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EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
(VENICE COMMISSION)

DRAFT LAW

**ON AMENDING AND SUPPLEMENTING
THE CRIMINAL CODE**

OF THE REPUBLIC OF ARMENIA

DRAFT

K-253-16.04.2008-PI-010/0

ARTICLE 1

Paraphrase Article 225 of the Criminal Code of the Republic of Armenia enacted on April 18, 2003 (hereinafter, “the Code”) to read as follows:

“Article 225. Mass disorder

- 1. The organization of mass disorder, which was accompanied with violence, pogroms, arson, destruction of damage to property, use of fire-arms, explosives, or explosive devices, or by armed resistance to a representative of the authorities, is punished with imprisonment for the term of 5 to 10 years.*
- 2. The act envisaged in part 1 of this Article, which was accompanied with murder, is punished with imprisonment for the term of 6 to 12 years.*
- 3. Immediate commission, during mass disorder, of any of the acts envisaged in part 1 of this Article is punished with imprisonment for the term of 4 to 8 years.*
- 4. During mass disorder, calls to disobey the lawful demand of a representative of the authorities, to carry out mass disorder, or to commit violence against individuals are punished with a fine in the amount of 200-600 minimal salaries, or detention for a term of up to 2 months, or imprisonment for a term of up to 4 years.”*

ARTICLE 2. In part 1 of Article 225¹ of the Code, add the words “or the dissemination of materials containing calls to participate in such event” before the words “is punished...”;

ARTICLE 3. Paraphrase Article 301 of the Code to read as follows:

“Article 301. Public Calls for Committing Crimes against the Foundation of the Constitutional Order and against National Security

- 1. Public calls for usurping state power or changing the constitutional order by force, or the dissemination of materials containing such calls, is punished with detention for a term of 2-3 months, or imprisonment for a term of up to 4 years.*
- 2. Public calls for becoming armed, creating or organizing armed groups, or participating in armed actions in order to usurp state power or change the constitutional order by force, or the dissemination of materials containing such calls, is punished with imprisonment for a term of 3-7 years.”*

ARTICLE 4. After Article 301 of the Code, add new Article 301¹ to read as follows/

“Article 301¹. Calls for disintegrating the State Power

- 1. Public calls for the armed forces, the police, the national security service, the prosecution office, penitentiary institutions, or their officials not to perform their duties aimed at the protection of the constitutional order or national security, or the dissemination of materials containing such calls, is punished with imprisonment for a term of 2-5 years.”*

ARTICLE 5. This law shall take effect on the 10th day following its official promulgation.