

## REPUBLIC OF ARMENIA

### DRAFT LAW ON POLITICAL ASYLUM

#### Article 1

Political asylum in the Republic of Armenia can be obtained by citizens as well as persons without citizenship who in the country of their permanent residence have been subject to juridical and other kind of persecutions because of:

- their political views or their political activities which are allowed by the Constitution of this country;
- their origin or race;
- their religious beliefs.

#### Article 2

Persons accused of violent acts shall obtain political asylum only when their actions are justified by necessary defence against political, racial or religious persecutions.

#### Article 3

Persons prosecuted for terrorist or violent actions, regardless of whether these actions were political or of another nature, shall have no right to political asylum.

#### Article 4

Applicants for political asylum cannot be forbidden to cross the border of the Republic of Armenia, unless they are found to threaten the country's national security. Similar threats can be caused by mass immigration or other circumstances according to the political situation of the Republic of Armenia determined by the Supreme Council of the Republic of Armenia.

In this case, the applicants shall be awarded the status of temporary asylum and the opportunity to leave for another country which accepts them within a given period of time.

#### Article 5

The Supreme Court of the Republic of Armenia or its Presidium alone shall have the right to grant political asylum.

#### Article 6

The decision pertaining to political asylum is taken within 10 days after receipt of an oral or written declaration from a given applicant. In cases where clarifications are necessary as discussed in Articles 1 and 3 of this law, temporary status is awarded until conclusions by the Supreme Court of Justice of the Republic of Armenia about reasons for the persecution and the activities of the persecuted person.

#### Article 7

Countries where the persecution took place, accusations or legal sentences delivered to applicants cannot be the basis for the final definition of their activities.

#### Article 8

International organisations' representatives and those of the country where the applicant was persecuted can participate in the court examination as observers.

#### Article 9

In case of rejection of an application for political asylum, the applicant shall be given a deadline to leave the territory of the Republic of Armenia: in case where his/her crime is proven by the Court the applicant shall be handed over to the authorities of the country where the juridical investigation is in course. In some cases the applicant can undergo the sentence of punishment in the territory of the Republic of Armenia.

#### Article 10

Persons allowed temporary asylum are provided with lodgings and other facilities.

#### Article 11

A person who is granted political asylum is allowed to:

- enjoy the rights of the UN Declaration of 13 December 1985 concerning persons without citizenship.
- to apply for citizenship in the Republic of Armenia.

Presented by the Parliamentary Committee on Human Rights