CITIZENSHIP OF THE REPUBLIC OF ARMENIA

Article 23. Grounds for termination of the citizenship of the Republic of Armenia

The citizenship of the Republic of Armenia shall be terminated:

- (1) in case of changing the citizenship of the Republic of Armenia;
- (2) in case of being deprived of the citizenship of the Republic of Armenia;
- (3) on the grounds provided for by the international treaties of the Republic of Armenia;
- (4) on other grounds provided for by this Law.

Article 24. Changing the citizenship of the Republic of Armenia

Any citizen of the Republic of Armenia, who has attained the age of 18, shall have the right to change the citizenship, *i.e.*, to abandon the citizenship of the Republic of Armenia and to acquire the citizenship of another State.

The application of a citizen on abandoning the citizenship of the Republic of Armenia shall be rejected, if:

- (1) criminal prosecution is initiated against him or her;
- (2) he or she is subject to a criminal or civil judgment of a court, which has taken legal effect and is subject to enforcement;
- (3) his or her abandoning the citizenship of the Republic of Armenia contravenes the national security interests of the Republic of Armenia;
- (4) he or she has unfulfilled obligations relating to the interests of the State, enterprises, organisations or citizens.

Article 25 Depriving of the citizenship of the Republic of Armenia

A person may be deprived of the citizenship of the Republic of Armenia, if he or she:

- (1) has acquired the citizenship of the Republic of Armenia in accordance with Article 13 of this Law, and, having permanently resided abroad, has failed to file for consular registration for seven years without good reasons;
- (2) has acquired the citizenship of the Republic of Armenia on the basis of false data or false documents;
- (3) has acquired the citizenship of another State in violation of the legislation on the citizenship of the Republic of Armenia.

CHAPTER 5

BODIES REGULATING THE ISSUES OF THE CITIZENSHIP OF THE REPUBLIC OF ARMENIA

Article 26. President of the Republic

The President of the Republic shall, upon his or her decree, settle the issues related to getting the citizenship of the Republic of Armenia, restoration of the citizenship of the Republic

of Armenia, collective acquisition of the citizenship of the Republic of Armenia, termination of the citizenship of the Republic of Armenia, and shall establish the procedure for consideration of applications concerning citizenship.

Article 27. The Committee on Citizenship Issues adjunct to the President of the Republic

The Committee on Citizenship Issues adjunct to the President of the Republic shall be set up by the President of the Republic.

The Statute of the Committee on Citizenship Issues shall be approved by the President of the Republic.

Article 28. Government

The Government shall:

(1) ensure the bringing in line with this Law of the acts of the Government, the ministries and other government authorities;

(2) establish the procedure for formulating the documents attesting the citizenship of the Republic of Armenia and for their delivery to the citizens;

(3) establish the list and samples of the documents necessary for acquiring and terminating citizenship;

(4) adopt decisions ensuring the implementation of this Law. Through competent authorities, the Government shall:

(1) accept applications and other documents concerning citizenship, verify their authenticity and grounds;

(2) send to the President of the Republic of Armenia applications, motions and other documents concerning citizenship, together with relevant conclusions;

(3) submit a recommendation to the President of the Republic on terminating the citizenship of the Republic of Armenia;

4) conduct the registration of the citizens of the Republic of Armenia;

(5) determine, in accordance with this Law, whether persons are citizens of the Republic of Armenia.

CHAPTER 6

PROCEEDINGS ON CASES ON THE CITIZENSHIP OF THE REPUBLIC OF ARMENIA

Article 29. Procedure for filing applications and motions on the issues of the citizenship of the Republic of Armenia and for their consideration

Applications and motions concerning the issues of citizenship shall be filed in writing.

Applications concerning the issues of citizenship shall be considered within a period of one year. In case an application is rejected, an application may be filed again as prescribed by this Law, after one year following the day of rejection.

Article 30. Appealing against unlawful actions of officials dealing with the issues of citizenship

Refusal by officials to accept applications concerning the issues of citizenship, breach of terms of consideration, as well as their other unlawful actions may be appealed against through judicial procedure.

President

of the Republic of Armenia

L. Ter-Petrosyan

16 November 1995

Yerevan

HO-16