

THE LAW ON LEGAL STATUS OF FOREIGN CITIZEN IN THE REPUBLIC OF ARMENIA

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CHAPTER I. GENERAL PROVISIONS

Article 1. The purpose of the Law "On legal status of foreign citizens in the Republic of Armenia".

The present Law based on generally recognised principles and standards of international law, shall establish the procedure for entry into the Republic of Armenia, resident, movement, transit, exit of a foreign citizen, acquisition of a resident permit as well as his rights and obligations in the Republic of Armenia.

Article 2. Principles of legal status of foreign citizens.

A person who is not a citizen of the Republic of Armenia and who holds citizenship of another state shall be qualified as a foreign citizen in the Republic of Armenia.

A foreign citizen in the Republic of Armenia shall enjoy the rights and freedoms established by the standards of international law and legislation of the Republic of Armenia.

A foreign citizen in the Republic of Armenia shall be obliged to observe the laws of the Republic of Armenia, to respect national customs and traditions of its people.

Article 3. Legislation on legal status of foreign citizens.

The legal status of a foreign citizen in the Republic of Armenia shall be governed by the given Law as well as by other legislative acts of the Republic of Armenia relating to legal status of a foreign citizen.

Where international treaties of the Republic of Armenia have established other standards than those contained in the present Law, the standards of the international treaty shall apply.

Article 4. Stateless persons.

The provisions of the present Law shall also apply to stateless persons in the Republic of Armenia unless the legislation of the Republic of Armenia provides otherwise.

CHAPTER II.

ENTRY OF FOREIGN CITIZENS TO THE REPUBLIC OF ARMENIA AND THEIR EXIT FROM THE REPUBLIC OF ARMENIA

Article 5. Entry of foreign citizens to the Republic of Armenia

A foreign citizen may enter the Republic of Armenia on the grounds of an entry visa issued by relevant bodies of the Ministry of foreign affairs of the Republic of Armenia, and at the border points of the Republic of Armenia - by relevant bodies of the Ministry of internal affairs of the Republic of Armenia or in the manner established by international treaties of the Republic of Armenia.

The entry to the Republic of Armenia and exit from the Republic of Armenia of a foreign citizen, who possesses a resident permit in the Republic of Armenia, shall be governed in the manner established by the present Law.

Article 6. Procedure for receipt of entry visa for the Republic of Armenia

In order to receive an entry visa for the Republic of Armenia a foreign citizen shall fill in the form in the manner established by the Government and shall submit other necessary documents.

Article 7. Types and periods of validity of entry visas

A foreign citizen entering the Republic of Armenia shall be issued the following entry visas:

- a) a transit entry visa - for a period of up to three days;
- b) a tourist entry visa - for a period of up to 21 days;
- c) a long-term entry visa - for a period of up to three months;
- d) a diplomatic entry visa.

Article 8. Procedure for extension of entry visa

The diplomatic and tourist entry visas shall be issued for a single entry and the transit and long-term entry visas - also for multiple entry.

The period of validity of an entry visa for the Republic of Armenia may be extended not more than two times - by one third of the period of validity of the entry visa in each case.

The period of validity of an entry visa to the territory of the Republic of Armenia shall be extended by relevant bodies of the Ministry of internal affairs of the Republic of Armenia, and by relevant bodies of the Ministry of foreign affairs of the Republic of Armenia - outside the Republic of Armenia.

Article 9. Refusal of an entry visa

A foreign citizen may be refused an entry visa for the Republic of Armenia, and the applicant shall be informed about that.

Article 10. Procedure for issuance of an entry visa

An entry visa shall be registered in the internationally recognized document identifying the personality of a foreign citizen or shall be attached to the document.

Article 11. Levy for an entry visa

For issuance of an entry visa a foreign citizen shall be levied in the manner and in the amount established by the legislation of the Republic of Armenia.

Article 12. Procedure for entry of foreign citizens to the Republic of Armenia

A foreign citizen entering the Republic of Armenia shall be obliged to present at the border point of the Republic of Armenia the entry visa, the internationally recognized document identifying the personality, to fill in the declaration in the manner established by the Government of the Republic of Armenia.

Article 13. Obligations of foreign citizens at the border points of the Republic of Armenia

A foreign citizen at the border point of the Republic of Armenia shall be obliged to fulfil the customs requirements established by the legislation of the Republic of Armenia.

Article 14. Procedure for receipt of documents replacing the official documents

In case of loss or damage of the entry visa, internationally recognised documents identifying the personality or other official documents, a foreign citizen shall be obliged to immediately

inform about that relevant bodies of Interior of the Republic of Armenia which shall within two days issue to him/her a document replacing the lost or damaged one.

Article 15. Exit of foreign citizens from the Republic of Armenia

A foreign citizen may exit from the Republic of Armenia on the basis of the internationally recognized document identifying the personality or a document, replacing it, issued by relevant bodies of internal affairs of the Republic of Armenia.

The exit of a foreign citizen from the Republic of Armenia may be prohibited:

- a) if criminal proceedings have been instituted against him - until the cessation of such criminal proceedings;
- b) if he has been convicted - until the sentence has been served or lifted;
- c) if there is a court sentence or decision with regard to him - until the court sentence or decision has been executed or lifted.

Article 16. Procedure for registration of foreign citizens

The registration at the place of resident of a foreign citizen in the Republic of Armenia shall be made by the bodies of the Ministry of Interior on the basis of documents confirming his right to reside in the Republic and to have a housing.

The registration of a foreign citizen staying at the hotel, rest house, sanatorium or tourist or other camps shall be made by the aforementioned institutions in the manner established by the Ministry of internal affairs of the Republic of Armenia.

A foreign citizen shall be levied for registration in the manner and in the amount established by the legislation of the Republic of Armenia.

Article 17. Levy for movement of a foreign citizen

When entering the Republic of Armenia and when departing from the Republic of Armenia foreign citizens shall be levied for movement in the manner established by the legislation of the Republic of Armenia.

CHAPTER III.

RESIDENT PERMITS OF FOREIGN CITIZENS IN THE REPUBLIC OF ARMENIA, PROCEDURE FOR THEIR ACQUISITION, RIGHTS AND OBLIGATIONS OF FOREIGN CITIZENS

Article 18. Resident permits of foreign citizens

The Republic of Armenia shall establish four types of resident permit for foreign citizens: a temporary, regular, special and exceptional permit.

A foreign citizen in the Republic of Armenia may not have more than one resident permit at a time.

Article 19. Temporary resident permit

Temporary resident permit shall be granted to foreign citizens who came to the Republic of Armenia on a contractual basis or for private reasons; to foreign students studying in the state, religious educational institutions of the Republic of Armenia; to persons having the refugee status as well as to foreign journalists, researchers and persons invited to do public or religious service.

Temporary resident permit may also be granted to persons seeking asylum due to the unstable political situation, whose right to freedom of movement in the Republic may be restricted by a decision of the Ministry of internal affairs. These persons shall be exempted from paying the entry visa fee.

Temporary resident permit shall be granted for a period of up to one year, and may be extended each time for a period of no more than one year.

Article 20. Regular resident permit

Regular resident permit may be granted to any foreign citizen who files such application.

Regular resident permit may be granted as a matter of priority to a foreign citizen:

- a) who has been legally residing in the Republic of Armenia for more than three years;
- b) who is a former citizen of the Republic of Armenia or who is an immediate spouse, child, parents, sibling) of a citizen of the Republic of Armenia;
- c) who graduated from a state or licensed private higher education institution in the Republic of Armenia;
- d) who has refugee status.

Regular resident permit shall be granted for a period of up to three years and may be extended.

Article 21. Special resident permit

Special resident permit shall be granted to foreign citizens of Armenian origin.

Special resident permit may be also granted to other foreign citizens engaged in economic, cultural activities in the Republic of Armenia.

Special resident permit shall be granted for ten years. It may be granted more than once.

Article 22. Exceptional resident permit

Exceptional resident permit shall be granted to foreign citizens who are officials of diplomatic and consular missions of foreign states in the Republic of Armenia, to their family members, for a period of their service.

An exceptional resident permit may be also granted to employees of international organisations who are foreign citizens.

Article 23. Procedure for receipt of temporary and regular resident permits

Temporary and regular resident permits and the documents certifying them shall be issued by the Ministry of internal affairs of the Republic of Armenia in the manner established by the Government of the Republic of Armenia.

The Ministry of internal affairs within 15 days shall give the applicant a temporary or regular resident permit or inform about rejection.

In case of rejection of the application the applicant may appeal against the decision to the Prime Minister of the Republic of Armenia. The appeal shall be examined within a month and shall be replied in written form.

A foreign citizen may re-apply for temporary or regular resident permit six months after the rejection of his previous application. (*Article 23, changed on 26.09.02 AL-231 Law*)

Article 24. Procedure for acquisition of special resident permit

Foreign citizens, who wish to receive a special resident permit shall submit to diplomatic or consular missions of the Republic of Armenia abroad and in the Republic of Armenia - to the Ministry of internal affairs, the application addressed to the President of the Republic of

Armenia, shall fill in the form in the established manner and shall present the necessary documents.

A foreign citizen who has got a special resident permit, shall be issued a special passport of the Republic of Armenia by the diplomatic or consular missions of the Republic of Armenia abroad and in the Republic of Armenia - by the Ministry of internal affairs. For the issuance of a special passport of the Republic of Armenia, a foreign citizen shall be charged the amount established by the Government of the Republic of Armenia.

A foreign citizen may re-apply for a special resident permit a year after the rejection of his previous application.

Article 25. Rights and obligations of foreign citizens in the Republic of Armenia

A foreign citizen in the Republic of Armenia shall have the right to freedom of thought, expression, conscience and religion - in accordance with the legislation of the Republic of Armenia.

A foreign citizen in the Republic of Armenia shall have the right to preserve his national language, culture and traditions.

A foreign citizen in the Republic of Armenia shall not have the suffrage, he may not be a member of any public and political organisation of the Republic of Armenia, he may not be elected or nominated to such posts or be engaged in such activity that, in accordance with the legislation of the Republic of Armenia, require the availability of citizenship of the Republic of Armenia.

A foreign citizen shall have the right to be protected by the law against unlawful interference with the private and family life, to the remedy from the infringement of the security of person and home, of secrecy of correspondence, of honour and dignity, of life and health, of personal freedom and property equally with a citizen of the Republic of Armenia.

A foreign citizen shall have the right, in the manner established by the legislation of the Republic of Armenia, to property, labour and private business activities.

A foreign citizen in the Republic of Armenia may contract a marriage or dissolve a marriage in the manner established by the legislation of the Republic of Armenia, he shall have in family relations the same rights and obligations as a citizen of the Republic of Armenia.

A foreign citizen in the Republic of Armenia shall pay taxes, duties and shall make other obligatory payments in the manner established by the legislation of the Republic of Armenia.

A foreign citizen in the Republic of Armenia shall not be obliged to serve in the military forces of the Republic of Armenia.

For protection of his rights, a foreign citizen shall enjoy all the guarantees established for the exercise of rights of a citizen of the Republic of Armenia.

When arresting, taking into custody, instituting criminal proceedings against a foreign citizen or prohibiting his exit from the Republic of Armenia, relevant officials shall be obliged not later than within 24 hours to inform about that a mission of the state protecting foreign citizen's interests, and in case of refugees - the United Nations High Commissioner for Refugees.

A foreign citizen shall be obliged no later than at expiration of the entry visa for the Republic of Armenia or of the resident permit, to leave the Republic of Armenia.

The enjoyment by a foreign citizen of his rights and freedoms must not be on infringement upon the rights and freedoms of citizens of the Republic of Armenia, other persons, public order, general well being, security of the Republic of Armenia.

CHAPTER IV. LEGAL STATUS OF FOREIGN CITIZENS HAVING A RESIDENT PERMIT IN THE REPUBLIC OF ARMENIA

Article 26. Rights and obligations of foreign citizens having a resident permit

A foreign citizen, who has resident permit in the Republic of Armenia, equally with a citizen of the Republic of Armenia shall have the right to inherit, devise or donate his property, to avail himself of insurance, funeral or other services, to be a member of charity, cultural, trade-union, sport and other public organisations.

A foreign citizen with a resident permit may be a member of an international organisation functioning in the Republic of Armenia.

A resident permit shall grant a foreign citizen the right to enter and exit the Republic of Armenia.

A foreign citizen, who has temporary, regular or special resident permit shall have the right to invite his immediate relatives to the Republic of Armenia. The issuance of the invitation documents shall be charged the amount established by the legislation of the Republic of Armenia.

The right of a foreign citizen having an exceptional resident permit, to invite other persons to the Republic of Armenia shall be regulated by international treaties.
(changed on 22.10.96 Law)

Article 27. Rights and obligations of foreign citizens with temporary resident permit

A foreign citizen with temporary resident permit shall be granted the right to labor in the Republic of Armenia in the manner established by the Government of the Republic of Armenia.

The entry to the Republic of Armenia and exit from the Republic of Armenia of a foreign citizen with temporary resident permit shall not be limited. At each entry he shall be charged for the entry visa at border points of the Republic of Armenia.

A foreign student shall be exempted from the entry visa fee.

The right of a foreign citizen student to travel abroad shall be regulated by rules established by an educational institution.

A foreign citizen with temporary resident permit, during a period of his stay, may once bring in one automobile for personal use.

A foreign citizen with temporary resident permit shall not have the right to alter or to change the purpose of his stay without a permission of the Ministry of internal affairs of the Republic of Armenia.

A foreign citizen with temporary resident permit shall legalise his financial, economic, trade deals in the manner, established by the legislation of the Republic of Armenia.

Article 28. Rights and obligations of foreign citizens with regular resident permit

A foreign citizen with regular resident permit in the Republic of Armenia shall have the right to labour, social security, he may be engaged in private business activity, avail himself of insurance services.

A foreign citizen with regular resident permit shall work in the Republic of Armenia on a contractual basis. A copy of labour contract of a foreign citizen shall be submitted to relevant bodies of the Ministry of internal affairs of the Republic of Armenia.

The period of work of a foreign citizen shall expire simultaneously with the expiration of the period of resident.

Within three months from the date of acquiring a regular resident permit, a foreign citizen may without tax bring in the Republic of Armenia personal belongings, one automobile for personal use, household belongings. Where a foreign citizen brings in other property of his own, he shall pay the customs duty in the manner, established by the legislation.

A foreign citizen with regular resident permit shall once a year come for the registration, he may not be absent from the Republic of Armenia for more than six months during a year, unless he has preliminarily got a written consent of the Ministry of internal affairs of the Republic of Armenia - provided that this absence does not exceed an uninterrupted one-year period, that he makes a year payment established by the legislation of the Republic of Armenia.

A foreign citizen with regular resident permit, who has been residing in the Republic of Armenia for three years, may apply for citizenship of the Republic. In this case the period of his resident permit validity shall be extended by one year during which he may not be absent from the Republic of Armenia without a written permission of the Ministry of internal affairs.

Article 29. Rights and obligations of foreign citizens with special resident permit

A foreign citizen with special resident permit, shall have in the Republic of Armenia the right to labour, may be engaged in private business activity in the manner established for foreign citizens with regular resident permit.

He shall be exempted from the entry visa fee.

A person having a special resident permit, shall once a year come for the registration to diplomatic or consular mission of the Republic of Armenia abroad, and on the territory of the Republic of Armenia - to the relevant body of the Ministry of internal affairs of the Republic of Armenia.

Article 30. Rights and obligations of foreign citizens with exceptional resident permit

The rights and obligations of a foreign citizen with exceptional resident permit, shall be established by international treaties of the Republic of Armenia, the legislation of the Republic of Armenia, the decrees of the President of the Republic of Armenia and resolutions of the Government of the Republic of Armenia.

A foreign citizen with exceptional resident permit shall have the right to security of person in accordance with international treaties and legislation of the Republic of Armenia.

CHAPTER V.
RESPONSIBILITY OF FOREIGN CITIZENS IN THE REPUBLIC OF ARMENIA,
PROCEDURE FOR DEPORTATION OF FOREIGN CITIZENS FROM THE
REPUBLIC OF ARMENIA

Article 31. Responsibility of foreign citizens in the Republic of Armenia

A foreign citizen in the Republic of Armenia shall bear responsibility before the law equally with a citizen of the Republic of Armenia, except the cases established by the international treaties of the Republic of Armenia and by the legislation of the Republic of Armenia.

In cases of violation of the established procedure for staying in the Republic of Armenia, resident without documents certifying the resident permit or with invalid documents, violation of the established procedure for the registration, failure to leave the Republic of Armenia upon the expiration of the resident permit or entry visa, non-compliance with the customs rules, a foreign citizen shall be held responsible in accordance with the legislation of the Republic of Armenia.

Article 32. Administrative deportation of foreign citizens from the Republic of Armenia

A foreign citizen may be administratively deported from the Republic of Armenia if his activity threatens the national security of the Republic of Armenia, public order, morals, rights and freedoms of citizens, as well as in other cases established by the legislation of the Republic of Armenia.

Article 33. Procedure for administrative deportation of foreign citizens from the Republic of Armenia

A decision on administrative deportation of a foreign citizen, save the foreign citizens with exceptional resident permit, shall be taken by the Minister of internal affairs of the Republic of Armenia on the basis of findings of the committee, established by him. A representative of the state protecting foreign citizen's interests shall be allowed to be present at the meetings of the committee.

A decision on administrative deportation of a foreign citizen with exceptional resident permit shall be taken by the Minister of foreign affairs of the Republic of Armenia in the manner established by the Government of the Republic of Armenia.

A decision on administrative deportation may be appealed within seven days to the Prime Minister of the Republic of Armenia by a foreign citizen to be deported or by a representative of the state protecting his interests.

The Prime Minister of the Republic of Armenia shall inform the plaintiff about his decision within a month.

The administratively deported foreign citizen may return only by a permission of the Minister of internal affairs and by permission of the Minister of Foreign Affairs of the Republic of Armenia in case of foreign citizen with exceptional resident permit.

Article 34. Deportation of foreign citizens by a court decision

A foreign citizen shall be deported from the Republic of Armenia in cases established by the legislation of the Republic of Armenia. As an additional punishment, a court of the Republic of Armenia may sentence a foreign citizen to eviction from the Republic of Armenia. If the period of imprisonment does not exceed two years it may be replaced by the deportation from the Republic of Armenia.

The President of the Republic of Armenia may fully or partially replace the imprisonment of a foreign citizen sentenced by the court of the Republic of Armenia by his deportation from the Republic of Armenia.

Within ten days the court, via the Ministry of foreign affairs of the Republic of Armenia, shall inform a mission of the state protecting foreign citizen's interests about the deportation of a foreign citizen.

Article 35. Extradition of foreign citizens in accordance with the agreement on exchange of criminals

A foreign citizen in the Republic of Armenia who is charged with committing a crime on the territory of any state and whose extradition is required by that state or by an international organisation shall be extradited in the manner established by the international treaties of the Republic of Armenia.