

MASTER'S EESAY

**“Re-acquisition of Citizenship
of Republic of Armenia”**

By
Sevan Petrosyan
M.C.L.S.
American University of Armenia

Supervisor
Vahan Bournazian

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Sevan Petrosyan, MCLS
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Introduction: Social Value and Public Policy

This paper aims to touch upon issues concerning the re-acquisition of citizenship in Armenia especially in light of the constitutional amendment which removed the ban on dual citizenship as well as the relevant amendments in the Law on Citizenship of the Republic of Armenia and procedural regulations.

Citizenship is the right to have access to rights. The strength of a state is not only its power in terms of natural resources and a secure control over its territory but also - in its citizens and their contribution towards the processes in their country. Citizenship is the social and legal link between individuals and their political community.¹ Citizens invest in the political, economic, social and cultural life of their community by their participation in decision making processes through elections and by their financial and educational potential. Citizens are to be loyal towards their state and they should contribute to its development and prosperity. The state in its turn is responsible for the protection of its citizens, both in legal and material terms. It's a two-sided relationship in which each side benefits from the existence and the activities of the other.

The movements of people oblige the states to cope with the migration flows they face, by sometimes giving opportunities to the newcomers so that they are integrated in the country. The state is obliged to naturalize them in order to facilitate their integration and eliminate the burden of keeping them as sole beneficiaries of state welfare. But also very often states are willing to include them into their societies to benefit from their educational and social expertise. Newcomers, who arrive to a new host country, already having some experience and luggage filled with positive investment opportunities, are more welcome by the state, which openly includes them into its society by giving them legal opportunities to live and work in its territory.

¹ Patrick, John J., "The Concept of Citizenship in Education for Democracy"
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What concerns to re-acquisition, the states are much more interested in bringing back their citizens, who have left the country. This is very actual for those countries that have “lost” a large number of citizens due to political, economic, social or environmental situations. States are interested in and feel themselves obliged to re-create the lost link with their former subjects not only because the former citizens have gained knowledge, experience and financial means in other countries but also because they could be integrated easier thanks to possible family, cultural, linguistic and social links with the country.

Private Interests

The parties to the legislation covering citizenship are the state and the individual. The individuals, as subjects of that legislation, can be categorized as those who already possess citizenship, those who apply to acquire it and those who give it up. This paper will be discussing the part of the transaction which directly concerns those people who have given up or lost their citizenship and currently apply to re-acquire it.

The local population (i.e. those who already possess the citizenship) should also be considered as an interested party. They not only play a role in shaping policies in democratic societies, but also the (re-)integration of people who are willing to re-acquire the citizenship very much depends on how the local population reacts. In the Armenian context, since the beginning of the discussions on allowing the dual citizenship, the attitude of the local population has been diverse. Some have expressed an attitude against those who have left the country after the independence. However the families of those who left consist a large number and have an influence on the overall acceptability of the local population.

Armenian Legal Framework

The legislative framework governing the issue of citizenship and in particular (re-) acquisition of citizenship in Armenia consists of International Conventions and Treaties touching the issue of citizenship², The Constitution of the Republic of Armenia (RA) (amended on 27, November 2005)³, The Law of the Republic of Armenia on the Citizenship of the Republic of Armenia (amendments adopted by National Assembly on 26.02. 2007)⁴, Decrees of the President of RA, Decisions of the Government of RA, Decisions of the National Assembly of RA and Internal Regulations of the Police of RA.

Article 9 of the RA Law on Citizenship entitled “the basis of the acquisition of the citizenship of the Republic of Armenia” states that “*The citizenship of the Republic of Armenia is acquired: 4) through the restoration of the citizenship*”. According to article 14 of the same law on “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... if he/she was not deprived from the citizenship of the Republic of Armenia*”.⁵ Article 26 recognizes the President of RA as the authority for restoration of Armenian citizenship.

Amended article 13 of Law on Citizenship (26.02.2007) provides that any person 18 years of age⁶ that does not hold citizenship of the Republic of Armenia can apply for the citizenship of the Republic of Armenia without the conditions of three years of residence and knowledge of Armenian language if he/she: “*d) has denounced the RA citizenship based on*

² Universal Declaration of Human Rights (article 15), International Convention on Civil and Political Rights (article 26), European Convention on Citizenship (article 4), Convention Against Racial Discrimination (article 5), Convention on the Rights of the Child (article 7)

³ Articles 11.3 and 30.1 of the Constitution of the Republic of Armenia

⁴ See annex V

⁵ According to article 1 of the Law on Citizenship a citizenship is considered lost if it is terminated. According to article 23 of the law one of the basis for termination is deprivation. Article 25 prescribes that the person is deprived of citizenship if ... “...has acquired citizenship of another state violating the citizenship legislation of the Republic of Armenia”

⁶ Articles 11, 12 as well as the chapter three of the law prescribe the citizenship of persons below 18 based on the citizenship of parent (s) and/or place of birth.

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his/her application after January 1st, 1995.” Article 13.1 on “Dual citizenship”, para 3, states that a dual citizen of the Republic of Armenia is recognized by the RA only as an Armenian citizen. This norm also covers those Armenian citizens, who after January 1st 1995 have accepted or have been granted the citizenship of another state without denouncing Armenian citizenship according to the regulations, as well as those who have denounced their Armenian citizenship one-sidedly (based on individual declaration.)

Governmental decision of June 25, 1999 No. 192 provides the procedure to apply for citizenship of the Republic of Armenia and identifies the relevant state bodies that are responsible for the procedure. These include the Police of the Republic of Armenia, National Security Service (NSS) and the President who makes the decision on granting citizenship or rejecting the application based on the conclusions/recommendations received by relevant state bodies. Similar procedure is also prescribed for persons applying for citizenship from abroad at the Consulates of the Republic of Armenia through the Ministry of Foreign Affairs.

The Governmental decision No. 192 also provides the form that needs to be filled in by the applicant and list of the documents that he/she would need to provide with the application. It should be mentioned that this Governmental decision needs to be amended based on the recent amendments in the citizenship law, as it requires the person applying for Armenian citizenship to renounce the citizenship of the first country. Although both the citizenship law and Governmental decision No. 192 foresee exceptional measures for persons of Armenian origin and also separate former Armenian citizens as a group subject to this legislation, they still do not clearly foresee whether persons mentioned in 13.1 para 3 do benefit from any special procedure for reacquisition or not.

Case Studies

The procedure for re-acquisition of Armenian citizenship is not very common. The number of applicants for re-acquisition could rise in the nearest future following the amendments in the legislation and more information would be available to assess the smoothness of the procedures.

However, before the cases reach to application for re-acquisition there are still issues which are unsolved, which are very much linked with the overall system of “accepting” former Armenian citizens into the territory of the country and the requirements awaiting them. The ways/methods through which the authorities can recognize a former Armenian citizen if he/she has not renounced the citizenship with Armenian authorities as well as the procedure the person would have to go through when in the country are not very clear. For example, in case of a former Armenian citizen, who acquired US citizenship, without giving up the Armenian citizenship through state channels, the person has been asked to apply for a residency permit of a certain period while entering the country. As the person entered Armenia in 2004 (before amendments allowing dual citizenship), it was logical that he would not be able to use his Armenian passport upon entry. Still one could argue that whether the border guards could be informed about the former citizenship of that person. However the fact that the person is of an Armenian and/or was born in Armenia could still be a strong indication that at least he’s been a citizen of USSR and therefore eligible for Armenian citizenship under article 10 of the Citizenship law⁷.

⁷ The following persons are recognized as citizens of the republic of Armenia; a) 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; b) Stateless persons or former citizens of other USSR republics who are not foreign citizens permanently residing in the RA and before 31 December 2009 have applied for the acquisition of the RA citizenship, c) Ethnic Armenian citizens of the former Arm. SSR, who live out side the Republic of Armenia and have not acquired the citizenship of another country
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It would mean that the authorities do fully realize that many former Armenian citizens have relinquished their citizenship despite non-compliance with the requirements of the Armenian law on citizenship. What is of interest is that they are accepted as foreigners and Armenian authorities do not reject to provide them with entry permit to the territory of the country and/or giving them residency status. That would perhaps indicate that Armenia, realizing the situation, will “forgive” its former citizens for not following the requirements of the legislation and consider them together with those people who have passed through the needed procedure with Armenian authorities.

In order to clarify the issues mentioned above we have applied to the President’s Office⁸ and the Police.⁹ In her reply the head of the Passport and Visa Department of the Police¹⁰ has informed that in order to implement the amendments in the Law on Citizenship, relevant Governmental decisions are foreseen to be made in the future.¹¹

Step-by-step description of the transaction

The procedure for acquisition, restoration of the citizenship of the Republic of Armenia based on Governmental decision of June 25, 1999 No. 192 “On measures Providing for the Implementation of the Republic of Armenia’s Law on Citizenship of the Republic of Armenia” are as follows:

- ✓ The application form, along with other documents¹², for Armenian citizenship is received by the Police of the Republic of Armenia (RA)¹³, who reviews them for their truthfulness and sufficiency

⁸ See annex I

⁹ See Annex II

¹⁰ See annex III

¹¹ The President’s Office has announced verbally that no reply will be given to our inquiry because “correspondence received from a university is not of an appropriate level for the President to reply”

¹² See annex IV

- ✓ The copies of the documents are forwarded to the National Security Service (NSS) of the Republic of Armenia as well as the Ministry of Foreign Affairs (MFA) of the Republic of Armenia¹⁴. Both bodies come back to the Police department with their conclusions in a two month period.
- ✓ The Police of RA compiles the application documents, conclusion as well as other documents received by relevant state and other structures¹⁵ and forwards them to the President of the Republic of Armenia with conclusion
- ✓ The President of the Republic of Armenia makes the decision on granting or rejecting the application for citizenship in a one month period.¹⁶
- ✓ The Police of RA is the responsible body to follow-up with the issuance of RA Passport to the applicant.

Persons applying for the citizenship of the Republic of Armenia shall

- ✓ Fill the application (citizenship request) form¹⁷
- ✓ Presents the following documents
 - Petition letter
 - Self-biography
 - Residency notice (from the place of residence in RA)¹⁸
 - Passport¹⁹ and notarized copies of the certificate of birth and marriage (if available)
 - Six photos
 - Health certificate
 - Certificate evidencing that the petitioner has not been convicted in the country of his/her permanent or main residence during the last 10 years
 - Document evidencing the Armenian origin of the applicant
 - Document reflecting the employment background

¹³ If the person applying is not a resident of the Republic of Armenia, he/she applies to the Diplomatic representation and Consular Bodies of the Republic of Armenia, who reviews them for their truthfulness and sufficiency and forwards them to the Ministry of Foreign Affairs of the Republic of Armenia

¹⁴ The documents received by MFA are forwarded to The Police of RA in a two month period together with conclusions of the Ministry.

¹⁵ Ministry of Health on state of health, medical checks and State Inspection on Language on issues on proficiency of Armenian language (not required for ethnic Armenians)

¹⁶ Article 29 of the Law on Citizenship of RA. In case the application is rejected the person may re-apply after one year.

¹⁷ The form based on Gov. decision No. 192 will change as it requires the applicant to be (already) stateless

¹⁸ Applicants who apply to Diplomatic representations do not present the residency notice.

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- ✓ After being notified by relevant state bodies receive the Passport of the Republic of Armenia by permanent or factual residing places - by the authorities of the Ministry of Interior in the Republic of Armenia, and by the RA diplomatic representatives or consulates in foreign countries.

International Practice

This section will present the international practice in countries where the former citizens of that country are allowed to (re-)apply for the citizenship of the country even though the state does not allow and/or has not allowed dual citizenship in the past. The countries which are studied and researched are the Republic of Austria, Republic of India and United Mexican States.

Austrian nationality law states that a person is deprived of Austrian nationality if, despite acquisition of Austrian nationality he/she still has retained a foreign nationality.²⁰ A former Austrian citizen can regain his/her Austrian citizenship if it is lost. Loss of citizenship occurs in cases when the person applies to authorities to relinquish Austrian citizenship. The only exception to this is when a former Austrian citizen can receive Austrian citizenship even though the procedure to relinquish was not fulfilled; *“In the case of an alien who, prior to 9 May 1945, possessed the nationality of one of the successor States of the former Austro-Hungarian monarchy or was stateless, had his or her principal residence in the federal territory and at that time went abroad because he or she had reason to fear or had suffered persecution by agents of the National Socialist German Workers' Party (NSDAP) or of the authorities of the Third Reich, or because, on account of his or her active support for the*

¹⁹ The passport here is to be given to RA authorities. Based on amendments in Citizenship law and in the new form to be prepared by the Government it still would be needed as evidence that the person holds another citizenship.

²⁰ Austria does not allow its citizens to hold a citizenship of another country, however, except for certain exceptions such as when relinquishing the citizenship of another country is impossible, or when the person takes up the post of university or college professor for which he/she is required to take Austrian citizenship.

Democratic Republic of Austria, was exposed to or had reason to fear persecution.”²¹ Like Armenia the person being granted Austrian citizenship should have knowledge of German language, take an oath and sign its text.²²

In 2005 India adopted amendments to its citizenship act and created a status of “Overseas Citizen of India” (OCI)²³. According to the Indian citizenship act a foreign national, who was eligible to become a citizen of India²⁴ on 26.01.1950 or was a citizen of India on or at anytime after 26.01.1950 or belonged to a territory that became part of India after 15.08.1947 (Pakistan and Bangladesh) and his/her children and grand children, provided his/her country of citizenship allows dual citizenship in some form or other under the local laws, is eligible to register as OCI²⁵. OCIs are entitled to “multiple entry, multi-purpose, and a life-long visa for visiting India and exemption from registration with local police authorities for any length of stay in India. They are also treated the same as other non-resident Indians in respect of economic, financial and educational benefits except in relation to acquisition of agricultural or plantation properties”.²⁶ To become a full Indian citizen, an OCI has to be registered as an OCI for five years and reside in India for one year out of the five years before making the application.²⁷

In 1998 the Mexican Constitution was amended to make dual citizenship possible. Previously, a Mexican who became a citizen of another country automatically lost his

²¹ 1985 Federal Law Concerning the Austrian Nationality, article 10, paragraph 4, subparagraph 2

²² *ibid*, articles 10a, 21, 22, 23

²³ The Indian Diaspora is currently estimated to number over twenty millions. <<http://indiandiaspora.nic.in/>>

²⁴ According to Notification No. 26011/4/98-F.I dated 19.08.2002. of Ministry of Home Affairs a person who or whose any of ancestors was an Indian national and who is presently holding another country’s citizenship can be registered as a Person of Indian origin (PIO) and receive a PIO Card. PIO card holders pay less fees for becoming a OCI. However to become a OCI the PIO card is not e necessity.

²⁵ 1955 Citizenship Act of India, articles 7a.

²⁶ *ibid*, section 7b. The OCI is not entitled to vote, be a member of Legislative Assembly or Legislative Council or Parliament, cannot hold constitutional posts such as President, Vice President, Judge of Supreme Court or High Court etc. and he/she cannot normally hold employment in the Government.

²⁷ *Ibid*, section 5 (1)(g)

Mexican citizenship.²⁸ Under the new amendments, such persons could regain their Mexican nationality. There is a distinction in Mexican law between nationality and citizenship. According to the Mexican Constitution anyone born in Mexico has Mexican nationality by the simple act of being born in Mexican territory. Anyone who has one or both parents born in Mexico is a Mexican national²⁹. A Mexican cannot lose his nationality. Anyone that once renounced his Mexican nationality to acquire another nationality can recover it, because he no longer can lose it.³⁰ According to article 34 of the Constitution, “*a citizen is a man or woman with Mexican nationality, who has reached the age of majority, and lives honestly*”. This means that those Mexicans who have lost their citizenship when acquiring citizenship of another country may regain it based on their nationality.

A Mexican national that acquires citizenship of another country can vote in Federal elections, but not municipal elections, and cannot run for political office without renouncing his acquired foreign nationality. However, the relevant rules clarifying the transaction still are not in place to give more information on the exercise.

The reason these three countries were chosen is that, they all have a large number of former citizens residing abroad who have acquired the citizenship of the new countries without properly renouncing their previous citizenship and the legislation adopted later aims to create a legal link between those people and the state. The example of Austria is brought as a European State, prohibiting dual citizenship, who allows persons falling within a certain category to regain their citizenship although they have not renounced their citizenship through the prescribed procedures. India, while allowing dual citizenship, has prescribed

²⁸ In 2000 20.6 million American residents identified themselves as either Mexican, Mexican-Americans or of Mexican origin. Unites States Census 2000, US Census Bureau 2001

²⁹ 1917 Mexican Constitution, article 30.

³⁰ Ibid, article 37

procedural advantages to those who are already registered with the Government³¹. Mexico's example is brought as a state which, like Armenia, has allowed dual citizenship recently and still lacks certain procedural regulations to proceed with implementation.

Procedure Evaluation

The inclusion of the provision allowing dual citizenship in the Armenian Constitution is aimed to create a link to Armenia for Armenians living outside. The amendments to the citizenship law not only prescribe the details of re-acquisition, the responsible state authorities and some procedural safe guards, but also try to differentiate groups of persons who are eligible for Armenian citizenship while having citizenship of another state. The law views the *“Armenian citizens who after January 1st 1995 have accepted or have been granted the citizenship of another state without denouncing Armenian citizenship according to the regulations as well as those who have denounced their Armenian citizenship one sidedly”*³² as a group which are mentioned separately and are covered by the new amendments. The law does not specifically mention *re-acquisition* as a separate transaction and views every person as an applicant for acquisition of Armenian citizenship. A person willing to re-acquire Armenian citizenship, has to apply and pass through the procedure which is foreseen for any other applicant of Armenian origin. It's not clearly understood why the law identifies different groups if the procedure for everyone is the same.

As there are no Governmental decisions adopted following the amendments to the Law on Citizenship, the procedure is not clear yet and it can be evaluated only after relevant provisions are in place to regulate the issue.

³¹ According to Notification No. 26011/4/98-F.I dated 19.08.2002. of Ministry of Home Affairs of India the PIO Card holders pay USD 25, while non-PIO cars holders pay US \$ 275 as a fee for becoming a OCI.

³² Article 13.1 of the Law on Citizenship of the Republic of Armenia
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Recommendations for Reform

As it was mentioned in previous section, the policy of adopting amendments to the Law on Citizenship allowing dual citizenship is meant to give an opportunity to Armenians around the world to create strong links with Armenia, then we could conclude that the Armenian state would accept its former citizens, who have not renounced Armenian citizenship but have acquired the citizenship of another state before the provisions allowing dual citizenship entered into force, without “punishing” them. Moreover, taking into account that a large number of Armenians left the country following independence³³, the group of persons who can be considered as applicants for re-acquisition of Armenian citizenship is sufficiently large to consider them as a separate group³⁴, and also to facilitate their re-acquisition on separate basis. Furthermore, article 14 of the same law, which allows restoration of Armenian citizenship only to those who have renounced their Armenian citizenship and not to those have lost it³⁵, would need to be amended to ensure that the mentioned group does fall under that provision.

In order to facilitate the procedure of re-acquisition of Armenian citizenship the governmental decisions regulating the transaction shall prescribe a facilitated process. The Government of Armenia, through a Governmental decision could consider all the persons mentioned in article 13.1 para 3³⁶ as Armenian citizens without taking into account that they have been granted a citizenship of another state without denouncing Armenian citizenship

³³ According to State Migration Agency in the years 1988-1999, mainly because of the socio-economic conditions in the country, about 800, 000 -1000000 Armenians left the country (28-31% of the population.)

³⁴ Article 13.1 of the Law on Citizenship of the Republic of Armenia

³⁵ *ibid*, Article 25

³⁶ Armenian citizens who after January 1st 1995 have accepted or have been granted the citizenship of another state without denouncing Armenian citizenship according to the regulations as well as those who have denounced their Armenian citizenship one sidely.

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according to the regulations. The same procedure can also be prescribed for persons falling under article 13 para 2 d)³⁷ of the law, although the numbers of this group are smaller.³⁸

This approach would be rather realistic also in terms of shorter and smoother procedures because some information already does exist about former citizens of Armenia in the police's databank of citizens of the Republic of Armenia and that can be processed while the person applies to restore his/her citizenship.

Reform Implementations

The process of adoption of provisions allowing dual citizenship has been in the center of attention of political powers and they have been the main stakeholders during the draft of Constitutional amendments, as well as the relevant amendments in legislation. However their involvement has been limited to prescribing more general principles. During interviews the representative³⁹ of Armenian Revolutionary Federation announced that the group which is being discussed in this paper shall apply for Armenian citizenship together with Diaspora Armenians. Only the representative of the party "Jarangutyun"⁴⁰ stated that indeed different procedure should be foreseen for former Armenian citizens. However the party has not been involved in the drafting process and has not presented proposals to the draft of legislation.⁴¹ There are no NGOs working in this field representing the interests of former Armenian citizens.

³⁷ ...has given up Armenian citizenship after January 1st 1995 based on application.

³⁸ According to the reply received from Police (annex ?) the number of Armenian citizens who have renounced their citizenship based on their application is 3000.

³⁹ The interview has been carried out on 23.02.07 with Mr. Giro Manoyan, Head of ARF's External Relations Office. Mr. Manoyan stated that although former Armenian citizens have been considered as a group subject to the legislation, there have been no discussions on including separate provisions for them except mentioning that the law also covers that group.

⁴⁰ Mr. Hovsep Khurshudyan, member of party "Jarangutyun" (interviewed on 14.03.07) has also presented his own views on dual citizenship, mainly the military service of dual citizens, during the Conference on Dual Citizenship organized by Armenian International Policy Research Group in June 2006.

⁴¹ The party is not represented in the national Assembly. The founder and head of the party, Mr. Rafi Hovhanissian, is a Diaspora Armenian (currently an Armenian citizen) and an advocate for dual citizenship. "Re-acquisition of Citizenship of RA" Master's essay

As the suggested reforms are more of an administrative nature, the designated state body dealing with citizenship issues could be the appropriate state institution to come up with proposals for better implementation. If the number of applicants for restoration of citizenship becomes larger the need for facilitated procedures arises and the Police, namely it's Passport and Visa Department could initiate the adoption of relevant Governmental decisions to ensure that the former citizens of Armenia have possibilities of an easy return.

This paper aimed to discuss issues concerning the re-acquisition of citizenship for persons who have renounced their Armenian citizenship through procedures prescribed by law and/or without following them. The analysis of current Armenian legal framework, existing procedures and international practice were conducted. Interviews and inquiries with relevant state bodies were made. The gaps, mainly in procedure, were highlighted and relevant suggestions were drawn. The proposals were mainly aimed to ensure that the implementation of the transaction is in line with the policy of the legislation.

The policy of legislation, as mentioned above, was to give opportunities to Armenians living outside Armenia, to be able to come to Armenia and have legal links with the country besides their family, social and emotional links. Foreseeing smoother and shorter procedure for former citizens of Armenia can be a factor pushing a larger number of former Armenian citizens to apply to restore their Armenian citizenship. Thus, persons who had to leave the country because of the difficulties are able to return to their homeland, benefiting from the political rights given to them, and participate in its development.



Հայաստանի Հանրապետության
մեծարգո նախագահ
պարոն Ռ. Քոչարյանին

Հայաստանի ամերիկյան համալսարանի
իրավաբանական բաժնի
դասախոս՝ պրն. Վ. Բուռնազյան
ուսանող՝ Սեւան Պետրոսյան

Մեծարգո պարոն Նախագահ,

Հայաստանի ամերիկյան համալսարանի իրավաբանության բաժնում ավարտական աշխատանքի կազմման նպատակով, «Հայաստանի քաղաքացիության պահպանումը եւ վերականգնումը» թեմայով աշխատությունն ամբողջացնելու համար հայցում եմ Ձեր գրասենյակի օժանդակությունը հետեւյալ հարցերի պարզաբանման առումով.

- ՀՀ քաղաքացիությունից դուրս գրված անձանց թիվը ՀՀ քաղաքացիության մասին օրենքի ուժի մեջ մտնելուց հետո (1995թ):
- Արդյո՞ք Ձեր գրասենյակն ունի մոտավոր տվյալներ/թիվ, այն ՀՀ քաղաքացիների մասին, որոնք ստացել են այլ երկրի քաղաքացիություն, առանց ՀՀ քաղաքացիությունից դուրս գալու մասին դիմում ներկայացնելու՝ «մեխանիկորեն» գրկվելով ՀՀ քաղաքացիությունից:
- Արդյո՞ք վերը նշյալ անձիք, այնուամենայնիվ, համարվելու են ՀՀ քաղաքացիներ՝ 2007 թվականի փետրվարին ՀՀ Ազգային ժողովի կողմից ընդունված «ՀՀ քաղաքացիության մասին օրենքում փոփոխություններ կատարելու մասին» օրենքի կիրառման արդյունքում: Այսինքն եթե անձը այլ երկրի քաղաքացիություն է ձեռք բերել առանց ՀՀ քաղաքացիությունից դուրս գալու եւ նրա մասին ՀՀ քաղաքացիությունից գրկելու որոշում գոյություն չունի, արդյոք նա պետք է դիմի համապատասխան մարմիններին՝ ՀՀ քաղաքացիություն ստանալու, թե հնարավոր կլինի ինչ-որ կերպ վերականգնել նրա ՀՀ քաղաքացիությունը:
- Գոյություն ունի արդյո՞ք ՀՀ քաղաքացիության դիմումների քննությունը ու դրանց վերաբերյալ որոշումների կայացումը կարգավորող ներքին ընթացակարգ ՀՀ Նախագահին առընթեր քաղաքացիության հարցերի հանձնաժողովի համար: Եթե այո, ապա խնդրում եմ տրամադրել տեղեկություններ տվյալ ընթացակարգի հիմնական դրույթների մասին:

Կանխավ շնորհակալ ենք Ձեր ուշադրության ու օժանդակության համար

Հարգանքներով

ղեկավար՝ Վահան Բուռնազյան

ուսանող՝ Սեւան Պետրոսյան



Annex II

ԺՀ թՅ էյ՝ Յ ԿՇ շՍ»ՊՇԻՐՅ Կ
ԺՀ ՍՅ ԷԵՅ ՊՅ Կ
ՔՊՅ ԻՅ ՄՅ ԿՅ ԻՅ Կ ՍՅ ԻճՕՔԻ »Ի
www.aua.am

ՀՀ Ոստիկանության աճնագրերի
և վիզաների վարչություն Պետ
Տիկին Ալվինա Չաքարյանին

Հայաստանի ամերիկյան համալսարանի
իրավաբանական բաժնի
դասախոս՝ պրն. Վ. Բուռնազյան
ուսանող՝ Սեւան Պետրոսյան

Հարգելի տիկին Չաքարյան,

Հայաստանի ամերիկյան համալսարանի իրավաբանության բաժնում ավարտական աշխատանքի կազմման նպատակով, «Հայաստանի քաղաքացիության պահպանումը եւ վերականգնումը» թեմայով աշխատությունն ամբողջացնելու համար հայցում եմք Ձեր թույլտվությունը Ձեր վարչության համապատասխան աշխատակցի հետ հանդիպման համար հետեւյալ հարցերի պարզաբանման առումով:

- ՀՀ քաղաքացիությունից դուրս գրված անձանց թիվը ՀՀ քաղաքացիության մասին օրենքի ուժի մեջ մտնելուց հետո (1995թ):
- Արդյո՞ք Ձեր գրասենյակն ունի մոտավոր տվյալներ/թիվ, այն ՀՀ քաղաքացիների մասին, որոնք ստացել են այլ երկրի քաղաքացիություն, առանց ՀՀ քաղաքացիությունից դուրս գալու մասին դիմում ներկայացնելու՝ «մեխանիկորեն» գրկվելով ՀՀ քաղաքացիությունից:
- Արդյո՞ք վերը նշյալ անձիք, այնուամենայնիվ, համարվելու են ՀՀ քաղաքացիներ՝ 2007 թվականի փետրվարին ՀՀ Ազգային ժողովի կողմից ընդունված «ՀՀ քաղաքացիության մասին օրենքում փոփոխություններ կատարելու մասին» օրենքի կիրառման արդյունքում: Այսինքն եթե անձը այլ երկրի քաղաքացիություն է ձեռք բերել առանց ՀՀ քաղաքացիությունից դուրս գալու եւ նրա մասին ՀՀ քաղաքացիությունից գրկելու որոշում գոյություն չունի, արդյոք նա պետք է դիմի համապատասխան մարմիններին՝ ՀՀ քաղաքացիություն ստանալու, թե հնարավոր կլինի ինչ-որ կերպ վերականգնել նրա ՀՀ քաղաքացիությունը:
- Գոյություն ունի արդյո՞ք ՀՀ քաղաքացիության դիմումների քննությունը ու դրանց վերաբերյալ որոշումների կայացումը կարգավորող ներքին

ընթացակարգ: Եթե այո, ապա խնդրում ենք տրամադրել տեղեկություններ
տվյալ ընթացակարգի հիմնական դրույթների մասին:

Շնորհակալ կլինենք ստանալ նշված հարցերի շուրջ Ձեր պարզաբանումները նամակի
տեսքով, եթե գտնում եք, որ այդ կեպ առավել նպատակահարմար է:

Կանխավ շնորհակալ ենք Ձեր ուշադրության ու օժանդակության համար

Հարգանքներով

ղեկավար՝ Վահան Բուռնազյան

ուսանող՝ Սեւան Պետրոսյան

ՀԱՅԱՍՏԱՆԻ ՀԱՆՐԱՊԵՏՈՒԹՅԱՆ
ՈՍՏԻԿԱՆՈՒԹՅՈՒՆ
ԲՆՃՆԱԳՐԱՅԻՆ ԵՎ ՎԻԶԱՆԵՐԻ
ՎԱՐՉՈՒԹՅՈՒՆ



ПОЛИЦИЯ
РЕСПУБЛИКИ АРМЕНИЯ
ПАСПОРТНО-ВИЗОВОЕ
УПРАВЛЕНИЕ

REPUBLIC OF ARMENIA
PASSPORT AND VISAS DEPARTMENT OF POLICE

Կ. Երևան, Մաշտոցի 13ա
Հեռ. 52-38-95

Yerevan, Mashtots 13a
Tel. 52-38-95

г. Ереван, Масшотца 13а
Тел. 52-38-95

N 25/01-7123
26.04.07

ՀԱՅԱՍՏԱՆԻ ԱՍԵՐԻԿՅԱՆ ՀԱՄԱԼՍԱՐԱՆԻ
ԻՐԱՎԱԲԱՆԱԿԱՆ ՖԱԿՈՒԼՏԵՏԻ ԴԱՍԱԽՈՍ
Վ. ԲՈՒՌՆԱԶՅԱՆԻՆ

Ի պատասխան Ձեր 20.03.2007թ. գրության՝ «Հայաստանի քաղաքացիության պահպանումը և վերականգնումը» թեմայով ավարտական աշխատանքի կազմման նպատակով տեղեկատվություն ստանալու վերաբերյալ, հայտնում ենք հետևյալը.

1. «ՀՀ քաղաքացիության մասին» ՀՀ օրենքն ուժի մեջ մտնելուց հետո, ՀՀ քաղաքացիությունից դուրս է եկել մոտ 3000 քաղաքացի:

2. «ՀՀ քաղաքացիությունից մեխանիկորեն զրկվելու» կարգ ՀՀ օրենսդրությամբ սահմանված չէ:

3. „«ՀՀ քաղաքացիության մասին» ՀՀ օրենքում փոփոխություններ և լրացումներ կատարելու մասին,, ՀՀ օրենքի կիրարկումն ապահովելու ուղղությամբ, ՀՀ կառավարության կողմից դեռևս չեն ընդունվել համապատասխան որոշումներ: Սահմանվել է ժամանակացույց՝ նշված որոշումների նախագծերը մշակելու ուղղությամբ, հետևաբար, 3-րդ և 4-րդ կետերի վերաբերյալ տեղեկատվություն տրամադրել չենք կարող :

ՊԵՏ՝

Ա. Ա. ՉԱԲԱՐՅԱՆ
Ա. Ա. ՉԱԲԱՐՅԱՆ

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21. | ä³ñ. »õ³ñí»±É »ù à»í³í³Ý á³ñ. »õÝ»ñái
 | 22. | ²éÝãáõÃÛáõÝÁ ½ÇÝíáñ³í³Ý Í³é³ÛáõÃÛ³Ý Ñ»í, ½ÇÝíáñ³í³Ý ÍáãáõÛÁ
 | 23. | ù³Õ³ù³óÇáõÃÛáõÝ uí³Ý³Éáõ ¹ñ¹³á³í³x³éÝ»ñÁ
 | 24. | Ø³í³í³Ý µÝ³íáõÃÛ³Ý Ñ³uó»Ý(Ð³Û³uí³ÝÇ Ð³Ýñ³á»íáõÃÛáõÝáõÛ »õ ³ñ³u³ÑÛ³ÝáõÛ)

25. Æ±Ýã Íó³Ýí³Ý³ÛÇ Ñ³Õáñ¹»É Õ»ñ »õ Õ»ñ Ñ³ñ³½³í³Ý»ñÇ Û³uÇÝ, µ»ñí³í
 ííÛ³ÉÝ»ñÇó µ³óÇ _____

26. Ûß»ù µáÉáñ ³ÛÝ ±³uí³ÃÕÃ»ñÇ ó³ÝíÁ, áñáÝù Íóí»É »Ý
 ¹ÇÛáõÛ-Ñ³ñó³Ã»ñÃÇíÇÝ _____

27. Æñ³í³ÝáõÃÛ³ÝÁ ãÑ³Û³á³í³uÉ³ÝáÕ Í»Ýu³.ñ³í³Ý ííÛ³ÉÝ»ñ Ñ³Ûí³Ý»ÉÁ Í³ñáÕ ç
 Ñ³Ý.»óÝ»É Ð³Û³uí³ÝÇ Ð³Ýñ³á»íáõÃÛ³Ý ù³Õ³ù³óÇáõÃÛáõÝ ßÝáñÑ»Éáõ Û»ñÃÛ³ÝÁ:
 " _____ " _____ 199 ____ Æ. _____
 (uíáñ³.ñáõÃÛáõÝÁ)

28. Í³é³ÛáÕ³í³Ý ÝßáõÛÝ»ñ.
 ù³Õ³ù³óÇ _____ áõÝÇ`
 ³) ³ÝÓÝ³.Çñ _____
 (³ÝÓÝ³.Çñ ííáÕ Í³½Û³í»ñááõÃÛ³Ý ³Ýí³ÝáõÛÁ)

íñí³í " _____ " _____ 199 Æ. ÛÇÝã»õ " _____ " _____ 199 Æ.
 Á³Ûí»íáí.

µ) oí³ñ»ñíñÛ³ ù³Õ³ù³óáõÝ Í³áõÃÛ³Ý _____ Í³ñ.³íÇx³í
 _____, íñí³í _____ ÍáÕÛÇó`
 (Ñ³íáõí ³ÝÓÝ³.ñÇ ííÛ³í³ÝÇ u»ñÇ³Ý »õ Ñ³Û³ñÁ)

" _____ " _____ 199 Æ. ÛÇÝã»õ " _____ " _____ 199 Æ. Á³Ûí»íáí.

.) ù³Õ³ù³óÇáõÃÛáõÝ ááõÝ»óáÕ ³ÝÓÇ Í³áõÃÛ³Ý Í³ñ.³íÇx³í _____
 (u»ñÇ³Ý »õ Ñ³Û³ñÁ)

íñí³í _____ ÍáÕÛÇó` " _____ " _____ 199 Æ. ÛÇÝã»õ

" _____ " _____ 199 Æ.

7. Էնթուսիստիկ 6 Նի, 35 x 45 ՍՍ անուշ

***Law of the Republic of Armenia
on the Citizenship of the Republic of Armenia***

Date of Entry Into Force: 1995

Note: This is an unofficial translation.
The Law was adopted by the
National Assembly of Armenia
on 24 November 1995.

Chapter 1: General provisions

Chapter 2: the acquisition of the citizenship of the Republic of Armenia.

Chapter 3: the citizenship of child in cases of change of citizenship of the parents or adoption.

Chapter 4: cessation of the citizenship of the Republic of Armenia.

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

Chapter 6: the procedure of the causes relating the citizenship of the Republic of Armenia.

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.
(deleted as per the amendments of 26.02.07)~~

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 or acquiring the citizenship of another state does not lead perfunctorily to the loss of the citizenship of the Republic of Armenia. . (amended as per the amendments of 26.02.07)~~

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 **as well as** the birth certificate or the certificate accrediting the citizenship of the Republic of Armenia. (*amended as per the amendments of 26.02.07*)

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.

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: the 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: 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 former citizens of other USSR republics who are not foreign citizens permanently residing in the RA and before 31 December 2009 have applied for the acquisition of the RA citizenship (*amended as per the amendments of 26.02.07*)
- 3) Ethnic Armenian citizens of the former Arm. SSR, who live out side the Republic of Armenia and have not acquired the citizenship of another country (*amended on 12 April 2001*).

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

“Re-acquisition of Citizenship of RA” Master’s essay
American University of Armenia
Sevan Petrosyan, MCLS
May, 2007

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. (amended as per the amendments of 26.02.07)

1. 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

- a. he/she has resided on the territory of the Republic of Armenia in a manner prescribed by Law for the last 3 years,
- b. is proficient in the Armenian language
- c. is familiar with the Constitution of the Republic of Armenia.

2. A person not holding Armenian citizenship can be granted Armenian citizenship without fulfilling the requirements of points a. and b. of section 1 of this article if

- a. is married to a citizen of the Republic of Armenia or has a child who is an Armenian citizen.
- b. 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;
- c. is Armenian by his origin, in the meaning of having Armenian ancestors.
- d. has given up Armenian citizenship after January 1st 1995 based on application.

3. The citizenship of the Republic of Armenia can be granted without the keeping the provisions points a. b. and c. of section 1 as well as section 2 of this article to the persons who have provided exceptional services to the Republic of Armenia.

4. The person requesting Armenian citizenship shall present the application in person to the relevant body designated by the Government of the republic of Armenia.

5. 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.

6. 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 rejection decision need not be justified.

7. 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."

8. The person accepting the citizenship of the Republic of Armenia is to sign the text of the oath.

9. The person accepting the Armenian citizenship receives the Constitution of the Republic of Armenia and information manual on specificities of legislation of the Republic of Armenia compiled by the body designated by the Government of the Republic of Armenia.

13.1. Dual citizenship (added as per the amendments of 26.02.07)

1. A person holding more than one citizenship is considered a dual citizen.

2. A person having a citizenship of another state (countries) beside the Armenian citizenship is considered dual citizen of the Republic of Armenia.

3. The dual citizen of the Republic of Armenia is recognized only as a citizen of the republic of Armenia for the Republic of Armenia. This norm also covers those Armenian citizens who after January 1st 1995 have accepted or have been granted the citizenship of another state without denouncing Armenian citizenship according to the regulations as well as those who have denounced their Armenian citizenship one sidedely.

4. The dual citizen of the Republic of Armenia has all the rights prescribed to the citizens of the Republic of Armenia and carries all the duties and responsibilities prescribed for the citizens of the Republic of Armenia with the exception of the cases provided by international treaties of the Republic of Armenia or by the law.

5. A citizen of the Republic of Armenia in case acquires a citizenship of another state shall inform the body designated by the Government of the Republic of Armenia about it in a manner prescribed by the Government of the Republic of Armenia in a one month period.

6. Violation of the requirements of this article will lead to consequences prescribed by the law.

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, if there are no conditions prescribed by the point 4 of the Article 13 of this Law and if he was not deprived from the 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 cases of repatriation or other cases prescribed by Law is implemented by the decree of the President of the Republic.

***Chapter 3: 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.

Chapter 4: cessation of the citizenship of the Republic of Armenia.

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 procedure of the causes relating 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.