



American University of Armenia

Masters' thesis:

Establishing Residency – Foreign Citizens

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ABSTRACT

It is 15 years that RA gained its independence from the Soviet Union. In that long law-construction way it adopted many laws, rules and regulations. One of those was “Law on Legal Status of Foreign Citizen of Republic of Armenia”, adopted in 1994. The relevant Law directly arranges the “Regulated Event” which is illustrated also in this paper. This research paper analyzes issues related to entry of foreign citizen to the RA, the essential pre-conditions for gaining residency status by FC, rights and duties of foreign citizens stipulated by the relevant Law, legal grounds for responsibility of foreign citizen in the Republic of Armenia and the procedure for deportation and administrative expulsion of foreign citizens from the RA.

In addition to the above-mentioned issues, this paper reflects comparison and contradiction of the “Regulated Event” with the International Best Practice as well as constitutes recommendations for reforms and gives the order of their implementation.

1. Significance of Regulated Event/Transaction; Public/Private Interest Clarification

1. This study is about establishing residency for foreign citizens in the Republic of Armenia (RA), the issues related to entry to the territory of Armenia, residency, as well as exit, and acquisition of resident status by foreign citizen in the RA. This paper explores also foreigners' rights and duties in the RA, types and dates for an entry visa, kinds of residency statuses, legal responsibility of foreign citizens in the RA and the procedure for deportation and administrative expulsion of foreign citizens from the RA, "The Regulated Event". Later the "Regulated Event" will be compared with international best practice (IBP). Such a regulated event has its particular significance in nowadays life and, most importantly, according to the Head of the Passports and Visas Department (OVIR), Mr. Tigran Gulyan, year by year the rate of the foreigners applying for residency in the Armenia grows. From January 2005 to August 2006, 1156 foreign citizens have applied to OVIR to get residency status. 14 foreign citizens have been rejected to get a residency status. From them 13 had applied for ordinary residency status and 1 had applied for temporary. In the same period 14 FC were administratively expelled from the RA, and, from them 5 appealed the decisions on expulsion to the prime minister, but those decisions remained in force and they were expelled from the RA. No FC has been deported from the RA.

2. According to background of the Regulated Event, the conclusion is made that after the collapse of the Soviet Union, Armenia gained its independence and started to integrate to the international organizations. As the globalization phenomenon permeated the Republic of Armenia, it is clear that these events had to bring behind them changes in domestic laws or drafts in new laws. Armenia began its law-construction and in the way of that law-construction, it was important and necessary to adopt some legal acts, too, which would regulate also the legal issues regarding foreign citizens. During the Soviet era, there was a lack of law concerning this issue; there were many obstacles, which prevented foreigners to easily travel to Armenia. Since independence, these obstacles have been eliminated, and the need rose to have this issue legally regulated. The importance and necessity of above-mentioned issue was assisted also by the fact that historically Armenia has had a huge Diaspora, and it was needed to create

relationships between newly independent country and its foreign nationals residing out of the country in order to regulate their legal status in the country, in case of traveling or relocating.

3. Taking into consideration above-mentioned all issues, the RA gave the “Regulated Event” legal solution and stipulated it in its Constitution, in the Law of the RA on the Legal Status of Foreign Citizens (LLSFC) in the RA, and in other legal acts and regulations.

4. The LLSFC directly regulates relationships between Armenia and foreigners¹. The “Regulated Event” is particularly significant for foreigners who are not citizens of the Republic of Armenia. By establishing residency, they can reveal all issues and get necessary information about their legal status. Besides, after discovering all relevant circumstances regarding their legal status or residency in the country, they can make investments, be engaged in business and increase their capital. Unlike the Soviet Union times, foreigners, such as tourists, are given a chance to visit the Armenia and to discover new historical values in our country.

On the other hand, it is important to underline state policy or state interest. Particularly, through this “Regulated Event” the state can promote social development. In case of investments from foreigners, new work places can be opened. This last point is very uplifting because it also helps to reduce unemployment and the vagrancy cases in the country. It assists crime prevention among society, as well. To give foreigners some kind of status and to register them are significant to deter the most serious and horrible crime of 21-th century, the terrorism. Moreover, the tourism will prosper within the state, and gradually, more people will recognize Armenia as one of the ancient countries in the world. Furthermore, people from different countries will visit the state and interact with Armenian people. These interactions can bring changes in culture, customs and traditions, international practices, historical knowledge of various countries, etc. The “Regulated Event”, which is directly regulated by the LLSFC, helps arrange also the educational issues constituted for foreigners. In this case, foreigners, firstly, must apply to get residency

¹ See appendix G “Law on Legal Status of Foreign Citizens of RA.

status in the Armenia, then study at the universities and colleges. Accordingly, the “Regulated Event” promotes also globalization in the Republic of Armenia.

2. Armenian Legal Framework

5. As already mentioned above, the following laws govern the “Regulated Event” by following institutions:

- a) The “LLSFC”, adopted by the Supreme Soviet of the RA in May 25, 1994 and signed in June 17, 1994;
- b) Resolution No# 459 of the Government of the Republic of Armenia, “On arrangements of the Enforcement of the Law of the Republic of Armenia on the Legal Status of Foreign Citizens in the Republic of Armenia”, adopted in September 23, 1994;
- c) The Rules for “Enforcement of the Law of the Republic of Armenia on the Legal Status of Foreign Citizens in the Republic of Armenia” approved by the Resolution No#459 of the Government of the RA in September 23, 1994.
- d) Tariff of “Charges (Duties) To Be Paid for Issue of Documents to the Foreign Citizens”- Annex to the Resolution No# 459 of the Government of the Republic of Armenia, dated in September 23, 1994.

6. The institutions and actors who are directly responsible for establishing residency and for granting legal status are as follows:

- Ministry of Foreign Affairs of the RA, located in the Public Square, Government Building 2, City of Yerevan, RA. Tel. (010) 52-54-35;
- Department of the Passports and Visas of the Ministry of Internal Affairs of the RA (OVIR), located at 13 Mashtots Str, City of Yerevan, Rated. (010) 53-69-42; these bodies play active role in the sphere of the “Regulated Event”.

7. For the Ministry of Internal Affairs, the official directly responsible for the “Regulated Event” is Mr. Tigran Gulyan, Head of the “Department of Passports and Visas of Foreign Citizens”.

Based on the Law, only those two bodies have advanced mandate to maintain appropriate means to establish residency and to grant legal status FC in the RA. In the marzes of the RA, there are no local bodies or branches of the headquarters of the mentioned organizations which could have a mandate to exercise such right.

8. However, there are some bodies, too, engaged in the “Regulated Event”, which play secondary role:

- The Prime-Minister of the RA, regarding the rejection of obtaining temporary or ordinary resident status by the Police and regarding the appeal of administrative expulsion;
- The Head of the Police of RA and Minister of Foreign Affairs, regarding the administrative expulsion of foreign citizens from the RA;
- The courts, regarding the deportation of foreign citizens from the RA;
- The President of the RA, regarding the substitution of imprisonment of foreign citizens for deportation; and,
- The legal representatives of the foreign citizens, including those from the native state of the foreign citizen.

9. The above-mentioned laws and regulations, which are based on the universally recognized principles and rules of international law, lay down the provisions of entry, residence, movement, transit, exit, and the acquisition of resident status by foreign citizens in the Republic of Armenia. These laws and regulations also regulate rights and duties in the Republic of Armenia, travel charges on foreign citizens, as well as charges for the issue of relevant documents. It is important to note that when a treaty of the RA provides for the rules other than those set fourth in these laws, the rule of international treaty shall prevail. According to the definition of the foreign citizen constituted by relevant law, “*A foreign citizen*” in

respect of the Republic of Armenia shall mean any person who is not a citizen of the Republic of Armenia and who is a citizen of another state” (Art. 2 of the Law on the Legal Status of Foreign Citizens).

10. Articles 5 through 9 of the same law include the provisions for the entry of a foreign citizen to the RA, the procedure for receiving an entry visa, the types and terms of entry visa and the procedure for prolongation and rejection of an entry visa. A foreign citizen may be given 4 types of entry visas: transit, tourist, long term and diplomatic. Diplomatic and tourist entry visas shall be issued for a single entry, whereas transit and long-term visas may be issued for a multiple entry. The LLSFC also declares the exit of a foreign citizen from the RA by way of producing internationally recognized documents proving his identity or its substitute issued by the appropriate body of the Ministry of Internal Affairs. The exit of a foreign citizen from the RA may be prohibited if criminal proceedings have been instituted against him or if he has been convicted or there is a court decision or order involving him – until the end of the execution of such decision or order, or his discharge from such decision or order. The relevant law and regulations do not and shall not put any discrimination between the foreigner and a citizen of the RA. It is stipulated by the law that a foreign citizen shall enjoy in the RA all rights and freedoms provided for by international law and the legislation of the RA.

11. On the other hand, a foreign citizen shall abide by the laws of the RA and respect the national traditions and customs of its people. Article 25 of the LLSFC stipulates rights and duties of foreign citizens in the RA², such as the rights to freedom, religion, property, marriage and other freedoms and duties equal to those of RA citizens. In general, these rights and duties are envisaged for all foreign citizens, when they enter to the territory of the RA. The “Regulated Event” lists the rights specific for those foreigners who already possess resident status in the RA³, such as the rights to inherit, bequeath or donate their property, to enjoy insurance, burial and other services, to join international organizations, etc. Currently, the law envisages four types of the resident status: temporary, ordinary, special and exclusive⁴.

² See Art. 25 of the Law on legal status of FC.

³ See Art. 26 of the Law on legal status of FC.

⁴ **A foreign citizen may not simultaneously have more than one-type resident status**

A foreign citizen who enjoys temporary, ordinary or special resident status shall be entitled to invite his/her close relatives to the RA. A duty in an amount specified in the legislation of the RA shall be charged for issuing of invitation documents.

The right of a foreign citizen who enjoys exclusive resident status, to invite other persons to the RA, shall be governed by treaties of the RA.

12. Another important aspect of the “Regulated Event” is stipulated charge for obtaining residency status by FCforeign citizens. Relevant law together with tariff of charges (duties) constitutes state charges for issue of documents and on resident status and for their prolongation.

13. The “Regulated Event” also arranges the administrative expulsion and the deportation issues relating to the foreign citizens to foreign citizens. An administrative expulsion is conducted by the appropriate bodies of the Police and Ministry of Foreign Affairs of RA. Unlike the latter, a deportation is conducted by the Courts of the RA.

3. Case studies of the “Regulated Event”

14. According to Article 25(4) of the LLSFC, a foreign citizen shall have the rights and freedoms to legal defense against any illegal interference in his private and family life. Also he/she has the right to inviolability of his person and accommodation, to the privacy of correspondence, to honor of dignity, to life and health protection, to judicial defense against any encroachment upon his life, health, personal liberty and property, equal to those of a citizen of the RA. Even though there have not been either rejection or other cases regarding foreign citizens by both, OVIR and by Ministry of Foreign Affairs, the “Regulated Event” has many gaps and weak sides which can lead to violations of rights and freedoms stipulated by current law. Interviews, carried out with different public officials, show that the current law needs to be changed or updated.

15. The first point of view about shortcomings of “Regulated Event” belongs to the member of political party “Armenian Revolutionary Federation”, Kiro Manoyan. In particular, recently, the mentioned political leader had been engaged in benefice with the press and journalists and he was giving an explanation about another essential problem of “Regulated Event”. Bringing an example from his own life, he was claiming that it is possible that he had special resident status for ten years and during this period he was a law-abiding citizen, faithfully paid all state taxes and duties, and did not commit anything wrong. What would happen if after ten years he again applies to the relevant body of Internal Affairs, but the mentioned body just rejects to prolong the special resident status? To whom will the person apply in these cases? Under the appropriate law which arranges the “Regulated Event” there is nothing about this issue. Mr. Manoyan just claimed that a foreign citizen can be a victim, as a result of this problem; instead the state official can remain harmless, because under the law there is no article or term about a responsibility for this illegal negligence, as well as there is no any established body that shall hear appeals on this ground.

16. Another issue is related to the need to establish responsibility for the persons, NGOs, local government, or state bodies that personally invite a foreign citizen granting him/her an entry visa to the country; if they violate the rules of procedure of giving a personal invitation.

17. The Head of the Passports and Visas Department of Foreign Citizens (OVIR), Mr. T. Gulyan represents the second problem which is connected with the tariff of charges by foreign citizen to be paid for issue of documents on resident status for their prolongation. Mr. Gulyan says that there are many complaints and disappointments in this issue by foreign citizens. For temporary residence status a foreign citizen must pay 105,000 AMD. It is granted for not more than one-year period, and may be prolonged for maximum one year in each case. For ordinary residence status a foreign citizen shall pay 80,000 AMD which is granted for not more than a three-year period, and may be prolonged. For special residence status a foreign citizen shall pay 150,000 AMD and it is granted for a period of ten years and may be granted more than once. Another shortcoming has been found during the conversation with judge of the First-

Instance Court of the Mashtots Region, Mr. Samvel Mardanyan. He underlined that the current law constitutes a deportation of the foreign citizen from the RA. It says that a court of the RA may nominate deportation as additional punishment in respect of the foreign citizen. If the term of imprisonment does not exceed two years, that may be replaced with deportation from the RA. The Criminal Law of the RA has been changed in 2003 and it does not, yet, declare the deportation as a punishment. It was stipulated by the old Criminal Law.

18. Mr. Mardanyan revealed the next shortcoming, too, concerning to the Article 23 of the LLSFC. The law entitles the prime minister to hear the appeal from the foreign citizen in the case that the application for obtaining the ordinary and temporary status is rejected by the police (OVIR). The appeal is considered within one month, and is replied in writing. The same also is in the case of the administrative expulsions of foreign citizen from the RA. Article 33 of the Law on the legal status of foreign citizen declares; the decision on administrative expulsions of a foreign citizen by either Police or Ministry of Foreign Affairs may be appealed against within seven days to the Prime Minister of the RA by the foreign citizen to be expelled or by a representative of the state who defends his interests. Judge Mardanyan claimed that there have been cases when foreign citizens have applied to the court in order to get some legal aid, but unfortunately, the court could not satisfy their claims because of lack of jurisdiction over this issue. Most importantly, the foreign citizen who has been expelled in administrative order, may return only upon permission of the Head of the Police of RA, or (if that foreign citizen has exclusive resident status) of the Minister of Foreign Affairs. Here, again, Judge Mardanyan does not agree and thinks that this right needs to be belonged to another official or public body.

19. Based on another interview with Mkhitar Heratsi Medical University professor, Narine Hayrapetyan, the next problem arises. Mrs. Hayrapetyan says that the law requires foreign citizens to show a medical certificate about passing HIV test, but only in those cases when a foreign citizen applies to get an entry visa for a period of more than three months. Accordingly, a state does not request a foreign

citizen to show above-mentioned HIV certificate when the application is presented to get a resident period less than three months.

20. Concluding the main problems with which “Regulated Event” faced are connected with lack or prolongation of residency status, the jurisdiction to hear appeals by Prime Minister and deportation issue. Of course there are also other problems needed to be solved, such as return of foreign citizens to the RA after expulsion and the prevention of AIDS and other virus infections from entering the RA. These and other problems will be particularly considered in the next paragraphs of paper.

4. Step-by-step description of the transaction

21. To the process to apply for residency status within the RA is conducted by the appropriate body of the Police of the RA. Out of the state borders the residency status is achieved by the diplomatic and consular missions of the RA abroad. Usually, within the RA the foreign citizens apply to get the residency status, after getting the entry visas and coming to RA. Like the residency status, an entry visa is also granted by the police, if in the ports of entry, and by the appropriate bodies of the Ministry of the Foreign Affairs or in accordance with the provisions of treaties of the RA. To obtain an entry visa to the RA, a foreign citizen fills in a form to be approved by the government, and produces required documents. However, it is also possible to apply for electronic visa from the official web site of the Ministry of Foreign Affairs⁵. In this case a foreign citizen completes a questionnaire located in the web site and after 2 working days receives an approval of the entry visa, attached with pseudonym. The e-Visa fee is the equivalent of US \$60. Only following credit card payments are accepted. a) American Express; b) MasterCard c) Visa; d) Diner's Club / Carte Blanche.

22. The types and terms of entry visas are:

a) Transit entry visa – for a maximum period of three days. The state duty for the transit entry visa is

⁵ www.armeniaforeignministry.com

10,000 AMD.⁶; b) Tourist entry visa – for a maximum period of twenty-one days. The state duty of the tourist entry visa is 15,000 AMD; c) Long-term entry visa – for a maximum period of three months. The state duty of the long-term entry visa is 60,000 AMD; d) Diplomatic entry visa. The duty is constituted by Ministry of Foreign Affairs.

23. After getting an entry visa and entering the territory of the RA, a foreign citizen applies to get residency status if he/she wants to reside in the RA. If he/she does not want to get a residency status he/she must either prolong the period of an entry visa or to leave the territory of the RA.

24. To obtain residency status or to have it prolonged, the foreign citizen shall file: An application (Form No#5),⁷; a completed questionnaire (Form No#6)⁸; two photographs (4.5 x 3.5 mm size): the passport; a copy of the employment or other agreement (if applicable) and other required documents.

According to the LLSFC, there are four types of residency statuses:

Temporary Residence Status - Temporary resident status may be granted to the foreign citizens having entered the RA on a contractual basis or for a personal purpose. It may be granted to the foreign students studying in the state or religious educational institutions of the RA, to the persons qualified as refugees, as well as to foreign journalists, researchers, persons invited for public or clerical services. This type of resident status may also be granted to the persons who seek refuge status because of the unstable political situation, and their right to free movement within the RA may be restricted by a decision of the Police of RA. Such persons are exempted from the duty for an entry visa. The temporary resident status is granted for not more than one-year period and may be prolonged for maximum one year in each case. For granting a card on temporary residence status and for registration a foreign citizen pays 105,000 AMD. The same amount is paid for prolongation a temporary residence status.⁹

Ordinary Residence Status- Ordinary Residence Status may be granted to any foreign citizen who submits a respective application. It is granted on a priority basis to the foreign citizens, who: has lawfully resided in the RA for more than three years; is a former citizen of the RA or a close relative (spouse, child, father, mother, sister, brother) of a citizen of RA; has graduated from a state or another accredited higher educational institution in the RA; or, is qualified as a refugee. The ordinary residence status shall be granted for not more than a three-year period, and may be prolonged. For granting a card on ordinary residence status and for registration a foreign citizen pays 80,000 AMD. The same amount is paid for prolongation an ordinary residence status.

⁶ See Art. 14 (part 9) of the Law on State Duties.

⁷ See an appendix F.

⁸ See an appendix F.

⁹ See Art. 14 (part 8) of the Law on State Duties.

Special Resident Status- Special Resident Status is granted to foreign citizens of Armenian origin. The special resident status is also granted to other foreign citizens who carry on economic, cultural activity in the RA. This type of resident status is granted for a period of ten years. It is granted more than once. For granting a special residency status, special passport and for registration and validity issues a foreign citizen pays 150,000 AMD.

Exclusive Resident Status- Exclusive resident status shall be granted to the officers of diplomatic and consular missions of foreign states in the RA, who are foreign citizens, and to their family members, for the period of their service. The exclusive resident status may also be granted to the officers of international organizations, who are foreign citizens.

25. A decision on granting temporary or ordinary resident status or its prolongation shall be passed by the appropriate body of the Police of the RA. The exclusive resident status is granted to foreign citizens, and is prolonged by the appropriate bodies of the Ministry of Foreign Affairs of the RA. The special resident status is granted by both, the Police of RA (if a foreign citizen applies for, within the RA) and the Ministry of Foreign Affairs (if a foreign citizen applies for, abroad). The foreign citizen, who has obtained temporary, ordinary or special resident status, shall be given a residence card. The foreign citizen who has obtained a special residence status shall be granted a special residency passport.

26. Temporary and ordinary resident status and the documents evidencing such status are granted by the Police of the RA in accordance with the procedure to be set forth by the Government of the RA. The police shall notify the applicant in writing about its decision within one month. In the case that the applicant is rejected, the applicant may appeal against that decision to the Prime Minister of the RA. The appeal is considered within one month, and is replied in writing. To obtain temporary or ordinary resident status, a foreign citizen may apply again one year after his previous application has been rejected. The foreign citizen who wish to obtain special resident status, shall file an application addressed to the President of the RA with the diplomatic and consular missions of the RA abroad or (within the RA) with the Police of the RA, complete a form in accordance with established rules, and produce necessary documents. A foreign citizen who is granted special resident status shall be given a special passport of the RA abroad or (if within the RA) by the police. To receive a special passport of the RA, a foreign citizen pays a duty established by the Government of the RA. To obtain special resident status, a foreign citizen

may apply again one year after his previous application has been rejected. For an exit from the RA, a foreign citizen who goes out of the country for permanent residency shall pay a state duty in amount of 15,000 AMD¹⁰.

5. International Best Practice

27. For this part of the essay the “Regulated Event” will be researched in civil and common law countries, more importantly, in developed and developing countries. In the Ukraine the “Law on the Legal Status of Aliens”(LLSA) governs it¹¹. Foreigners enter or exit Ukraine through the crossing points on the state frontier, in case of presence of a valid national passport and a visa. At present, the Ukrainian legislation provides for both visa and visa-free entry procedure for foreign citizen and stateless persons. An alien is not allowed to enter the Ukraine in the cases stipulated by the law.¹² Within the territory of Ukraine the period of visas validity may be prolonged. Diplomatic and service visas are prolonged by the Department of Consular Service of the Ministry of Foreign Affairs of Ukraine. Others are prolonged by the Ministry of Internal Affairs. During a temporary stay in Ukraine, a foreign citizen has no right to change the status of residence for any other one and to apply for permission for permanent residence. Citizens of these states who have concluded international agreements with Ukraine on visa-free traveling, may enter to the country¹³. According to the Article 2 of the LLSA, foreign citizens may immigrate to the Ukraine for permanent residence or for a fixed term employment, as well as to stay temporarily in its territory. An alien may receive permission for immigration and immigrate for permanent residence,

¹⁰ See Art. 14 (part 10) of the Law on State Duties.

¹¹ Law on the Legal Status of Aliens of Ukraine. Adopted on 4 February 1994.

¹² A FC can not enter the State in the interests of the security of the Ukraine or protection of public order or if it is necessary for the protection of health, rights and legitimate interests or the citizens of the Ukraine and other persons residing in the country, as well as if applying for entry into the Ukraine he/she has submitted deliberately false information or forged documents. A FC also can not enter and reside in the state if his national passport or equivalent document, visa are false, damaged or do not correspond to the established standard or belong to another person or if he, when crossing the state border has violated rules, custom and sanitation norms or has not fulfilled legitimate requirements of the officials of the border guard forces or if facts of violation by him of the legislation of the Ukraine during his previous stay in the state have been established.

¹³ There still exists a visa-free regime with the CIS countries (according to the Agreement on Visa-Free Migration of the CIS Countries Citizens of October 9, 1992), including Russia and Belarus (according to the concluded agreements).

stipulated by the Law¹⁴. For permanent residence or for temporary working placement a foreign citizen shall receive permits. A foreign citizen staying in the Ukraine on other legal grounds shall be considered as those who are temporarily staying in the country. Temporary residents shall be obliged to depart from the Ukraine after the expiration of the term of stay. The state grants unique rights and freedoms to foreign citizens permanently residing there. Particularly, a foreign citizen has the right to social security, including the right to pension and to other types of social assistance in accordance with the legislation of the Ukraine, and the international treaties. In cases when for granting a pension a certain length of service is required, aliens' length of service abroad can be taken into consideration. Moreover, an alien permanently residing in the Ukraine is entitled to education equally with citizens of the Ukraine. All other aliens shall pay for their education. In order to exit from the Ukraine a foreign citizen shall receive an exit visa. In some cases the term of the temporary stay in the Ukraine established for an alien may be reduced if he/she violates the legislation and if the violations do not provide for administrative or criminal responsibility. Such decision on reduction of the term of temporary stay is made by the Ministry of Internal Affairs. As a rule, in case of commission a crime or an administrative offence a foreign citizen may be expelled from the country based on the decision adopted by the Ministry of Internal Affairs. This ministry is entitled also to prohibit a foreign citizen's further entrance into Ukraine for the term up to 5 years. The terms of prohibition of further entrance is counted from the day when the relevant decision was adopted. A foreign citizen leaves the territory of the state in terms stipulated in the decision on expulsion but not later than after 30 days following the day of adoption of such a decision. In case of avoidance to exit from the country, upon receiving sanction from the Public Prosecutor, a foreign citizen is detained and forcibly expelled from the state. Detention is permitted only during the term necessary for expulsion. Such a decision by the Ministry of Internal Affairs or security service bodies on expulsion of a foreign

¹⁴ Law on legal status of Alien; Art.2. A FC may enter to country if he/she has in the Ukraine a legitimate source for livelihood; is an immediate relative (father, mother, child, brother, sister, spouse, grandmother, grandfather, grandchild) of a citizen of the Ukraine; is dependent on a citizen of the Ukraine or has as a dependent a citizen of the Ukraine; in other cases provided for by laws of the Ukraine.

citizen from the state may be appealed to the court. Also, with the foreign citizen a body or person, inviting him/her to the country, shares responsibility¹⁵.

28. Unlike the Ukraine, the laws of three Baltic States add some other grounds on the list of foreign citizen, who are allowed to travel to states and get residency status¹⁶. The immigration law of Lithuania, which came into force in 1992, defines rules of arrival to the country and staying in it. According to this law, permission to stay in the country can be given for three types of migrations: joining the family; business migration; and the repatriation of an ethnical Lithuanian to the motherland. The number of arrivals is regulated by procedure of delivery of visas, quotes of immigration and immigration fees. But these rules and quotes are not applied for persons who have right to citizenship of Lithuania, Latvia or Estonia. Persons who want to arrive to the Baltic States for a short period have to get visa of entry. This requirement is not applicable for citizens of countries which have made bilateral agreements for non-visa exchange¹⁷. Like the Ukraine, advantages are also given the aliens of the Baltic States. Article 6 of the Law on Citizenship and also the Advisory Committee on the Council of Europe Framework Convention for the Protection of National Minorities in its opinion on Estonia of 14 September 2001 urged Estonia to take measures to guarantee the rights and freedoms of foreign citizen, stating that “lack of citizenship often has a detrimental impact on the enjoyment of full and effective

¹⁵ In their turn, physical or judicial persons (entities) who are inviting or receiving those aliens, organizing their illegal entrance, stay, working placement, facilitating avoidance from exit after invalidity of the term of stay, shall compensate expenditures caused to the state by the expulsion of the above mentioned aliens.

¹⁶ <http://www.sociumas.lt/Eng/Nr9/migrac.asp> A FC is not entitled to enter and reside in any Baltic Country if he has dangerous infectious disease; is mentally retarded or insane; overindulge in drugs, toxic substances of alcohol; hasn't any legal source of living in the country he is coming from; hasn't any place for living in the country he is coming from; did serious intentional crime during past years; is engaged in activity against Lithuania, Latvia or Estonia; tries to get permission to settle in the Baltic countries presenting incorrect data or in other way of deception; doesn't have documents confirming his/her personality.

¹⁷The list of countries is not the same in Lithuania, Latvia and Estonia. From 1993, citizens of Bulgaria, Czech, Denmark, Estonia, Iceland, United Kingdom, China, Latvia, Poland, Slovenia, and Hungary do not need visas to go to Lithuania. At the moment, the list becomes longer.

equality”. A recent sociological study revealed that in 2003-2004 Estonia made several attempts to create a comprehensive system to fight discrimination on ethnic and other grounds.¹⁸

29. Based on the common law jurisdiction, some kind of requirements can be established for foreign citizen before the entry to the state. For example, before the entry to USA, all foreign citizens are required to, for certain immigration benefits, be fingerprinted for the purpose of conducting FBI criminal background checks. The main reason for this is to reduce the possible terrorism risks and maintain the national security and public order. Immigrant visas are issued under four headings: family-related immigrants, employment-based immigrants, refugees (including asylum seekers) and diversity immigrants (in the sense of correcting imbalances of nationality in practice). The most famous type of obtaining residency status is Green Card.¹⁹ On September 6, 2000, the Immigration and Naturalization Service to foreign citizen for the national interest waiver for physicians in underserved areas relieves the petitioner only from the labor certification process.²⁰ The next is special immigrant residence status. It applies to certain benefits granted to Amerasians, Widow(er)s, battered spouses or children of U.S. citizens, religious workers. Aside from this requirements, the treatment of non-citizens in the USA is largely defined by the Bill of Rights and later amendments in the US Constitution. Based on these legal documents, the courts control over the federal government’s powers not to discriminate on the basis of alien status, especially in matters of employment, which are broader than those of the states. For this reason, the courts apply to the Fifth Amendment²¹. In turn, the Fourteenth Amendment to the US Constitution forbids the states from denying “the equal protection of the laws” to all “persons” within

¹⁸ [http://www.coe.int/T/e/human_rights/Minorities/2. FRAMEWORK CONVENTION \(MONITORING\)/2. Monitoring mechanism/4. Opinions of the Advisory Committee/1. Country specific opinions/1. First cycle/1st OP Estonia.asp#TopOfPage](http://www.coe.int/T/e/human_rights/Minorities/2. FRAMEWORK CONVENTION (MONITORING)/2. Monitoring mechanism/4. Opinions of the Advisory Committee/1. Country specific opinions/1. First cycle/1st OP Estonia.asp#TopOfPage). On 1 January 2004, the legal chancellor became the main pre-trial institution to deal with discrimination-related cases,. The cases regarding alleged discrimination by public authorities may be solved by the legal chancellor in the capacity of ombudsman.

¹⁹ http://web.aua.am/m/mailman.cgi?BACKGROUND=http%3a%2f%2fwww%2etravel%2estate%2egov%2fvisa%2fvisa_1750%2ehtml

²⁰ A FC can get this type of residency status if you are; a petitioner requesting a national interest waiver on behalf of a qualified alien physician, or an alien physician self-petitioning for second preference classification, based on medical service in a Health and Human Services Department (HHS)-designated underserved area or a Department of Veterans Affairs (VA) facility

²¹ See *Mathews vs. Diaz*, 426 U.S. 67 (1976). In reviewing the extent of such federal powers, the courts apply to Fifth Amendment’s due process clause. This is manifest in certain provisions of the immigration law itself, which may impose a durational residence on non-citizens – e.g. three years from the date of a non-citizen’s admission into the US – to establish eligibility for welfare and other benefits.

their jurisdiction. As early as 1886, in *Yick Wo v. Hopkins*,²² the US Supreme Court confirmed that the Fourteenth Amendment of the Constitution is not limited to citizens. Subsequent decisions have defined the extent of this equal protection and therefore the extent to which the states may constitutionally enact or adopt other discriminatory measures on the basis of alien status. An immigration judge or the Board of Immigration Appeals (BIA)²³ deals with the deportation issues of foreign citizens, based on the Immigration Act of the USA. Another important feature of the US law about the “Regulated Event” is that most persons can choose to “depart voluntarily” the country without court hearings. Unlike deportation which is conducted on behalf of the state and has punitive results, a “voluntarily removal” cancels a deportation and grants a possibility to foreign citizen to return later again to the US. In consideration of deportation issue, also, an emigration court can take into account some specific criteria, such as continuous presence of foreign citizen in the USA for ten years and several requirements of good moral character. Furthermore, a foreign citizen can be entitled discretionary relief from removal which includes adjustment of status, asylum, stay of removal, and parole by an executive order. In addition to above-mentioned features, USA has a free visa regime. For instance, for citizens of the British Overseas Territory of Bermuda and for Canadian citizens a passport is not required in order to entry to the USA. In turn, a visa is not required for a British, French, or Dutch nationals, or for a national of Barbados, Grenada, Jamaica, or Trinidad and Tobago, who has his or her residence in a British, French, or Netherlands territory located in the adjacent islands of the Caribbean area, or in Barbados, Grenada, Jamaica, or Trinidad and Tobago.

30. In the Ireland, granting residency status a foreign citizen and entry to the state is regulated by the Aliens Order, and, applying to arrivals from the UK, the Common Travel Area arrangements (CTA)²⁴. The same was also true of the USA, but unlike the USA, here a state can exempt foreign citizens from both visas and passports. Based on the latter, there is no passport requirement to travel from the UK to

²² 118 U.S. 356 (1886)

²³ http://web.aua.am/m/mailman.cgi?BACKGROUND=http%3a%2f%2fwww%2etravel%2estate%2egov%2fvisa%2fvisa_1750%2ehtml

²⁴ Common Travel Area, includes the all territory of United Kingdom.

Ireland and vice a versa²⁵. Ireland controls non-nationals entry into, stay in and removal from the state in accordance with various legal acts²⁶. For getting a visa from the Department of Foreign Affairs a foreign citizen completes a standard form which covers entry to the state for all purposes, whether that is a holiday visit, employment or self-employment, study, retirement or whatever. That form needs to be accompanied by whatever supporting documentation is relevant to the intended purpose of the entry to Ireland. On occasion, an applicant may be asked to supply the name and address of a person in the Ireland who may be contacted for further back-up information. The primary factors when considering visa applications include, where relevant, such matters as **whether the person has sufficient funds to ensure that the State is not burdened during the proposed stay**; whether the person is likely to return home after the purpose of the stay has been fulfilled; whether there is proper documentation to support or authorize the proposed activity during the stay; and of course security considerations. The decision on a visa application is taken either by or on the authority of the Minister for Justice, Equality and Law Reform; the Department of Foreign Affairs has been given delegated sanctions to make decision in a variety of categories. If a visa application is refused, a foreign citizen may seek to have the decision reviewed by an official of higher rank than took the initial decision. Some of the more significant purposes of entry to the Ireland and to reside there are constituted below²⁷. According to Article 5 of the Aliens Order, there are some principal reasons for which an immigration officer may refuse a foreign citizen leave to land²⁸. A refused person is informed as soon as possible of the reasons for refusal, and may be arrested and detained but only for the purpose of removing him or her from the state, which must be as soon as practicable²⁹. After entering the state a foreign citizen must register within three months of

²⁵ Article 5(7) of SR&O 1946 No395 as amended by the Aliens (Amendment) Order 1975 (SI No.128 of 1975)

²⁶ Aliens Act 1935, Aliens Order 1975, Immigration Act 1999 and Illegal Immigrants (Trafficking) Act 2000.

²⁷ There are as follows: Employment, Self-Employment, Study, Visit, Family re-unification, etc.

²⁸ Those grounds are as follows: Insufficient funds; No work permit; Criminal record; No visa; A deportation order or expulsion order; No valid passport; Intention to travel to the UK – if a FC is not qualify for admission to the UK; National security or public policy grounds; Entry for purpose other than stated.

²⁹ Aliens order 1946, Article 5(3)

arrival, with their local Aliens Registration Office. In the Dublin area that function is performed by the Immigration Registration Office, currently located in Harcourt Square. The registration officer issues a registration certificate which includes a photograph of a holder and indicates the duration of the holder's permission to remain in the state. For recent registrations and renewals the certificate is now in the form of a card like a credit-card (this replaces the former "green book"). Renewal of registration, and of permission to remain in the state, must be sought before the **expiry of the current permission** to remain and will depend on the position relative to the purpose of stay (for instance, permission to remain will not be renewed if the employment to which a work permit related has terminated, unless there are new factors which would require renewal of permission). As time goes on, renewals will generally be increasingly longer periods (e.g. after three years' satisfactory residence, permission might be renewed for a further two years), ultimately, in some cases, ending with the person being given permission "without condition as to time". A foreign citizen must keep the registration officer informed of changes in address or biographical details (e.g. marriage) as they arise. Certain FC are exempted from the registration requirement. These exemptions include children under 16 and the female spouses or widows of Irish citizens. Asylum seekers in possession of a temporary residence certificate issued under section 9(3) of the Refugee Act shall comply with the registration requirement.

6. Procedure Evaluation

31. Despite the fact that the "Regulated Event" successfully acts since 1994, which was necessary and important to have it at that transition period, it has also shortcomings and weak sides. The policy of the "Regulated Event" will be good if the current Law on Legal Status of foreign citizen can better implement that policy. For this reason, in this part of the work an analysis has been made in order to clarify whether the regulations are good and fair implementation of the law, or not and where those stop working. According to the relevant law, a foreign citizen can be granted 4 types of legal status of residency. As mentioned in paragraph 6, IBP constitutes "permanent residency status" which exists in

civil (Ukrainian, Baltic States’) and also in common (Irish, American) law jurisdictions and which is missing from Armenian law. LLSFC just grants foreign citizen legal status for certain time. Instead, IBP stipulates a certain time for not a legal status for foreign citizen, but for their residency card in case of permanent residency status. It is not fair, because, for example a person has a special residency status which is given to foreign citizen of Armenian origin and it is clear in this case that their Armenian origin will never be expired. Accordingly, they can be granted permanent residency status in the country, not a special status for ten years. In such way the public officials insist on them to pay 150,000 AMD each time in order to extend such status. The same will be also for ordinary residency status when a foreign citizen is a former citizen of the RA or a close relative (spouse, child, father, mother, sister, brother) of a citizen of RA. A foreign citizen pays 80,000 AMD and gains an ordinary residency status and after each 3 years he/she has to pay again 80,000 AMD in order to prolong an ordinary status. Here a permanent residency status can be granted, once and only a card, witnessing that, may have expiration. Existing statuses in “Regulated Event” do not correspond with essential policy purposes and private interests, because it can reduce the movement of foreign citizen to the country and thus exempt a state from some economic and social benefits. On the other hand, granting a permanent residency status can be compared with IBP which, in turn, is one of the important aspects of the integrity to the international community. Besides, the above-mentioned countries constitute also “voluntarily removal” from the country, which has its advantages. In this case a foreign citizen is exempted from expulsion.

32. The second important issue is that if a foreign citizen fills an application to gain ordinary and temporary residency status or to prolong those statuses and is rejected, a foreign citizen can appeal against that decision. The current law only permits to appeal against mentioned residency statuses and to the prime minister. In the RA the police are dependent on the government and a head of police is subject to the prime minister. So, if a head of the police rejects a foreign citizen to get residency status, there is a little risk that a foreign citizen’s appeal can be solved by the higher dependent body, the prime minister. It is a little bit different for special residency status. As stated the interview with the member of the political

party “Armenian Revolutionary Federation”, Kiro Manoyan, if a person is rejected from either first time or from extension special residency status, there is no state body that a foreign citizen can appeal. There is no responsibility for an authorized body who grants such status. So, the latter body exercises his/her right on this issue by his/her will. Consequently, this can bring to corruption cases, for example, taking a bribe from foreign citizens, etc. Furthermore, a current law allows a foreign citizen to appeal against the expulsion decision to the Head of Police and Minister of Foreign Affairs again to the Prime Minister within 7 days. Article 33(5) states that after the expulsion a foreign citizen can return to RA only upon permission of mentioned two bodies. This proves that, for example, a head of police or minister of foreign affairs, remaining in their position for a long time, can reject a foreign citizen to return to the country, till the end of their position, by various incentives, such as personal. Such issue also contradicts to the IBP, because the last raises an essential role of the courts concerning these issues.

33. Furthermore, the current law stipulates deportation as a punishment established by the court for foreign citizen in case of crime commission. The criminal law eliminated a deportation as a punishment and thus the law shall not contradict to Criminal Code of the RA. More importantly, having such punishment in the “Regulated Event” the discrimination is established because courts cannot deport Armenian citizens based on the Criminal Code but can do so for foreign citizens because current law has not yet abolished a deportation. This is missing from the Ukrainian Law, too, where only the expulsion institution exists. Moreover, here the policy of the regulated event is also violated, because a Law on Legal Status of Foreign Citizens declares another thing³⁰.

34. There is no mention in the law of “Regulated Event” about responsibility for the inviter of a foreign citizen to the country or similar responsibility for the employer and for the notary and, thus, there will be established responsibility in order to escape cases when the inviter violates his/her as well as invitee’s data, the purpose of invitation and the dates of stay of FC in the RA. The employers should be

³⁰ It says that “The relevant Law and regulations do not and shall not put any discrimination between the foreigner and citizen of RA. It is stipulated by the law that a foreign citizen shall enjoy in the RA all the rights and freedoms provided for by international law and the legislation of the RA”.

held responsible if they hire foreign citizens as employees without residency status. The same responsibility must sustain, also, notaries if they verify contracts or other deals with presence of foreign citizen who do not have a residency status or a visa. According to the Armenian Constitution and the Criminal Code, a person can do everything which is not prohibited by the law. In this case, mentioned actors can be engaged in mentioned illegal activities and claim that such conducts are not prohibited by the law, therefore are legal. So, it is necessary to have also this issue arranged in the “Regulated Event”.

35. The next issue is concerned with the entry visas. As researched states demonstrated a previous section, there is a visa-free regime among states, stipulated by the law. Foreign citizens may enter the territory of country (Ukraine, Estonia Lithuania, and Latvia) which is a part of the agreement and reside there. Some states even established free-visa and free-passport regimes in their internal legislation (USA). There is a lack in the “Regulated Event” about this issue, even though RA has some international agreements with other countries³¹.

36. Another issue is that the Law does not include the list of foreign citizens that can not enter to the state and reside there. This also contradicts with the IBP, because almost all states, described in paragraph 6, constitute such a list in their relevant laws³².

37. Analyzing all considered problems and issues above it is becoming obvious that the “Regulated Event” has many weak sides which are as follows: a) Lack of the “permanent residency status”; b) courts will be granted a legal power to solve the appeals on residency status and expulsion issues rather than the prime minister, including issues on further return of the foreign citizen to RA; c)

³¹In the 1990s, Armenia signed a number of bilateral interstate agreements on the social protection and labor activity of migrants with Georgia (1993), Russia (1994), Ukraine (1995), and Belarus (1998), and also the Agreement with Russia “On the Regulation of Voluntary Resettlement of Migrants” (1997) and the Agreement “On Interaction Among the CIS Member Countries in Combating Irregular Migration” (1997). In 1990 Armenia ratified the UN Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and the ILO Conventions on labor migrants. In 1995, Armenia signed an Agreement on Cooperation in the Sphere of Labor Migration and Social Protection of Labor Migrants with the CIS countries.

³² A FC is not entitled to enter and reside in any Baltic Country if he has dangerous infectious disease; A FC is not entitled to enter and reside in the Ireland if he has a criminal record, a work permit. A FC can not enter and reside in the Ukraine if his national passport or equivalent document, visa are false, damaged or do not correspond to the established standard or belong to another person or if he, when crossing the state border has violated rules, custom and sanitation norms.

deportation issue should be eliminated from “Regulated Event”; d) A free visa regime must be established in the “Regulated Event”; e) the “Regulated Event” should include the institution of “voluntarily removal”, as well as the list of such foreign citizens who may not come to Armenia or otherwise to apply for residency status; and d) The liability of public officials and employers who are engaged in official deals with foreign citizens without residency status. In sum, above-mentioned issues do not correspond with IBP, and, consequently, they do not express the essential policy purposes and private interests.

7. Recommendations for reform and their implementations

38. As stated above, the “Regulated Event” has many shortcomings and gaps which must be filled or eliminated through essential reforms. Moreover, these reforms are directed to the improvement of the public policy and the reflection of the private interests.

39. The first reform which I am going to present is that RA must enlarge its visa-free regime with more countries, particularly with developed countries. This will be carried out based on the bilateral or multilateral agreements, signed by Armenian and foreign governments. This last point will be very essential circumstance for free movement of many foreign citizens into RA and vice versa. This will be a strong cornerstone through which the RA can also attract and encourage foreign citizens to apply for residency status, stay for a long period of time or permanently live in the RA. On the other hand, here might be some obstacles to this proposed improvement. In particular, terrorists or people infected with illness can easily enter to the RA. In these cases and in general, the need arises to create some measures to combat terrorism, human trafficking, and the spread of AIDS and other infections.

40. Nowadays in the RA borders, including “Airport Zvartnots”, norms and rules regarding mentioned issues are not protected. Consequently, my second proposal will be creation of special bodies involving police officers, medical employees, other experts as well, who can jointly cooperate together in order to maintain public order and national security. For these reasons, special centers might be created through which police officers should subject all foreign citizens to be fingerprinted, like in the USA. In

their turn, medical employees will subject all foreign citizens to medical examination through special rooms or places established on the state borders. Through technical means, such as cameras, these special rooms will prevent the infiltration of AIDS or other infections into the RA. The decision maker and also implementer is are government structures such as the police, health care bodies, etc. Decisions can be influenced by the president and the parliament.

41. Another proposal is establishment of a permanent residency status in the “Regulated Event”. As a result, a foreign citizen can stay in the territory of the RA as much as he/she wishes. The RA should do this, because in such way the movement of foreign citizens from abroad will be huge and, most importantly foreign citizens will be wholly established (even with their family) in the RA, like native citizens. This last point is also vital with solving money problem with which foreign citizens faced, because, having this type of residency, they should not pay further fees for prolongation a status. Finally, through the country can prosper (tourism, work permission, new relations-a foreign citizen can marry to native citizen, applying to get citizenship after some years living in the RA).

42. I would further advise that all disputes and cases connected with the “Regulated Event” should be addressed to the judicial system of the RA. The courts will only decide why public official rejected to grant a residency status to a foreign citizen, not a prime minister from whom the latter is dependent. Appeals of foreign citizen over administrative expulsion should go to the court system rather than to the prime minister which, in turn, is grave breach of the ECHR³³. Like many countries, those cases need to be taken into consideration by independent and impartial bodies, the courts. Furthermore, through this reform the courts will combat against bribery and abuse of official position by police officers and reduce corruption risks in the RA³⁴. The Parliament of RA will do above-mentioned reform by referring articles in “Regulated Event”.

43. My next suggestion is that from the “Regulated Event” the deportation institution will be abolished. The deportation institution contradicts the domestic laws, such as the criminal law. There is no

³³See Article 1 of ECHR, provides for a right to fair procedures for lawfully resident foreigners facing expulsion.

³⁴ See chapter 3 and 6 concerning Kiro Manoyan’s interview.

such punishment stipulated by criminal law, but because it still exists in the “Regulated Event”, it means that there are risks that courts can apply to that. In this case fundamental rights and freedoms of foreign citizen can be violated; because here a policy of “Regulated Event” put discrimination between and native citizens of RA. However since 1994, there have not been cases that courts did so. In fact, deportation and its consequence, discrimination, is not only contrary to domestic, but also to the international documents which have high legal power and which RA ratified, such as ECHR, UN Convention, etc³⁵. Thus, the policy of the “Regulated Event” over above-mentioned issues also needs to be improved which should be done by the national assembly in way of drafting amendments. For making such decisions the latter needs to get relevant information from IBP regarding permanent residency status to know how it will be established, which legal grounds will be for that, etc. Parliament must also constitute in the “Regulated Event” a list of those foreign citizens who are prohibited to come to Armenia or otherwise to apply for residency status. Such a decision buy the parliament may be influenced by individuals, NGO’s, political parties, some how can influence also president by using his right to veto.

44. In addition to the above-mentioned reforms, I also suggest to have the work permission and rejection addressed in the “Regulated Event”. In this case there will be well-established criteria, based on which a foreign citizen can come to the RA, get residency status and work here. IBP shows that almost all countries, either developed or developing, faced with this issue and already had it mitigated, in their “Regulated Events”³⁶. This will bring economic and social achievements to the RA (paying taxes, legal work, decreasing human trafficking risks, etc.). The decision on this issue is made by parliament stipulating it in the “Regulated Event”. Afterward, similar decisions as well as implementations of such decisions, related to work, are made by the government, NGO’s, individuals, business associations, local government, etc. The last point can be influenced by the nation, president, parliament, government, mass media, NGO’s, etc.

³⁵ See article 14 of ECHR and UN Convention on the “Elimination of All Forms of Racial Discrimination”

³⁶ See Para 5 International Best Practice.

45. Furthermore, looking through the IBP, in particular practice of the USA, I will strongly recommend the RA, too, to establish grounds for foreign citizens, to have voluntarily removal rights from the state. This, of course, first of all comes from the foreign citizen interests that he/she cannot be expelled by force and be considered as expellee, having real chances to return again to the expelled state. On the other hand, through this example the RA can show all world that it has certain incentives to join to the international integration. The decision on this issue will be made by parliament, referring relevant article into the law. Later regulations can be established by the courts, dealing with return of foreign citizens to the RA. Also, it will be available to give discretionary relief to foreign citizens to stay in the RA, before his/her voluntarily removal, taking into consideration some circumstances, such as continuous presence of foreign citizen in the RA, good moral character, other private and public features. As a result, the court may change residency status of foreign citizen, grant asylum, to solve stay of removal, etc. As a new institution, these regulations will be conducted by the Supreme Court of the RA which later will become as precedent for lower instance courts³⁷.

46. My last reform is that like Baltic States, especially Estonia, a government should create so-called “Free Language Centers” through which foreign citizens can learn Armenian and escape difficulties. This will help foreign citizens and native Armenians to make their relationships more interactive. Besides, these interactions will lead foreign citizens to be more engaged in Armenian social, religious, cultural and economic lives.

³⁷ See Article 92 of the RA Constitution.

CONCLUSION

The research done in this paper proved that “Regulated Event” in the RA needs to be improved by different reasons. First of all there are many shortcomings in it. (See chapter 6, “*Procedure Evaluation*”). The relevant law is old, and some provisions and articles should be entered in it. In particular, lack of the “permanent residency status” damages both, public and private interests. Moreover, problems regarding the residency status of the foreign citizens must be solved by the Courts through which fundamental principals, including Human Rights, Rule of Law, Equity all People (regardless their social racial, ethnic, religious status) before the Law should be promoted. This paper also revealed that mentioned shortcomings and inconsistencies of the “Regulated Event” develop corruption cases in the RA and did not maintain well established grounds to reduce terrorism and infection risks which can be occurred by foreign citizens.

On the other hand, in order to eliminate all obstacles and to fill all lacks, paper has explored the IBP and provided reform recommendations and their implementations. Concluding, I believe that through such international standards the RA can escape from mentioned problems and establish better conditions for not only foreign citizens but also for native Armenians.

Moreover, the latter will also prosper social, economic, legal and cultural live of RA and led it to be more integrated to the International Community.

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Appendix A

(Interview with the Head of the Passports and Visas Department (OVIR), Mr. Tigran Gulyan)

On June 13, 2006 I, Vahram Melikyan, the LLM student of the American University of Armenia, went to the OVIR and conducted interview with the head of the “Passports and Visas Department” (OVIR), Mr. Tigran Gulyan.

The interview, in particular, was concerning to the Master Essay, the topic of which is “Establishing Residency – Foreign Citizens”. The interview covered issues about granting residency status to foreign citizens, the rejection of granting residency status to foreign citizens by police (OVIR), the administrative expulsion and deportation issues.

V. M. How many foreign citizens applied to the OVIR to get residency status in 2005 and 2006?

T. G. From January 2005 to August 2006, 1156 foreign citizens applied for residency status.

V. M. How many foreign citizens have been rejected to obtain residency status and for what type did they apply?

T. G. 14 foreign citizens have been rejected to obtain residency status. From them 1 foreign citizen had applied for ordinary residency status, and 13 for temporary residency status. No foreign citizen had applied for special residency status.

V. M. What were the reasons that these foreign citizens have been rejected from getting residency status?

T. G. It is a state secret and I am not allowed to reveal the secret to you as a Police official. You can find it in the current Law that a foreign citizen is expelled from the country if his activity threatened the national security of the RA, the public order and welfare and rights and freedoms of citizens.

V. M. Your notice concerns to the administrative expulsion cases and there are not legal grounds in the current law that prohibits foreign citizens to enter RA. Is this a shortcoming or otherwise lack of the relevant provision in the law?

T. G. Yes, you are right, even though a law does not provide legal bases, but we solve the problems in mentioned way.

V. M. How many rejected foreign citizens appealed that decision to the prime minister?

T. G. No one

V. M. How many foreign citizens have been administratively expelled from country, and how many appealed that decision to the prime minister?

T. G. 14 foreign citizens have been administratively expelled from the country, from them 5 foreign citizens appealed decision on expulsion to the Prime-Minister, but no decision was canceled. I mean 5 foreign citizens expelled from the RA.

V. M. Were there any deportation cases and how many?

T. G. No, there were not deportation cases since the 1991. The last deportee was Hrair Marukhyan who was deported from RA in 1991, because he was member of political party “Armenian Revolutionary Party, Dashnakcutyun” and deported for political grounds by another political party, “HSH” prevailing at that time. The relevant law was adopted later, in 1994 and since that time there have not been such cases.

V. M. Are there any shortcomings in current law and do you think that there is need to change the existing law?

T. G. Definitely, yes. There are many shortcomings in the law that have to be eliminated, such as issues connected with state charges on entry visa, residency status, etc. Everything in current law needs to be changed and updated.

Mr. Tigran Gulyan later added that, currently there is a group working on the new draft of the “Regulated Event” and he is one of the members of that group. Moreover, he joyfully noted that the new draft 2 times has been sent to the Council of Europe and has received the approval of the Venice Commission. He said that, of course, there are still some circumstances which will be mitigated and mentioned that after some periods RA will have a new and better legislative act on the “Regulated Event”.

Appendix B

(One of the letters sent to “Passports and Visas Department” (OVIR))



American University of Armenia Department of
Law

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Հայաստանի Հանրապետության Ոստիկանության
Վիզաների և օտարերկրյա քաղաքացիների
Հաշվառման բաժնի պետ,
պ-ն Տիգրան Ղուլյանին
Հայաստանի Ամերիկյան Համալսարանի
Իրավաբանական ֆակուլտետի
Դասախոս՝ պ-ն Էմիլ Բաբայան
Ուսանող՝ Վահրամ Մելիքյան

Հարգելի պարոն Ղուլյան,

“Օտարերկրյա քաղաքացիների կացության հիմնադրումը, օտարերկրացիների իրավական կարգավիճակը ՀՀ-ում, օտարերկրացիների վարչական վտարման և արտաքսման կարգը ՀՀ-ից” թեմայով ավարտական դիպլոմային աշխատանք գրելու նպատակով դիմում եմք Ձեզ խնդրանքով, տրամադրել կացության սովորական, ժամանակավոր և հատուկ կարգավիճակ ստանալու նպատակով ՀՀ Ոստիկանության անձնագրերի և վիզաների վարչությունն դիմած օտարերկրյա քաղաքացիների, նրանց մերժման, ինչպես նաև կացության կարգավիճակ ունեցող օտարերկրյա քաղաքացիների՝ վարչական կարգով վտարման և վտարված օտարերկրացիների կողմից կրկին կացության կարգավիճակ ստանալու կամ ՀՀ վերաադառնալու խնդրանքով դիմելու դեպքերի ընդհանուր քանակը, եթե այդպիսիք տեղի են ունեցել:

Խնդրում եմք Ձեր համաձայնությունը տալ բավարարելու մեր խնդրանքը:

Հարգանքներով,

Թեմայի ղեկավար՝

Է. Բաբայան

ուսանող՝

Վ. Մելիքյան

Appendix C



(One of the letters sent to Ministry of Foreign Affairs)

American University of Armenia

Department of Law

www.aua.am

Հայաստանի Հանրապետության
Արտաքին գործերի նախարարության
Հյուպատոսական վարչության պետ,
պ-ն Տիգրան Մեյրանյանին

Հայաստանի Ամերիկյան Համալսարանի
Իրավաբանական ֆակուլտետի
Դասախոս՝ պ-ն Էմիլ Բաբայան
Ուսանող՝ Վահրամ Մելիքյան

Հարգելի պարոն Մեյրանյան,

“Օտարերկրյա քաղաքացիների կացության հիմնադրումը, օտարերկրացիների իրավական կարգավիճակը ՀՀ-ում, օտարերկրացիների արտաքսման կարգը ՀՀ-ից” թեմայով ավարտական դիպլոմային աշխատանք գրելու նպատակով դիմում ենք Ձեզ խնդրանքով, տրամադրել կացության բացառիկ կարգավիճակ ստանալու նպատակով ՀՀ Արտգործնախարարությունն դիմած օտարերկրյա քաղաքացիների, ինչպես նաև կացության բացառիկ կարգավիճակ ունեցող օտարերկրյա քաղաքացիների՝ վարչական կարգով վտարման և վտարված օտարերկրացիների կողմից կրկին կացության կարգավիճակ ստանալու կամ ՀՀ վերաադառնալու խնդրանքով դիմելու դեպքերի ընդհանուր քանակը, եթե այդպիսիք տեղի են ունեցել:

Խնդրում ենք Ձեր համաձայնությունը տալ բավարարելու մեր խնդրանքը:

Հարգանքներով,

թեմայի ղեկավար՝

Է. Բաբայան

ուսանող՝

Վ. Մելիքյան



ՀԱՅԱՍՏԱՆԻ ՀԱՆՐԱՊԵՏՈՒԹՅԱՆ ԱՐԽԱՆԱԿԱԿԱՆ ԳՐԱՆՈՒԹՅԱՆ ԿՈՄԻՏԵ
MINISTRY OF FOREIGN AFFAIRS OF THE REPUBLIC OF ARMENIA

Հարգանքների Կոնսուլական Դեպարտամենտ

առ 06097
06.07.06

ՀԱՅԱՍՏԱՆԻ ԱՄՆՊԵՏՈՒԹՅԱՆ
ՀԱՄԱԿԱՐԳՄԱՆ
ԲՐԱՆՎԵՐՈՒԹՅԱՆ ԶԵՐՈՒՆԵՑՏԻ
ԳՐԱՆՈՒԹՅԱՆ
ՊՐԵՍԻԴԵՆՏԱՆԻ ԿՈՄԻՏԵ

Հարգելի պարոն Բարսեղյան

Ի պատիվում Ձեր գրության հասցում ԱՅր. որ ՀՀ արտաքին գործերի նախարարության կողմից ՀՀ-ում եռօրյա արձակուրդի, բացառիկ հարգալիցակ ունեցող ժողովուրդի անդամներին (անհատներին և անհատներին չհասնողներին) Հայաստանից վարչական կարգով փոխանակել փոխանակման օտարերկրացիների կարգի կրկին ՀՀ վերադառնալու և կապուցյան բացառիկ հարգալիցակ ստանալու որևէ զեղք չի եղել:

Հարգանքով

ՎԱԾՈՒՄԵՅԱՆ ՊՐԵՍ

Տ. ԱՆՅԻՆՅԱՆԻՆ

Կոնսուլայտ Գրական Դեպարտամենտ
Ճեմարան: 9-4641-215

Appendix D

(One of the letters sent to the Government)



American University of Armenia Department of
Law

www.aua.am

Հայաստանի Հանրապետության Վարչապետ,
պ-ն Անդրանիկ Մարգարյանին

Հայաստանի Ամերիկյան Համալսարանի
Իրավաբանական ֆակուլտետի
Դասախոս՝ պ-ն Էմիլ Բաբայան
Ուսանող՝ Վահրամ Մելիքյան

Հարգելի պարոն Մարգարյան,

“Օտարերկրյա քաղաքացիների կացության հիմնադրումը, օտարերկրացիների իրավական կարգավիճակը ՀՀ-ում, օտարերկրացիների վարչական վտարման և արտաքսման կարգը ՀՀ-ից” թեմայով ավարտական դիպլոմային աշխատանք գրելու նպատակով դիմում ենք Ձեզ խնդրանքով, թույլատրել տրամադրելու ՀՀ Ոստիկանության անձնագրերի և վիզաների վարչության կողմից օտարերկրյա քաղաքացիներին տրվող կացության սովորական և ժամանակավոր կարգավիճակի մերժման, ինչպես նաև կացության սովորական, ժամանակավոր, հատուկ և բացառիկ կարգավիճակ ունեցող օտարերկրյա քաղաքացիների՝ վարչական կարգով վտարման վերաբերյալ դիմում-բողոքների ընդհանուր քանակը, եթե այդպիսիք տեղի են ունեցել:

Խնդրում ենք Ձեր համաձայնությունը տալ բավարարելու մեր խնդրանքը:

Հարգանքներով,

Թեմայի ղեկավար՝

ուսանող՝

Է. Բաբայան

Վ. Մելիքյան



Appendix E
(One of the letters sent to Ministry of Justice)
American University of Armenia

Department of Law

www.aua.am

Հայաստանի Հանրապետության

Արդարադատության նախարար՝

պ-ն Դավիթ Հարությունյանին

Հայաստանի Ամերիկյան Համալսարանի

Իրավաբանական ֆակուլտետի

Դասախոս՝ պ-ն Էմիլ Բաբայան

Ուսանող՝ Վահրամ Մելիքյան

Հարգելի պարոն Հարությունյան,

“Օտարերկրյա քաղաքացիների կացության հիմնադրումը, օտարերկրացիների իրավական կարգավիճակը ՀՀ-ում, օտարերկրացիների արտաքսման կարգը ՀՀ-ից” թեմայով ավարտական դիպլոմային աշխատանք գրելու նպատակով դիմում ենք Ձեզ խնդրանքով թույլատրել տրամադրելու ՀՀ առաջին ատյանի, Վերաքննիչ դատարանների եվ Վճռաբեկ դատարանի վարույթում գտնվող կամ նախկինում նշված դատարանների կողմից արդեն իսկ կայացված դատավճռով օտարերկրյա քաղաքացիների արտաքսման դեպքերի ընդհանուր քանակը եվ պատճառները, եթե այդպիսիք տեղի են ունեցել:

Խնդրում ենք Ձեր համաձայնությունը տալ բավարարելու մեր խնդրանքը:

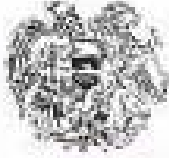
Հարգանքներով,

Թեմայի ղեկավար՝

Է. Բաբայան

ուսանող՝

Վ. Մելիքյան



ՀԱՅԱՍՏԱՆԻ ՀԱՆՐԱՊԵՏՈՒԹՅԱՆ
ԱՐԽԱՐԱԿԱՏՈՒԹՅԱՆ Ի.Ա.Ա.Ա.ՐԱԴՐՈՒՄՅԱՆ

376010, ք. Երևան, Կաթսեի Սարգսյանի փող. 3

• 3007 • 2006 թ.
N 53654

ՀԱՅԱՍՏԱՆԻ ԱՐԽԱՐԱԿԱՆ ՀԱՅՐԱՊԵՏՈՒ
ԿՐԻՍՏՈՒԹՅԱՆ ՖԱԿՒԼՏԵՏԻ
ՊԱՍԽԱՆՈՒՄ Պ.Վ. ԵՄԷ ԲԱՐՈՋԱՆԻ

Կարգիք պատճ Բարսյան

ԲՀ արդարադատության նախարարին հասցեագրած Ձեր կնիքների կազմեցությանը հարաճեմ եմ, որ «Շաբաթակց» քաղաքացիների կազմության հիմնադրումը, օտարերկրացիների իրավական կարգավիճակը ԲՀ-ում շաբաթակցների արտասահման կարգը ԲՀ-ը բնմանից վերականգնելու միջոցառումն ավարտելու ԲՀ կարգադատության նախարարությանը չի տիրապետում:

ՀԱՐՈՋԱՆԻ

ՊԵՏԱԿԱՆ ԱՐԽԱՐԱԿԱՆ ՀԱՅՐԱՊԵՏՈՒ
ՊԵՏ

ՊԵՏԱԿԱՆ

Պ.Վ. ԵՄԷ ԲԱՐՈՋԱՆԻ

Appendix F

TABLE:

Form No. 1 Statement to get residency card or special passport or to get new one in case of loss.

Forms No. 2 Form of the entry visa

Form No. 3 An application to form for an Entry Visa

Form No. 4 When entering the RA, the FC shall produce in the port of entry to the RA an entry visa, passport, and shall fill in a declaration.

Form No. 5 To obtain residency status or to have it prolonged the FC shall file an application form.

Form No. 6 To obtain residency status or to have it prolonged the FC shall file a completed card.

Passport: A FC, who has obtained special residency status, shall be given a passport in which it will be mentioned “**special status**” term.

Residency card that is given for temporary and ordinary residency statuses.

Form No.1

(Stamp)

STATEMENT

This is to certify that the citizen _____
 _____ (citizenship, forename, surname,
 _____ notified

 _____ (patronymic) _____ (the name of the body of Internal
 Affairs) about the loss of his _____ on " " _____ 199__

(Seal)

 _____ (signature of the
 Internal Affairs officer)

Form No.2

Entry Visa to the Republic of Armenia No. _____

Surname _____
 Forename _____
 Type of Visa _____
 Number of Visits _____ Period of Visit _____

_____ Issued

The Visa is valid for entry _____
_____ from the date of issue.

Duty collected _____

Form No. 3

APPLICATION FORM FOR AN ENTRY VISA

TO

THE REPUBLIC OF ARMENIA

1. Name _____ 2. Date and Place of
Birth _____ 3. Citizenship _____

4. Sex _____ 5. Address and Telephone _____

6. Occupation _____

7. Purpose of Visa _____ 8. Number and Period of
Visa _____

9. Name and Address of the Receiving Organization (name and address of the
inviting person) _____

10. Type and Number of Passport _____

Date of Issue _____ Valid until _____

Date _____ Signature _____

Official Notes

- 1. Number of Visa _____ 2. Type of Visa _____ 3. _____
- Number of Visits _____ 4. Duration of Visit _____ 5. Date of Issue _____
- 6. Duty _____

Form No.4

DECLARATION

- 1. Surname _____
- 2. Forename _____ 3. Citizenship _____
- 4. Date of Birth _____
- 5. Place of Birth _____
- 6. Inviting person (organization) and his/her/its address _____
- 7. Purpose and Period of Visit _____
- 8. Children under 16 included in the passport _____
- 9. Passport _____
- 10. Entry Visa to the Republic of Armenia No _____ Issued on _____ at _____
- 11. _____
(signature)
- 12. " " _____ 199 _____

Form No.5

To: _____
(the name of appropriate body)From: _____
(forename, patronymic, surname)

APPLICATION

I herewith ask you to grant (prolong) _____
_____ status in the Republic of Armenia.

I present the following information about myself:

1. Citizenship _____
2. State if you have (had) another citizenship _____ (citizenship of
what

country and reason for its loss)3. Date of Birth _____
4. Place of Birth _____ 5. Nationality (Origin) _____

6. Place of Residence (Address) in the Republic of Armenia _____

7. I attach the following documents:

a) Passport No. _____ (copy), issued _____
(when, by whom and where)b) Photographs (2.5 x 4.5 cm) _____
(number)c) Entry Visa No. _____ (date of issue and body that issued the
visa) _____

Applicant _____

(signature)

199

The application and documents are accepted by _____

(job title and signature)

199

Form No 6

QUESTIONNAIRE

- 1. Surname _____
- 2. Forename _____
- 3. Citizenship _____
- 4. Date of Birth _____
- 5. Place of Birth _____
- 6. Origin _____

7. Surname, forename, patronymic, date of birth and citizenship of the children under 16 _____

8. Place of residence (address) in the Republic of Armenia (abroad) and occupation _____

9. Passport _____ issued _____

(when, by whom and where)

(signature)

The questionnaire is completed on " _ " 199_

Form No. 7

Residence Card to Foreign No.

Surname _____

Forename _____

Date of Birth _____ Citizenship _____ Resident status _____

Granted on " _ " 19_

Valid until " _ " 19_

/ Photo (3.5 x 4.5 cm size) /

Prolonged by " _ " 19_

19_

Seal

Series No. _____

(the bearer's signature)

THE UNIVERSITY OF
THE SOUTH PACIFIC



UNIVERSITY OF THE SOUTH PACIFIC

RESEARCH IN THE HUMANITIES
AND SOCIAL SCIENCES

B5637796

ԿԱՅՈՒԹՅԱՆ ԿԱՐԾ N°.....սնամուգրին
RESIDENCE CARD Passport N°.....

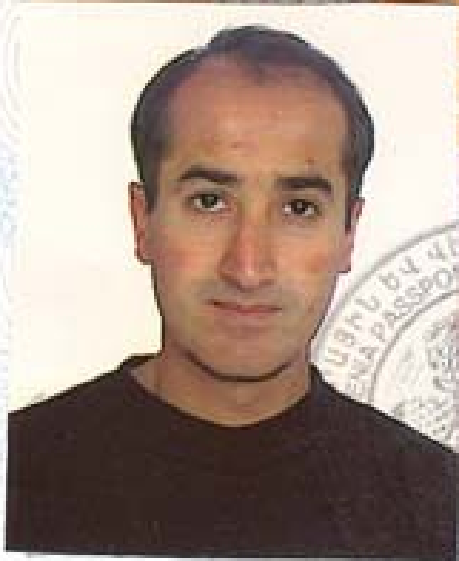
Ազգանունը *Շալեղ / SHAYEGH*
Surname

Անունը *Նոհեթյ / NOHEIL*
Name

Ծննդյան օրը *1980թ.*
Date of birth

Քաղաքացիությունը *Իրան*
Citizenship

Կացության կարգավիճակը *Խաճախակալ*
Type of Residence



Տրված *28.03.06* P.
Issued

Ուժի մեջ է մինչև *01.10.06* P.
Valid

Ժամկետ երկարաձգված է
մինչև *01.10.06* P.
Extended



[Handwritten signature]

AA 0021100

(Ֆիրմա սնամուգրությունը)
signature

1. Այս քարտը կրողն ունի Տաջաստանի Տարածաշրջանում բնակվելու և տեղափոխվելու իրավունք:
The holder of this card has a right to live and to move in the Republic of Armenia
2. Կազմության քարտը վերադառնում է Տաջաստանի Տարածաշրջանում մտնել և Տաջաստանի Տարածաշրջանից ելքի իրավունք:
The residence status gives the right to enter and to exit the Republic of Armenia.
3. Կազմության քարտը կորցնելու դեպքում օտարերկրյա հարստագին դարձավոր է անհապաղ դիմել այն տվող մարմնին:
Loss, theft or destruction of the residence card should be reported immediately to police authorities.
4. Կազմության քարտի գործողության ժամկետը լրանալուց մեկ շաբաթ առաջ օտարերկրյա հարստագին դարձավոր է դիմել քարտը ձեռնարկող մարմնին:
The holder of this card should apply to the issuing authority a week before the expiring date.

Կետմուհր
Observations



ԿԱԾՈՒԹՅԱՆ ԳՐԱԿԱՆՈՒՄԻ ՎԵՐԱԿԵԼԱԿ
ВРЕМЕННОЙ ЗАПИСИ НАЖИТЕЛЬНОСТИ
TEMPORARY STATUS OF RESIDENCE

PRINTED BY ARAP GROUP

Appendix G

THE LAW OF THE REPUBLIC OF ARMENIA

ON THE STATUS OF FOREIGN CITIZENS IN THE REPUBLIC OF ARMENIA

25.05.1994

- CHAPTER 1. GENERAL PROVISIONS
- CHAPTER 2. ENTRY OF FOREIGN CITIZENS TO THE REPUBLIC OF ARMENIA AND THEIR EXIT FROM THE REPUBLIC OF ARMENIA
- CHAPTER 3. THE TYPES OR RESIDENT STATUS OF FOREIGN CITIZENS IN THE REPUBLIC OF ARMENIA, RULES FOR ITS GRANTING, DUTIES OF FOREIGN CITIZENS
- CHAPTER 4. THE LEGAL STATUS OF THE FOREIGN CITIZENS WHO ENJOY RESIDENT STATUS IN THE REPUBLIC OF ARMENIA
- CHAPTER 5. LEGAL RESPONSIBILITY OF FOREIGN CITIZENS IN THE REPUBLIC OF ARMENIA, THE PROCEDURE FOR DEPORTATION OF FOREIGN CITIZENS FROM THE REPUBLIC OF ARMENIA

CHAPTER 1. GENERAL PROVISIONS

Article 1. The Goals of the Law "On the Legal Status of Foreign Citizens"

This Law, which is based on the universally recognized principles and rules of international law, lays down the provisions for entry, residence, movement, transit, exit, acquisition of resident status by a foreign citizen in the Republic of Armenia, and his rights and duties in the Republic of Armenia.

Article 2. The Principles of the Legal Status of Foreign Citizens

"A foreign citizen" in respect of the Republic of Armenia shall mean any person who is not a citizen of the Republic of Armenia and who is a citizen of another state.

A foreign citizen shall enjoy in the Republic of Armenia all the rights and freedoms provided for by international law and the legislation of the Republic of Armenia.

A foreign citizen shall abide by the laws of the Republic of Armenia and respect the national traditions and customs of its people.

Article 3. Legislation on the Legal Status of Foreign Citizens

The legal status of foreign citizens in the Republic of Armenia shall be governed by this Law and other legislative acts of the Republic of Armenia regarding the status of a foreign citizen.

Where a treaty of the Republic of Armenia provides for the rules other than those set forth in this Law, the rules of a treaty shall prevail.

Article 4. Stateless Persons

The provisions of this Law shall also apply to the stateless persons who stay in the territory of the Republic of Armenia, unless otherwise provided for in the legislation of the Republic of Armenia.

CHAPTER 2. ENTRY OF FOREIGN CITIZENS TO THE REPUBLIC OF ARMENIA AND THEIR EXIT FROM THE REPUBLIC OF ARMENIA

Article 5. Entry of a Foreign Citizen to the Republic of Armenia

A foreign citizen may enter the Republic of Armenia pursuant to an entry visa issued by the appropriate bodies of the Ministry of Foreign Affairs of the Republic of Armenia or (if in the ports of entry) by the appropriate bodies of the Ministry of Internal Affairs of the Republic of Armenia, in accordance with the provisions of treaties of the Republic of Armenia.

The entry to the Republic of Armenia and exit from the Republic of Armenia of the Foreign Citizens who enjoy resident status in the Republic of Armenia shall be governed by the provisions of this Law.

Article 6. The Procedure for Receiving an Entry Visa to the Republic of Armenia

To obtain an entry visa to the Republic of Armenia, a foreign citizen shall fill in a form to be approved by the Government, and produce required documents.

Article 7. The Types and Terms of Entry Visas

The Foreign Citizens who are entering the Republic of Armenia may be granted the following entry visas:

- transit entry visa - for a maximum period of three days;
- tourist entry visa - for a maximum of twenty-one days;
- long-term entry visa - for a maximum period of three months;
- diplomatic entry visa.

Article 8. The Procedure for Prolongation of an entry Visa

Diplomatic and tourist visas shall be issued for a single entry, whereas transit and long- term visas may be issued for a multiple entry.

An entry visa to the Republic of Armenia granted to the foreign citizens may be prolonged not more than twice; for one third of the period of the entry visa in each case.

In the territory of the Republic of Armenia, an entry visa shall be prolonged by the appropriate bodies of the Ministry of Internal Affairs of the Republic of Armenia, and outside the territory of the Republic of Armenia, it shall be prolonged by the appropriate bodies of the Ministry of Foreign Affairs of the Republic of Armenia.

Article 9. Rejection of an Entry Visa

Granting an entry visa to the Republic of Armenia to a foreign citizen may be rejected, and the rejection shall be communicated to the applicant.

Article 10. The Form if Issue of an Entry Visa

The entry visa shall be recorded in or attached to the internationally recognized document of the foreign citizen, which proves his identity.

Article 11. Duty for an Entry Visa

To obtain an entry visa, a foreign citizen shall pay a duty in an amount and according to the procedure set forth in the legislation of the Republic of Armenia.

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

When entering the Republic of Armenia, a foreign citizen shall produce in the port of entry an entry visa, an internationally recognized document proving his identity, and shall fill in a declaration, as prescribed by the Government of the Republic of Armenia.

Article 13. The Duties of Foreign Citizens in the Ports of Entry to the Republic of Armenia

In a port of Entry to the Republic of Armenia, of a foreign citizen shall fulfill the requirements set forth in the legislation of the Republic of Armenia.

Article 14. The Procedure for Receipt of Documents Substituting for the Official Documents

In the event that an entry visa, an internationally recognized document of identity or any other official document is lost or damaged, the foreign citizen shall immediately notify that to the appropriate bodies of the Ministry of Internal Affairs, which shall issue to the foreign citizen within the three-day period a document substituting for the lost or damaged document.

Article 15. The Exit of Foreign Citizens from the Republic of Armenia

A foreign citizen may exit from the Republic of Armenia by way of producing an internationally recognized document proving his identity or its substitute issued by the appropriate bodies of the Ministry of Internal Affairs.

The exit of a Foreign Citizen from the Republic of Armenia may be prohibited:

if criminal proceedings have been instituted against him - until the end of the proceedings;

if he has been convicted - until the end of serving a sentence, or until his discharge;

if there is a court decision or order in respect of him - until the end of the execution of such decision or order, or his discharge from such decision or order.

Article 16. The Procedure for registration of Foreign Citizens

The registration of foreign citizens staying in the Republic of Armenia shall be conducted at his place of residence by the bodies of the Ministry of Internal Affairs on the basis of documents proving his rights to reside in the Republic of Armenia and documents regarding the occupation by him of a residential house or flat.

The registration of a foreign citizen arriving to a hotel, holiday home, sanatorium or tourist centre shall be conducted by that organization in accordance with the procedure prescribed by the Ministry of Internal Affairs of the Republic of Armenia.

To be registered, the foreign citizens shall pay a duty in an amount and according to procedure specified in the legislation of the Republic of Armenia.

Article 17. Travel Charges on Foreign Citizens

The foreign citizens entering or leaving the Republic of Armenia shall pay a travel charge specified in the legislation of the Republic of Armenia.

CHAPTER 3. THE TYPES OR RESIDENT STATUS OF FOREIGN CITIZENS IN THE REPUBLIC OF ARMENIA, RULES FOR ITS GRANTING, DUTIES OF FOREIGN CITIZENS

Article 18. Resident Status of Foreign Citizens

There shall be four types of the resident status of foreign citizens in the Republic of Armenia; temporary, ordinary, special and exclusive.

A foreign citizen may not simultaneously have more than one type resident status in the Republic of Armenia.

Article 19. Temporary Resident Status

Temporary resident status may be granted to the foreign citizens having entered the Republic of Armenia on a contractual basis or for a personal purpose, to the foreign students studying in the state or religious educational institutions of the Republic of Armenia, to the persons qualified as refugees, as well as to foreign journalists, researchers, persons invited for public or clerical services.

Temporary resident status may also be granted to the persons who seek refuge because of the unstable political situation, and their right to free movement within the Republic may be restricted by a decision of the Ministry of Internal Affairs. Such persons shall be exempted from the duty of an entry visa.

The temporary resident status shall be granted for not more than one year period, and may be prolonged for maximum one year in each case.

Article 20. Ordinary Resident Status

Ordinary resident status may be granted to any foreign citizen who submits a respective application.

The ordinary resident status may be granted on a priority basis to the foreign citizen, who

has lawfully resident in the Republic of Armenia for more than three years;

is a former citizen of the Republic of Armenia or a close relative (spouse, child, father, mother, sister, brother) of a citizen of the Republic of Armenia;

has graduated from a state or another accredited higher educational institution in the Republic of Armenia;

is qualified as a refugee.

The ordinary resident status shall be granted for not more than a three year period, and may be prolonged.

Article 21. Special Resident Status

Special resident status may be granted to foreign citizens of Armenian origin.

The special resident status may also be granted to other foreign citizens who carry on economic, cultural activity in the Republic of Armenia.

The special resident status shall be granted for a period of ten years. It may be granted more than once.

Article 22. Exclusive Resident Status

Exclusive resident status shall be granted to the officers of diplomatic and consular missions of foreign states in the Republic of Armenia, who are foreign citizens, and to their family members, for the period of their service.

The exclusive resident status may also be granted to the officers of international organizations, who are foreign citizens.

Article 23. The Procedure for Obtaining Temporary and Ordinary Resident Status

Temporary and ordinary resident status and the documents evidencing such status shall be granted by the Ministry of Internal Affairs of the Republic of Armenia in accordance with the procedure to be set forth by the Government of the Republic of Armenia.

The Ministry of Internal Affairs shall notify the applicant in writing about its decision within one month.

In the case that the application is rejected, the applicant may appeal against that decision to the Prime Minister of the Republic of Armenia. The appeal shall be considered within one month, and shall be replied in writing.

To obtain temporary or ordinary resident status, a foreign citizen may also apply again one year after his previous application has been rejected.

Article 24. The Procedure for Obtaining Special Resident Status

The foreign citizens, who wish to obtain special resident status, shall file an application addressed to the President of the Republic of Armenia with the diplomatic and consular missions of the Republic of Armenia abroad or (if within the Republic of Armenia) with the Ministry of Internal Affairs, fill in a form in accordance with established rules, and produce necessary documents.

A foreign citizens, who is granted special resident status shall be given a special passport of the Republic of Armenia by the diplomatic and consular missions of the Republic of Armenia abroad or (if within the Republic of Armenia) by the Ministry of Internal Affairs. To receive a special passport of the Republic of Armenia, a foreign citizen shall pay a duty established by the Government of the Republic of Armenia.

To obtain special status, a foreign citizen may apply again one year after his previous application has been rejected.

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

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

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

A foreign citizen in the Republic of Armenia shall not have voting rights, may not join any political organization of the Republic of Armenia, may not be elected or appointed to the posts or carry on the activities, which are reserved for citizens of the Republic of Armenia by the legislation of the Republic of Armenia.

A foreign citizen shall have the rights to legal defense against any illegal interference in his private and family life, to inviolability of his person and accommodation, to the privacy of correspondence, to honor of dignity, to life and health protection, to judicial defense against any encroachment upon his life, health,, personal liberty and property, equal to those of a citizen of the Republic of Armenia.

A foreign citizen shall have the right of property, labour and the right to carry on business activity, in accordance with the provisions of legislation of the Republic of Armenia.

A foreign citizen may marry or divorce in the Republic of Armenia in accordance with the provisions of legislation of the Republic of Armenia, and in marital relations, he shall have the rights and duties equal to those of a citizen of the Republic of Armenia.

A foreign citizen shall pay in the Republic of Armenia taxes and duties, make other compulsory payments in accordance with the provisions of legislation of the Republic of Armenia.

A foreign citizen shall not be obliged to carry military service in the Armed Forces of the Republic of Armenia.

In the course of defending his rights, a foreign citizen may enjoy any guarantees provided for exercise of the rights of a citizen of the Republic of Armenia.

Where a foreign citizen has been confined, arrested, subjected to criminal responsibility or prohibited from exiting from the Republic of Armenia, the respective officials shall, within twenty four hours, notify that to the state mission which is to defend the rights of the foreign citizen, or, in the case of a refugee, the United Nations High Commissioner for Refugees.

A foreign citizen shall be obliged to leave the Republic of Armenia upon the expiration of his entry visa or resident status.

A foreign citizen shall not use his rights and freedoms to the detriment of the rights and freedoms of the citizens of the Republic of Armenia, other persons, the public order, general welfare, the national security of the Republic of Armenia.

CHAPTER 4. THE LEGAL STATUS OF THE FOREIGN CITIZENS WHO ENJOY RESIDENT STATUS IN THE REPUBLIC OF ARMENIA.

Article 26. The Rights and Duties of the Foreign Citizens Who Enjoy Resident Status

In the Republic of Armenia, a foreign citizen, who enjoys resident status, shall have the rights, equal to that of a citizen of the Republic of Armenia, to inherit, bequeath or donate his property, to enjoy insurance, burial or other services, to join benevolent, cultural, trade-union, sport and other associations (without the right to hold a post in their managing bodies), unless that contradicts to the by-laws of such associations.

A foreign citizen, who enjoys resident status, may join international organizations acting in the Republic of Armenia.

The resident status shall give to the foreign citizen the rights to entry to the Republic of Armenia and exit from the Republic of Armenia.

A foreign citizen, who enjoys temporary, ordinary or special resident status, shall be entitled to invite his close relatives to the Republic of Armenia. A duty in an amount specified in the legislation of the Republic of Armenia shall be charged for issue of invitation documents.

The right of a foreign citizen, who enjoys exclusive resident status, to invite other persons to the Republic of Armenia shall be governed by treaties of the Republic of Armenia

Article 27. The Rights and Duties of the Foreign Citizens Who Enjoy Temporary Resident Status.

A foreign citizen, who enjoys temporary resident status, may be granted a right to labour in accordance with the procedure to be set forth by the Government of the Republic of Armenia.

The entry of a foreign citizen, who enjoys temporary resident status, to the Republic of Armenia and his exit from the Republic of Armenia shall not be restricted. He shall pay a duty for entry visa at any time of his entry to the Republic of Armenia.

A foreign student shall be exempted from a duty for entry visa.

The right of a foreign student to travel abroad shall be conditioned by terms permitted by the educational institution.

A foreign citizen, who enjoys temporary resident status, may import one personal motor car during the whole period of his residence.

A foreign citizen, who enjoys temporary resident status shall not be entitled to infringe or change the purpose of his residence without permission from the Ministry of Internal Affairs of the Republic of Armenia.

A foreign citizen, who enjoys temporary resident status, shall enter into financial, economic or commercial transactions in accordance with legislation of the Republic of Armenia.

Article 28. The Rights and Duties of the Citizens Who Enjoy Ordinary Resident Status.

A foreign citizen, who enjoys ordinary resident status, shall have in the Republic of Armenia the right to work, Social Security; he may carry on business activity, enjoy insurance services.

A foreign citizen, who enjoys ordinary resident status, may work in the Republic of Armenia by virtue of an employment contract. A copy of the employment agreement shall be submitted to the appropriate bodies of the Ministry of Internal Affairs. The period of work of a foreign citizen shall terminate once the resident status is terminated.

During the first three months from the date of being granted ordinary resident status, the foreign citizen may import to the Republic of Armenia duty-free his personal property, one personal motor car and household goods. For the import of other property that is owned by him, the foreign citizen shall pay customs duties in accordance with laws.

A foreign citizen, who enjoys ordinary resident status, shall appear for registration once per year, shall not be absent from the Republic of Armenia for more than six months, unless he has received a prior permission in writing from the Ministry of Internal Affairs, and unless such absence does not exceed a continuous period of one year. He also shall pay annual charges specified in the legislation of the Republic of Armenia.

A foreign citizen, who has resided in the Republic of Armenia for three years under the terms of ordinary resident status may apply for citizenship of the Republic of Armenia. In such case, his ordinary resident status shall be prolonged for another one year, provided that he may not be absent from the Republic during that period.

Article 29. The Rights and Duties of the Foreign Citizens who enjoy Special Resident Status

In the Republic of Armenia, a foreign citizen, who enjoys special resident status, shall have the right to labour, may carry on business activity in accordance with rules established for foreign citizens having ordinary resident status.

He shall be exempted from a duty for entry visa.

A foreign citizen, who enjoys special resident status, shall appear for registration once per year in a diplomatic or consular mission of the Republic of Armenia abroad, or in the appropriate body of the Ministry of Internal Affairs of the Republic of Armenia within the territory of the Republic of Armenia.

Article 30. The Rights of the Foreign Citizens Who enjoy Exclusive Resident Status>

The rights and duties of a foreign citizen who enjoys exclusive resident status shall be laid down in the treaties of the Republic of Armenia, laws of the Republic of Armenia and resolutions of the Government of the Republic of Armenia.

A foreign citizen who has exclusive resident status shall enjoy immunity in accordance with treaties and legislation of the Republic of Armenia.

CHAPTER 5. LEGAL RESPONSIBILITY OF FOREIGN CITIZENS IN THE REPUBLIC OF ARMENIA, THE PROCEDURE FOR DEPORTATION OF FOREIGN CITIZENS FROM THE REPUBLIC OF ARMENIA

Article 31. The Legal Responsibility of Foreign Citizens in the Republic of Armenia

In the Republic of Armenia, a foreign citizen, shall bear legal responsibility equal to that of a citizen of the Republic of Armenia, except as specified in the treaties of the Republic of Armenia and legislation of the Republic of Armenia.

For violation of the established rules of residence in the Republic of Armenia, or residing without documents proving resident status, or for residing with void documents, or violation of the established registration rules, or failure to leave the Republic of Armenia upon expiration of resident status or an entry visa, or failure to comply with custom rules, a foreign citizen shall be called to legal responsibility stipulated in the legislation of the Republic of Armenia

Article 32. Administrative Expulsion of Foreign Citizens from the Republic of Armenia

A foreign citizen may be expelled from the Republic of Armenia in administrative order, if his activity threatens the national security of the Republic of Armenia, the public order and welfare, rights and freedoms of citizens, as well as in other cases specified in the legislation of the Republic of Armenia.

Article 33. The Procedure for Administrative Expulsion of Foreign Citizens from the Republic of Armenia

A decision on administrative expulsion of a foreign citizen, except for the foreign citizens who have exclusive resident status, shall be passed by the Minister of Foreign Affairs, on the basis of an opinion rendered by the commission formed by him. A representative of the state, who is to defend the interests of the foreign citizen, may be present at the commission's meeting.

A decision on administrative expulsion of a foreign citizen who enjoys exclusive resident status shall be passed by the Minister of Foreign Affairs of the Republic of Armenia in accordance with procedure set forth by the Government of the Republic of Armenia.

The decision on administrative expulsion may be appealed against within seven days to the Prime Minister of the Republic of Armenia by the foreign citizen to be expelled or by a representative of the state who defends his interests.

The Prime Minister of the Republic of Armenia shall notify the appellant about his decision within one month.

The foreign citizen, who has been expelled in administrative order, may return only upon permission of the Minister of Internal Affairs of the Republic of Armenia or (if that foreign citizen has exclusive resident status) of the Minister of Foreign Affairs.

Article 34. Deportation of Foreign Citizens

A foreign citizen may be deported from the Republic of Armenia in cases specified in the legislation of the Republic of Armenia. A court of the Republic of Armenia may nominate deportation as additional punishment in respect of the foreign citizen. Where the term of imprisonment does not exceed two years, that may be replaced with deportation from the Republic of Armenia.

The President of the Republic of Armenia may substitute deportation from the Republic of Armenia for imprisonment nominated as punishment by a court of the Republic of Armenia, or for a part of such imprisonment.

A court shall notify a state mission defending the interests of the foreign citizen about its decision on deportation of that foreign citizen through the Ministry of Foreign Affairs of the Republic of Armenia within ten days.

Article 35. Extradition of Foreign Citizens by Agreements of Mutual Exchange of Criminal Offenders

A foreign citizen staying in the Republic of Armenia, who is accused of committing a crime in the territory of another state, and whose extradition is requested by that state or an international organization, shall be extradited to the requesting party in accordance with the provisions of treaties of the Republic of Armenia

President of the Republic of Armenia

L. TER-PETROSIAN

17 June 1994

AL-110

·ání»ñç ʸÉ³ñ³ñáóĀŪ³ÝÁ ʸ»ñí³Ū³óÝáóŪ »ʸ 1ÇŪáóŪ Đ³Ū³è³ʸÇ Đ³Ýñ³á»iáóĀŪ³Ý ʸÉ³.³ÑÇ ³ÝáóÝáí, è³ŪŪ³Ýí³í ĩ³ñ.áí Ē³óÝáóŪ Ū³ñó³Ā»ñĀÇí »Đ ʸ»ñí³Ū³óÝáóŪ ³ÝŪñ³Ā»Ĭí ÷³è³ĀŌĀ»ñ:
 ĩ³óáóĀŪ³Ý Ū³iáóí ĩ³ñ.³íÇ×³í è³³ó³í ūí³ñ»ñíŪ³ ū³Ō³ŭ³óáóÝ ³ñ³è³ŪŪ³ÝáóŪ Đ³Ū³è³ʸÇ Đ³Ýñ³á»iáóĀŪ³Ý 1Çí³Ý³.Çí³í³ ʸ» Đ ŪŪáóá³iáè³³Ý ʸ»ñí³Ū³óáóóááóĀŪáóÝÝ»ñÇ, Çèĭ Đ³Ū³è³ʸÇ Đ³Ýñ³á»iáóĀŪáóÝáóŪᵃ ʸ»ñŭÇÝ ·ání»ñç ʸÉ³ñ³ñáóĀŪ³Ý ĩáŌŪÇó ĩñiáóŪ ʸ Đ³Ū³è³ʸÇ Đ³Ýñ³á»iáóĀŪ³Ý Ū³iáóí ³ÝŌÝ³.Çñ: Đ³Ū³è³ʸÇ Đ³Ýñ³á»iáóĀŪ³Ý Ū³iáóí ³ÝŌÝ³.Çñ è³³Ý³Éáó Ū³Ū³ñ ūí³ñ»ñíŪ³ ū³Ō³ŭ³óáóó ·³ÝŌiáóŪ ʸ Đ³Ū³è³ʸÇ Đ³Ýñ³á»iáóĀŪ³Ý ĩ³é³ñáóĀŪ³Ý ĩáŌŪÇó è³ŪŪ³Ýí³í í×³ñ:
 ĩ³óáóĀŪ³Ý Ū³iáóí ĩ³ñ.³íÇ×³í è³³Ý³Éáó Ū³Ū³ñ ūí³ñ»ñíŪ³ ū³Ō³ŭ³óáóÝ ĩ³ñáŌ ʸ ĩñíÇÝ 1ÇŪ»É Çñ ʸ³ĒíÇÝ 1ÇŪáóŪÇ Ū»ñĀáóŪÇó Ū»ĭ ĩ³ñÇ Ū»iá:
Đáíí³ 25. Đ³Ū³è³ʸÇ Đ³Ýñ³á»iáóĀŪáóÝáóŪ ūí³ñ»ñíŪ³ ū³½³ŭ³óáóÝ»ñç Çñ³iáóÝŭÝ»ñĀ »Đ á³ñí³í³ÝáóĀŪáóÝÝ»ñĀ
 ūí³ñ»ñíŪ³ ū³Ō³ŭ³óáóÝ Đ³Ū³è³ʸÇ Đ³Ýñ³á»iáóĀŪáóÝáóŪ áóÝÇ ŪíŭÇ, ĒáèŭÇ, ĒŌ×Ç »Đ ĩ³í³Ý³Ūç ³½³iáóĀŪ³Ý Çñ³iáóÝŭᵃ Đ³Ū³è³ʸÇ Đ³Ýñ³á»iáóĀŪ³Ý ūñ»Ÿè¹ñáóĀŪ³ÝÁ Ū³Ū³á³³èĒ³Ý:
 ūí³ñ»ñíŪ³ ū³Ō³ŭ³óáóÝ Đ³Ū³è³ʸÇ Đ³Ýñ³á»iáóĀŪáóÝáóŪ Çñ³iáóÝŭ áóÝÇ á³Ūá³Ý»Éáó Çñ ³½·³ŪÇÝ Ē»½áóÝ, ŪĬ³iáóŪĀĀ »Đ éáíáñáóŪĀÝ»ñĀ:
 ūí³ñ»ñíŪ³ ū³Ō³ŭ³óáóÝ Đ³Ū³è³ʸÇ Đ³Ýñ³á»iáóĀŪáóÝáóŪ ááóÝÇ ÁÝíñ³í³Ý Çñ³iáóÝŭ, áÇ ĩ³ñáŌ ³Ý¹³Ū³.ñí»É Đ³Ū³è³ʸÇ Đ³Ýñ³á»iáóĀŪ³Ý Ū³è³ñ³í³í³Ý.ŭ³Ō³ŭ³í³Ý áñ»Đ ʸ ĩ³½Ū³í»ñááóĀŪ³Ý, áÇ ĩ³ñáŌ ÁÝíñí»É ĩ³Ū ʸĬ³Ý³í»É ³ŪÝáÇèÇ á³ĬiáÝÝ»ñç ĩ³Ū ½µ³Ōí»É ³ŪÝáÇèÇ ·áñiáóÝ»áóĀŪ³Ū, áñáÝó Ū³Ū³ñ Đ³Ū³è³ʸÇ Đ³Ýñ³á»iáóĀŪ³Ý ūñ»Ÿè¹ñáóĀŪ³Ū ʸÉ³»è³í³í ʸ áóÝ»Ÿ³É Đ³Ū³è³ʸÇ Đ³Ýñ³á»iáóĀŪ³Ý ū³Ō³ŭ³óáóáóĀŪáóÝ:
 ūí³ñ»ñíŪ³ ū³Ō³ŭ³óáóÝ áóÝÇ ³ÝŌÝ³í³ ʸ» ÁÝí³Ý»í³Ý ĩŪ³ŪŭÇÝ ³ÝŭñÇÝ³í³Ý ŪÇÇ³Ūí»Éáóó ūñ»Ÿŭáí á³Ĭiá³Ýí»Éáó, ³ÝŌÇ »Đ µŸ³í³ñ³ÝÇ ³ÝŌ»éÝ³ŪĒ»ÉÇáóĀŪ³Ý, Ū³Ōáñ¹³iáóáóĀŪ³Ý ·³ŌíŸÇáóĀŪ³Ý, á³ííÇ »Đ ³ñĀ³Ý³á³iáóĀŪ³Ý, ĩŪ³ŪŭÇ »Đ ³éáŌÇáóĀŪ³Ý, ³ÝŌÝ³í³ ³½³iáóĀŪ³Ý »Đ ·áóŪŭÇ 1»Ū áíŸŌ·áóĀŪáóÝÝ»ñçŌ ¹³í³í³ ³ñá³iá³ÝáóĀŪ³Ý Đ³Ū³è³ʸÇ Đ³Ýñ³á»iáóĀŪ³Ý ū³Ō³ŭ³óáóÝ Ū³í³è³ñ Çñ³iáóÝŭÝ»ñ:
 ūí³ñ»ñíŪ³ ū³Ō³ŭ³óáóÝ Đ³Ū³è³ʸÇ Đ³Ýñ³á»iáóĀŪ³Ý ūñ»Ÿè¹ñáóĀŪ³Ū è³ŪŪ³Ýí³í ĩ³ñ.áí áóÝÇ è»÷³í³ÝáóĀŪ³Ý, ³ĬĒ³³ÝŪç »Đ Ō»éÝ³ñí³íÇñ³í³Ý ·áñiáóÝ»áóĀŪ³Ū ½µ³Ōí»Éáó Çñ³iáóÝŭ:
 ūí³ñ»ñíŪ³ ū³Ō³ŭ³óáóÝ Đ³Ū³è³ʸÇ Đ³Ýñ³á»iáóĀŪáóÝáóŪ ĩ³ñáŌ ʸ ³Ūáóè³³Ý³É ĩ³Ū ³Ūáóè³³Éáóí»É Đ³Ū³è³ʸÇ Đ³Ýñ³á»iáóĀŪ³Ý ūñ»Ÿè¹ñáóĀŪ³Ū è³ŪŪ³Ýí³í ĩ³ñ.áí, ÁÝí³Ý»í³Ý Ū³ñ³µ»ñáóĀŪáóÝÝ»ñáóŪ áóÝÇ Đ³Ū³è³ʸÇ Đ³Ýñ³á»iáóĀŪ³Ý ū³Ō³ŭ³óáóÝ Ū³í³è³ñ Çñ³iáóÝŭÝ»ñ »Đ á³ñí³í³ÝáóĀŪáóÝÝ»ñ:
 ūí³ñ»ñíŪ³ ū³Ō³ŭ³óáóÝ Đ³Ū³è³ʸÇ Đ³Ýñ³á»iáóĀŪáóÝáóŪ í×³ñáóŪ ʸ Ū³ñí»ñ, iáóñŭ»ñ »Đ ĩ³ñáóŪ ³ŪĒ á³ñí³íÇñ í×³ñáóŪÝ»ñᵃ Đ³Ū³è³ʸÇ Đ³Ýñ³á»iáóĀŪ³Ý ūñ»Ÿè¹ñáóĀŪ³Ū è³ŪŪ³Ýí³í ĩ³ñ.áí:
 ūí³ñ»ñíŪ³ ū³Ō³ŭ³óáóÝ Đ³Ū³è³ʸÇ Đ³Ýñ³á»iáóĀŪ³Ý ½ÇÝí³í áóĀ»ñáóŪ ĩ³é³Ū»Éáó á³ñí³í³ÝáóĀŪáóÝ áÇ ĩñáóŪ:
 ūí³ñ»ñíŪ³ ū³Ō³ŭ³óáóÝ Çñ Çñ³iáóÝŭÝ»ñĀ á³Ĭiá³Ý»ÉÇè ŭ.íiáóŪ ʸ Đ³Ū³è³ʸÇ Đ³Ýñ³á»iáóĀŪ³Ý ū³Ō³ŭ³óáó Çñ³iáóÝŭÝ»ñç Çñ³í³Ýóŭ³Ý Ū³Ū³ñ è³ŪŪ³Ýí³í µáÉáñ »ñ³ĬĒÇŭÝ»ñçŌ:
 ūí³ñ»ñíŪ³ ū³Ō³ŭ³óáóÝ Ō»ñµ³í³É»ÉÇè, ĩ³É³Ý»ÉÇè, ūñ»³í³Ý á³í³èĒ³Ýí³iáóĀŪ³Ý »ŸĀ³ñí»ÉÇè ĩ³Ū Đ³Ū³è³ʸÇ Đ³Ýñ³á»iáóĀŪáóÝÇó ʸñ³ »ÉŭŸ ³ñ.»É»ÉÇè Ū³Ū³á³³èĒ³Ý á³Ĭiá³Ý³í³ ³ÝŌÇÝŭ á³ñí³íáñ »Ÿ áá áóĬ, ŭ³Ÿ ŭè³Ÿááñè Ā³Ūí³ ÁÝĀ³óŭáóŪ ³Ū¹ Ū³èÇÝ í»ŌŪ³í á³Ū»É ūí³ñ»ñíŪ³ ū³Ō³ŭ³óáó Ĭ³Ū»ñĀ á³Ĭiá³Ýáó á³iáóĀŪ³Ý ʸ»ñí³Ū³óáóóááóĀŪ³ÝÁ, Çèĭ ÷³è³í³í³Ý»ñç 1»áŭáóŪᵃ ŌÇ³íáñí³í ³½·»ñç ĩ³½Ū³í»ñááóĀŪ³Ý ÷³Ēè³í³í³Ý»ñç ·íáí ·»ñ³.áóŪŸ Ū³ŸŌŸ³í³í³í³ÇÝ:
 ūí³ñ»ñíŪ³ ū³Ō³ŭ³óáóÝ á³ñí³íáñ ʸ áá áóĬ, ŭ³Ÿ Đ³Ū³è³ʸÇ Đ³Ýñ³á»iáóĀŪ³Ý ŪáóíŭÇ ³ñiáÝ³.ñç ĩ³Ū ĩ³óáóĀŪ³Ý Ā³Ūí»íÇ Ēñ³Ý³ÉÁ, Ū³è³Ý³É Đ³Ū³è³ʸÇ Đ³Ýñ³á»iáóĀŪáóÝÇó:
 ūí³ñ»ñíŪ³ ū³Ō³ŭ³óáóᵃ Çñ Çñ³iáóÝŭÝ»ñçŌ »Đ ³½³iáóĀŪáóÝÝ»ñçŌ ŭ.íi»ÉÁ áá»íŭ ʸ íŸ³è Ū³èóŸÇ Đ³Ū³è³ʸÇ Đ³Ýñ³á»iáóĀŪ³Ý ū³Ō³ŭ³óáóÝ»ñç, ³ŪĒ ³ŸŌ³Ÿ Çñ³iáóÝŭÝ»ñçÝ »Đ ³½³iáóĀŪáóÝÝ»ñçÝ, Ū³è³ñ³í³í³ ĩ³ñ.ÇÝ, ÁÝíŪ³Ýáóñ µ³ñ»ĭ»óáóĀŪ³ÝÁ, Đ³Ū³è³ʸÇ Đ³Ýñ³á»iáóĀŪ³Ý ³Ÿí³Ý·áóĀŪ³ÝÁ:

¶ĒáóĒ 4

ĭ³óáóĀŪ³Ū ĭ³Đ¶ĭÆŌ²í áóŪŌóáŌ ūí²ĐŌđíĐŪ² Đ²Ō²Đ²ŌÆŪŌĐÆ ÆĐ²²í²Ū ĭÆŌ²íĀ Đ²Ū²è³²ŪÆ Đ²Ū²Đ²²²íáóĀŪáóŪáóŌ
Đáíí³ 26. ĩ³óáóĀŪ³Ý ĩ³ñ.³íÇ×³í áóÝ»óáŌ ūí³ñ»ñíŪ³ ū³Ō³ŭ³óáóÝ»ñç Çñ³iáóÝŭÝ»ñĀ »Đ á³ñí³í³ÝáóĀŪáóÝ»ñĀ
 Đ³Ū³è³ʸÇ Đ³Ýñ³á»iáóĀŪáóÝáóŪ ĩ³óáóĀŪ³Ý ĩ³ñ.³íÇ×³í áóÝ»óáŌ ūí³ñ»ñíŪ³ ū³Ō³ŭ³óáóÝ Đ³Ū³è³ʸÇ Đ³Ýñ³á»iáóĀŪ³Ý ū³Ō³ŭ³óáóÝ Ū³í³è³ñ Çñ³iáóÝŭ áóÝÇ Ā³é³Ý.»Éáó, ĩ³í»Éáó ĩ³Ū ʸíÇñ³µ»ñ»Éáó Çñ è»÷³í³ÝáóĀŪáóÝÁ, ŭ.íi»Éáó ³á³Ūá³.ñ³í³Ý, ĀŌŪ³Ý »Đ ³ŪĒ ĩ³é³ŪáóĀŪáóÝÝ»ñçŌ« ³Ÿ¹³Ū³íŌ»Éáó µ³ñ»·áñí³í³Ý, ŪĬ³iáóĀŪ³ŪÇÝ, ³ñŪŪÇáóĀ»Ÿ³í³Ý, Ū³ñ½³í³Ý »Đ ³ŪĒ Ū³è³ñ³í³í³ ĩ³½Ū³í»ñááóĀŪáóÝÝ»ñçÝᵃ ³é³Ýó 1ñ³ÝŌ Ō»í³í³ Ū³ñŪÇÝÝ»ñáóŪ á³Ĭiá³ ½µ³Ō»óŸ»Éáó Çñ³iáóÝŭç, »Ā» ¹³ áÇ Ū³í³èáóŪ ³Ū¹ ĩ³½Ū³í»ñááóĀŪáóÝÝ»ñç ĩ³ŸáŸ³í³ñáóĀŪáóÝÝ»ñçÝ:
 ĩ³óáóĀŪ³Ý ĩ³ñ.³íÇ×³í áóÝ»óáŌ ūí³ñ»ñíŪ³ ū³Ō³ŭ³óáóÝ ĩ³ñáŌ ʸ ³Ÿ¹³Ū³íŌ»É Đ³Ū³è³ʸÇ Đ³Ýñ³á»iáóĀŪáóÝáóŪ ·áñiáŌ ŪÇÇ³½·³ŪÇÝ ĩ³½Ū³í»ñááóĀŪáóÝÝ»ñçÝ:
 ĩ³óáóĀŪ³Ý ĩ³ñ.³íÇ×³íĀ ūí³ñ»ñíŪ³ ū³Ō³ŭ³óáóÝ ĩ³ÉÇè ʸ Đ³Ū³è³ʸÇ Đ³Ýñ³á»iáóĀŪáóÝ Ūáóíŭ ·ání»Éáó »Đ Đ³Ū³è³ʸÇ Đ³Ýñ³á»iáóĀŪáóÝÇó »ÉŭÇ Çñ³iáóÝŭ:

