

THE REPUBLIC OF ARMENIA
LAW

**ON PUTTING THE CRIMINAL CODE OF
THE REPUBLIC OF ARMENIA INTO FORCE**

Article 1. From August 1 2003, the Criminal Code of the Republic of Armenia adopted on April 18,2003 shall come into legal force, except for the provisions that shall according hereto come into force under other terms and conditions.

Article 2. From August 1 2003, the Republic of Armenia Criminal Code of March 7 1961, the Republic of Armenia Law on Approving the Republic of Armenia Criminal Code.

The rest of laws and sub-legislation of the Republic of Armenia shall be subject to harmonization with the Republic of Armenia Criminal Code adopted on April 18, 2003.

Article 3. The persons convicted prior to August 1 2003 under the March 7 1961 Criminal Code for such actions, which are not deemed crimes under the April 18, 2003 Criminal Code, shall be exempted of their main or additional punishment beginning on August 1 2003.

The size of the punishment applied towards persons convicted under the March 7 1961 Criminal Code, who have not served their punishment, shall be harmonized with the April 18, 2003 Criminal Code in cases in which the punishment thus appointed for the convict in question is more severe than the maximum punishment stipulated by the relevant article of the April 18, 2003 Criminal Code.

If the April 18, 2003 Criminal Code in any other way alleviates the situation of persons who have committed crimes, including those who have served or are presently serving their punishment yet have conviction, then the verdicts of courts and the other means of criminal-judicial interference are subject to review by either the court that passed the original conviction verdict, or the court of the place in which the convict serves the sentence.

The provisions of the April 18, 2003 Criminal Code concerning the abolishment of the death penalty shall not apply persons who have, prior to the coming into force of this Law, committed murder in aggravating circumstances, a terrorist act, or rape of a minor girl.

In cases stipulated by paragraphs 1, 2, and 3 of this Article, exemption of punishment, alleviation of punishment, and improvement of the situation of persons who have committed crimes shall be implemented in the manner set forth in Articles 437 and 438 of the Criminal Procedure Code of the Republic of Armenia.

The persons exempted of punishment under paragraphs 1 and 3 of this Article, as well as persons who have either already served their punishment or have been released on parole shall be deemed to not have conviction, provided that they were originally convicted for actions that are not considered crimes under the April 18, 2003 Criminal Code.

From August 1 2003, the criminal cases under pre-trial investigation or pending before courts, and the prosecution, for actions that are not considered crimes under the April 18, 2003 Criminal Code shall be foreclosed (terminated), including criminal cases for which the criminal liability statute of limitations under Article 75 of the April 18, 2003 Criminal Code has expired.

The Appendix to the March 7 1961 Criminal Code containing the list of those objects necessary for the convict or for his/her dependants, which may not be confiscated by decision of court, shall apply until a new list contemplated by the Republic of Armenia penitentiary legislation is approved in line with Article 55 of the April 18, 2003 Criminal Code.

Article 4. The provisions of the April 18, 2003 Criminal Code concerning detention as a means of punishment shall become effective when six months have expired following the date the Penitentiary Code of the Republic of Armenia comes into force.

Article 5. Persons convicted and sentenced to either “Dismissal from Work” (as per Paragraph 7 of Part 1 of Article 21 of the March 7 1961 Criminal Code), or “Obligation to Clear Damage Caused” (as per Paragraph 6 of Part 1 of Article 21 of the March 7 1961 Criminal Code), or “Public/Societal Reproach” (as per Paragraph 9 of Part 1 of Article 21 of the March 7 1961 Criminal Code), shall be exempted of the sentence, with the sentencing court abolishing the conviction.

Article 6. The death penalty sentence of persons convicted prior to August 1 2003 under Article 22 of the March 7 1961 Criminal Code shall be substituted with life

imprisonment, by either the sentencing court or the court of the place in which the convict serves the sentence, save for the cases stipulated by paragraph 4 of Article 3 of this Law.

Article 7. This Law shall become effective on the 10-th day following its official promulgation.

**RA President
29 April, 2003**

R. Kocharian