

# LAW OF THE REPUBLIC OF ARMENIA

Adopted on 20 November 2001  
Entered into force on 25.12.01

## ON THE STATE BORDER

### CHAPTER 1. *GENERAL STATEMENTS*

#### **Article 1. State border of the Republic of Armenia**

The state border of the Republic of Armenia (hereafter referred to as State Border) is the line and the vertical surface along that line, which determine the boundaries of the territory of the Republic of Armenia in air, land, water and entrails.

The state border is determined by international agreements of the Republic of Armenia and by the law of the Republic of Armenia.

#### **Article 2. Principles for regulating the legal relations in State Border**

While locating and changing the state border, relations with bordering states, as well as while regulating relations in border areas and international communication means the Republic of Armenia follows the following principles:

- a) Protection of territorial completeness of the Republic of Armenia;
- b) Ensuring the security of the Republic of Armenia and implementation of international obligations of the Republic of Armenia;
- c) Mutually beneficial cooperation with foreign states;
- d) Peaceful solution of border problems.

#### **Article 3. Protection of the State Border**

The protection of the state border is an indivisible part of the state security system of the Republic of Armenia and it includes political, legal, economic, military, strategic, organizational, technical, regime, ecological, cultural and other measures, which are guaranteed by:

- a) inviolability of the state border;
- b) ensuring the protection of the state border regime by legal entities and natural persons, border regime and crossing points of the state border;
- c) protection of vital interests of a person, society and state at the state border from external and internal dangers;

On land and in water-borders the state border is protected by Border Guard troops, and in air space by Air defense troops. While protecting the borders, Air defense troops are guarded by the given law, international agreements of the Republic of Armenia and other legal acts.

In the field of protection of the state border, the Republic of Armenia cooperates with foreign countries in accordance with international agreements of the Republic of Armenia.

The responsibilities state governmental bodies, in the sphere field of protection of the state border, are determined by this law and other legal acts of the Republic of Armenia.

#### **Article 4. Legislation on the State Border**

The legislation on the State Border consists of the Constitution of the Republic of Armenia, international agreements of the Republic of Armenia, other laws and legal documents.

### **CHAPTER 2.**

#### ***DELIMITATION, MODIFICATION AND OUTLINE OF THE STATE BORDER***

#### **Article 5. Delimitation and modification of the State Border**

Delimitation and modification of the State Border is implemented based on international agreements of the Republic of Armenia, as well as the law of the Republic of Armenia.

The documents, requiring delimitation and modification of the state border prepared based on the results of the border control implemented in accordance with the International agreements of the Republic of Armenia enter into force in a manner prescribed by the RA legislation.

The State Border is delimited, if nothing else is provided by international agreements of the Republic of Armenia:

- a) In land: according to peculiar points and lines of the relief or clearly visible reference-points.
- b) In rivers (tributaries): along their middle-line, or middle part of the major branch,
- c) In reservoirs: along the straight lines, which are connecting the exits of the State Border to the shores of the reservoir.
- d) In reservoirs of hydroelectric stations: along the state borderline, which existed before their construction.
- e) On railway and road bridges, weirs and other constructions: along the middle-line of the mentioned constructions or their technological axis, irrespective of the state border crossing.

A state borderline across a river (tributary) or a basin, may not be moved neither in case of change in the coastline or level of the water, nor change of the course of the river (tributary).

#### **Article 6. Outlining the State Border**

The State Border is outlined by means of clearly visible border marks, the forms and sizes of which shall be determined by the Supreme Council of the Republic of Armenia, and installation order shall be determined by the international agreements of the Republic of Armenia and the Government of Armenia.

#### **Article 7. Border Waters of the Republic of Armenia**

The border waters of the Republic of Armenia include the waters of those rivers (tributaries) and reservoirs, the shores of which belong to the Republic of Armenia.

### **CHAPTER 3.**

#### ***STATE BORDER REGIME***

## **Article 8. State Border Regime**

The State Border regime is determined by the law herein, other legal acts of the Republic of Armenia, and international agreements of the Republic of Armenia.

The State Border regime includes:

- a) rules of maintenance of State Border;
- b) State Border crossing rules;
- c) Rules of admission of persons, animals, vehicles, luggage and other goods across the border;
- d) Regulation for conducting economic activity on the State Border.
- e) Regulation for solving border events with bordering states.

## **Article 9. Maintenance of the State Border**

Rules of maintenance of the State Border regulate border mark installation, maintenance and control, creation of transparent, sanitarium line along with the border and its maintenance, joint border cross checking with the neighboring state. The Government of the Republic of Armenia approves the rules of maintenance of the State Border upon the presentation by a state authorized body of the field of national security of the Republic of Armenia.

Protocols of joint border cross controls with the neighboring state, which do not include the modification of the border, are presented to the Government of the Republic of Armenia by a state authorized body in the field of national security of the Republic of Armenia.

The territory of the border zone is given to the border guard troops of the Republic of Armenia (hereafter, Border guard troops) for purposes of ensuring the maintenance and protection of the State Border for free of charge use.

## **Article 10. State Border Crossing Rules**

Railway, road, air or other communications across the State Border are performed at border points defined by the Government of Armenia, in accordance with the legislation and international agreements of the Republic of Armenia.

Border guard troop check-clearance points are created at state border crossing points.

The Government of the Republic of Armenia determines a custom control zone at state border crossing points, where control is realized only by custom bodies.

Military servants of Border Guard troops and other persons implementing the protection of the State Border have the right to cross the border in a special manner based on the agreements with states bordering the Republic of Armenia.

Planes or other flying machines may cross the State Border and fly over the territory of the Republic of Armenia along specifically designated air corridors, in accordance with the law herein, other legal acts of the Republic of Armenia and international agreements of the Republic of Armenia. The crossing of the State Border and flights outside of the special air corridors of the RA may be allowed only by the Government of Armenia.

The flight of planes or other flying machines leaving the Republic of Armenia, as well as their landing in the territory of Armenia is performed in airports open for international flights. Other procedure for flight or landing may be defined only by the Government of Armenia.

The list of airports open for planes or other flying machines leaving the Republic of Armenia or entering the Republic of Armenia, and their flight and landing rules are defined by the Government of the Republic of Armenia according to international agreements of the Republic of Armenia. Procedure for transit flights across the air space of the Republic of Armenia shall be defined by international agreements of the Republic of Armenia.

Planes or other flying machines entering the air space or airports of the Republic of Armenia, or leaving the Republic of Armenia, must comply with the flight, customs, sanitary and other rules.

In case foreign planes and other flying machines are compelled to enter or fly in the air space of the Republic of Armenia, or unable to follow airport rules, must immediately inform the Head of the nearest Armenian airport and continue the flight accordingly with his instructions or instructions of the commander of the airplane, which arrives for purpose of rescue or clarification of the situation.

#### **Article 11. Admission of Persons, Animals, Vehicles, Luggage and other Goods across the State Border**

Admission of persons, animals, vehicles, luggage and other goods across the State Border at crossing points determined by the Government of the Republic of Armenia shall be performed by the servicemen of the border guard troops if passengers have relevant documents stipulated by the legislation of the Republic of Armenia for entry to or exit from the Republic of Armenia.

Admission of persons, animals, vehicles, luggage and other goods across the State Border shall be performed in accordance with the legal acts of the Republic of Armenia, as well as international agreements of the Republic of Armenia.

A Governmental decree may define a simplified procedure for admission of persons and vehicles across the State Border.

#### **Article 12. Procedure for Transportation of Nuclear or Other Weapons of Mass Destruction, Military Luggage or Transfer of Troops across the State Border**

Transportation of nuclear or other weapons of mass destruction across the State Border shall be allowed by the Government of Armenia.

Transit transportation of foreign troops or military luggage shall be authorized by the Government of Armenia, in compliance with the international agreements of the Republic of Armenia.

In case of allowing the transportation of nuclear or other weapons of mass destruction across the State Border, in five days after making the decision, the Government of the Republic of Armenia shall officially inform about this the President of the Republic of Armenia and the National Assembly of the Republic of Armenia.

### **Article 13. Border Control**

Border control is a set of measures, which secures the legality of the state border crossing.

Border control in ways of international communication is performed:

- a) by using of watching optical devices and special technical means in order to establish and secure the control at crossing points;
- b) by documents checking to ensure the identity of a person and his/her right to cross the border;
- c) by examining planes or other flying machines and vehicles crossing the border;
- d) by examining animals, luggage and other goods transported through the state border, in order to identify people, who try to cross the border illegally;

Out of international communication directions the border control shall be implemented by means of eye-watching and technical examining, checking identity documents, examining vehicles in border zone.

### **14. State Border Crossings Control**

Persons, animals, vehicles, luggage and other goods crossing the border are subject to border and custom control. In relevant cases, sanitary-quarantine, veterinary, fit-sanitary and other types of control shall be exercised.

The procedure of organization of the control and implementation is defined by the legislation of the Republic of Armenia.

### **Article 15. Economic and other Activity on the State Border**

Economic and other activities of the legal entities and natural persons of the Republic of Armenia and foreign countries, by means of crossing the state border or straight on the border zone of the Republic of Armenia must neither do harm, nor create obstacles to the protection of the State Border or actions aimed at protection of the State Border.

### **Article 16., Temporary Termination of Communications Across the State Border in Case of Danger of Contagious Diseases. (Quarantine)**

In case of danger of emergence and dissemination of contagious diseases on the territory of the Republic of Armenia or a foreign state, communication across the State Border may be temporarily limited or interrupted by a decree of the Government of Armenia, or a quarantine may be established for persons, animals, luggage, seeds, plants, food products of vegetal nature, crossing the State Border.

### **Article 17. Transgressors of State Border**

The following categories are regarded to be transgressors of the State Border:

- a) Persons having crossed or trying to cross the State Border by any means, not from the official border points, violating the border crossing rules;
- b) Vehicles, technical and other devices, having crossed the State Border without relevant permission or violating the border crossing rules;

- c) Planes or other flying machines, having crossed the State Border without relevant permission or having violated the flight or other rules.

#### **Article 18. Interrelations with Bordering States in Border Issues**

The Republic of Armenia resolves border-related issues with bordering states in accordance with the Constitution of the Republic of Armenia, international agreements of the Republic of Armenia, the law herein and other legal acts of the Republic of Armenia.

#### **Article 19. Border Representatives of the Republic of Armenia**

The Government of Armenia appoints border representatives of the Republic of Armenia responsible for resolution of issues related to protection of the State Border, as well as management of border incidents.

The border representatives shall be guarded by the legislation of the Republic of Armenia, as well as the international agreements of the Republic of Armenia.

### **CHAPTER 4**

#### ***BORDER REGIME***

#### **Article 20. Border Regime**

The Government of Armenia defines a border regime for purpose of ensuring proper maintenance of the State Border, in compliance with the law herein and other legal acts of the Republic of Armenia, which shall regulate the relations with regards to the entry, temporary stay, movement, economic and other activities of persons.

#### **Article 21. Border Zone and Border Belt**

Border zone is the space, which expands from the borderline of the State Border of the Republic of Armenia towards the territory of the Republic of Armenia with a width of up to 5 km.

Border belt is part of the Border zone, which adjoins the State Border or the river shores, with up to 1 km width, in case the borderline lies in a water space.

The boundaries of the border zone and the border belt shall be defined or changed by the Government of Armenia, in compliance with this article.

#### **Article 22. Entry to Border Zone and Border Belt**

A person not permanently residing in the border zone, may stay in the border zone over 3 days only if there is a permission from the Internal Affairs entities of the Republic of Armenia, if otherwise not provided by the Government of Armenia.

For purpose of entry to and temporary stay within the border belt, a person must have the permission of the Border guard troops agreed upon with executive bodies of the Ministry of Interior and Ministry of National Security of the Republic of Armenia. If necessary, the

Headquarters of the Border guard troops may establish temporary restrictions for entry to and temporary stay within the border belt.

### **Article 23. Order of Conducting Economic Activity in the Border Zone**

Lands, woods, and the fauna, mountains of the border zone may be utilized, geological investigations conducted, hydro-structures built and any other economic activity carried out only in accordance with the legislation of the Republic of Armenia and the international agreements of the Republic of Armenia.

The Government of Armenia defines the procedure for implementation of economic activity in the border zone.

## **CHAPTER 5**

### ***THE REGIME OF STATE BORDER CROSSING POINTS OF THE REPUBLIC OF ARMENIA***

#### **Article 24. Determination and protection of the regime of crossing points of the State Border**

The regime of crossing points of the State Border includes:

- a) The procedure of entry (exit) of persons, vehicles and movement of luggage, other goods and animals on the State border;
- b) the procedure of stay and movement of persons and vehicles at state border points;

The regime of stay and movement of persons and vehicles at the state border crossing points for international communications on the open border territories of railway stations, automobile stations and airports, as well as the order of other activities related to clearance of persons, animals, vehicles, luggage and other goods is defined by laws and other legal acts of the Republic of Armenia.

In order to fulfill the border and custom control the necessary buildings are selected in compliance with the order established by the Government of the Republic of Armenia.

#### **Article 25. The order of the entry (exit) of persons and vehicles, movement of luggage, animals and other goods at crossing points of the State Border**

The entry (exit) of persons and vehicles, movement of luggage, animals and other goods at crossing points of the State Border are implemented based on the permission of border guard troops if the necessary documents are there.

#### **Article 26. The order of stay and movement of persons and vehicles at crossing points of the State Border.**

Heads of airports, railway stations, automobile stations and other transport organizations in accordance with border guard troops and custom officers define the place and the duration of

the stay of passengers and vehicles performing international transportation of goods at crossing points of the State Border.

In the process of border, custom and other types of control the entry of persons to the vehicles realizing the transportation of passengers and international goods is restricted, and in case of necessity it may be forbidden.

Passengers' landing and getting off the vehicles, as well as embarking and disembarking from the vehicles, which arrive or leave the Republic of Armenia, are realized with the permission of border guard troops.

Officials of transporting organizations, owners of vehicles or authorized persons by the order of a representative of border guard troops, in the presence of the representative of customs' office should open the sealed wagons, cars, other vehicles and carried luggage for checking.

Vehicles realizing the transportation of passengers and international goods may arrive in and leave the Republic of Armenia, as well as change the place of stay only by the permission of border guard troops and custom officers.

#### **Article 27. Additional regime rules at State Border crossing points**

At state border crossing points a territory and a building, where border, sanitary-quarantine, veterinary, fito-sanitary controls, as well as custom control are fulfilled directly shall be separated. Additional measures on restriction of the regime are undertaken at these places in the frames of the procedure and rules stipulated in 24-26 article of the law herein.

Border guard troops commander may stop the communication temporarily at state crossing points, in case of coming across a danger on the State Border for interests of the Republic of Armenia.

## **CHAPTER 6**

### ***AUTHORITIES OF STATE GOVERNMENT BODIES OF THE REPUBLIC OF ARMENIA IN PROTECTING THE STATE BORDER***

#### **Article 28. Authorities of State Government bodies of The Republic of Armenia in Protecting the State Border**

The State authorized body in the field of Foreign Affairs of the Republic of Armenia:

- a) in frames of its authorization negotiates on issues of protection of state border regime, prepares necessary documents and materials;
- b) in frames of its authorization ensures external political, international-legal security in the protection of State Border;
- c) in frames of its authorization prepares the documents of citizens of the Republic of Armenia, citizens of foreign states and stateless persons for entering and leaving the Republic of Armenia;
- d) resolves the issues and incidents relating to state border regime issues occurring on State Border not regulated by the border representatives of the Republic of Armenia.



The State authorized body in the field of National Security of the Republic of Armenia:

- a) on the State Border ensures the security of vital interests of a person, society and country in the general system of National Security;
- b) in border zone and in roads of international communication analyses the political, social-economic and prevents criminal situations;
- c) implements operative-inspection activities of bodies of national security to the revealing, preventing and disturbing illegal activities of special services, criminal groups and individuals of foreign countries on the State Border.

The State authorized body in the field of Defense of the Republic of Armenia:

- a) ensures the protection of air space of the State Border;
- b) ensures the participation of military forces of the Republic of Armenia in State Border protection, based on the procedure defined by the law herein and the legislation of the Republic of Armenia;
- c) in frames of its authorization supports border guard troops by providing resource, inspection services and state border protection as well as other issues.

The State authorized body of the sphere of Interior Affairs of the Republic of Armenia:

- a) in frames of its authorization supports border guard troops in the field of State Border protection during the implementation of regime measures, fighting against illegal actions at the State border, searching violators of State border regime, investigating the cases of violation of the state border by the already administratively arrested people;
- b) ensures the protection of public order upon request of border guard troops through prevention of armed penetration or large-scale penetration of citizens of bordering states on the territory of the Republic of Armenia, provides temporary restriction or forbidding of persons entry to separate territories, secures public order while in extreme situations in border zone (airports, railway, automobile stations and other places);
- c) in border zone together with border guard troops participates in legal breeding of the population, preparatory works for prevention of violations on the State border and State border crossing points.

## **CHAPTER 7**

### ***DUTIES OF AIR DEFENSE TROOPS IN THE PROTECTION OF STATE BORDER***

#### **Article 29. Duties of Air Defense troops upon Protection of State Border**

The air defense troops protect the air space of the State Border.

The air defense troops have the right:

- a) to suggest planes of other flying machines to reply to request signs, ask questions on the purpose of their entry to the air space of the Republic of Armenia;
- b) to recommend planes or other flying machines to change course to the special designated air corridors, recommend them to land at international airports, in case of impossibility in the nearest airport or other appropriate territory;
- c) In case of danger to the security of the Republic of Armenia or any other hostile action against the Republic of Armenia, to convoy planes or other flying machines and get them to land at airports or other designated places. In case the plane or the flying machine continues the mentioned actions, subdivisions of the air defense troops shall destroy the plane or the flying machine.

### **Article 30. Grounds for Arrest of Planes or Other Flying Machines by Border Guard Troops**

A plane or other flying machines may be arrested in the territory of the Republic of Armenia by Border guard troops if:

- a) The plane or the flying machine is engaged in collection of information or any other hostile action, to the detriment of the security of the Republic of Armenia;
- b) The plane or the flying machine is outside the air corridors designated for flights;
- c) The plane or the flying machine lands, embarks passengers, embarks or disembarks goods outside international airports without relevant authorization.

### **Article 31. Protocol on Examination or Arrest of Plane or other Flying Machines**

A protocol on examination or arrest of a plane or any other flying machine shall be prepared and signed by the representative of the Border guard troops and the commander of the examined plane or arrested plane or flying machine. The protocol is prepared in Armenian, if necessary the translation of the text can be attached.

In case of arrest of the plane or the flying machine, the documentation of the plane or the flying machine and the supporting documents of the luggage shall be confiscated and attached to the protocol. If the commander of the examined or arrested plane or flying machine qualifies the actions of the Border guard troops illegal or does not agree with the text of the protocol, it can be mentioned in the protocol or in an attached document.

If the commander refuses to sign the report, it must be noted in the report.

### **Article 32. Consequences of Arrest of Foreign Plane or other Flying Machines**

The arrested foreign plane or flying machine shall be handed over to the authorized representatives of relevant states or deported from the territory of the Republic of Armenia as stipulated by the law, or in cases provided for by the legislation of the Republic of Armenia, may be confiscated by the decision of the court.

### **Article 33. Cooperation in the protection of the State Border**

Border guard troops and air defense troops assist each other while protecting the State Border, in frames of their authorization they co-ordinate the activities of other state bodies implementing various types of the state border regime control.

Border Guard troops, according to international agreements of the Republic of Armenia, cooperate with corresponding bodies of bordering states.

## **CHAPTER 8**

### ***PARTICIPATION OF ENTERPRISES, ORGANIZATIONS, OFFICIALS AND CITIZENS IN PROTECTION OF STATE BORDER AND THEIR DUTIES***

**Article 34. Participation of Enterprises, Organizations, Officials And Citizens in Protection of State Border And their Duties**

Within their jurisdiction, enterprises, agencies, organizations, officials and citizens must support Border guard troops in protecting the State Border, and immediately inform Border guard troops on hazards to the State Border.

State entities, organizations, officials and citizens must follow the State Border regime and State Border crossing regime.

Citizens participate in the protection of the State Border on voluntary basis.

**CHAPTER 9**

***FINAL PROVISIONS***

**Article 35. Enter into force of the law**

1. The law herein runs into force after its official publication.
2. Since the moment of its entering into force the law of July 17 1994 of the Republic of Armenia on “The State Border of the Republic of Armenia” and the decision of the Supreme Council of the Republic of Armenia on implementation of the law of April 26 1994 of the Republic of Armenia on “The State Border of the Republic of Armenia” are considered no more valid.

**President of the Republic of Armenia**

Yerevan

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**R. Kocharyan**