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DELEGATION OF THE REPUBLIC OF ARMENIA
ORGANIZATION FOR SECURITY AND CO-OPERATION IN EUROPE

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NOTE VERBALE

The Permanent Delegation of the Republic of Armenia to the Organization for Security and Co-operation in Europe presents its compliments to the Permanent Delegations of the Participating States to the OSCE and Conflict Prevention Center, and has the honor to submit Armenia's reply to the Questionnaire on the Code of Conduct on Politico- Military Aspects of Security.

The Permanent Delegation of the Republic of Armenia to the Organization for Security and Co-operation in Europe avails itself of this opportunity to renew to the Permanent Delegations of the Participating States to the OSCE and Conflict Prevention Center the assurances of its highest consideration.



To All Permanent Delegations to the OSCE and the CPC

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REPUBLIC OF ARMENIA
QUESTIONNAIRE ON THE CODE OF CONDUCT
ON POLITICO-MILITARY ASPECTS OF SECURITY

Section I: Inter-State elements

1. Account of measures to prevent and combat terrorism.

1.1. Agreements and arrangements related to preventing terrorism.

The Republic of Armenia resolutely condemns terrorism and is fully committed to the international struggle against it. With the full understanding of the necessity to combat such phenomena, Armenia has offered unreserved assistance to the global coalition, signed the UN and Council of Europe anti-terrorism conventions, and offered military and strategic assistance. Armenia has opened its airspace and provided the necessary facilities for the anti-terrorism operations. Armenia has acceded and is a State Party to the following international agreements on prevention of, and combating terrorism:

United Nations

1. Convention on Offences and Certain Other Acts Committed on Board of Aircraft;
2. Convention for the Suppression of Unlawful Seizure of Aircraft;
3. Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation;
4. Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents;
5. International Convention against the Taking of Hostages;
6. Convention on the Physical Protection of Nuclear Material;
7. Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, Supplementary to the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation;
8. Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation;
9. Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf;
10. Optional Protocol to the Convention on the Right of the Child on the Involvement of the Children in Armed Conflicts;
11. Comprehensive Nuclear-Test-Ban Treaty;
12. Second Protocol of 1999 to the Hague Convention of 1954 for the Protection of Cultural Property in the Event of Armed Conflict;
13. Convention on the Marking of Plastic Explosives for the Purpose of Detection;
14. International Convention for the Suppression of Terrorist Bombings;
15. International Convention for the Suppression of the Financing of Terrorism;
16. International Convention on Suppression of Acts of Nuclear Terrorism;
17. Convention for the Suppression of Acts of Nuclear Terrorism;
18. International Convention for the Suppression of Terrorism Bombing;
19. The Geneva Convention relative to the treatment of Prisoners of War;
20. Additional Protocol relating to the Protection of Victims of International Armed Conflicts;
21. Non-Proliferation of Nuclear Weapons;
22. United Nations Convention against Transnational Organized Crime;
23. Protocol to Prevent, Suppress and Punish trafficking in Persons, especially women and children, supplementing UN Convention against Transnational Organized Crime;
24. Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime;

25. Protocol against the Illicit Manufacturing and Trafficking in Firearms, Their parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime;
26. United Nations Convention against Corruption;
27. Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction;
28. Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction;
29. Agreement among the Governments of the Black Sea Economic Co-operation Participating States on Combating Crime, in particular in its Organized Forms;
30. Additional Protocol on Combating Terrorism to the Agreement among the Government of the Black Sea Economic Cooperation Participating States on Combating Crime, in Particular in its organized forms;
31. Agreement on Cooperation in the Field of Protection of Civil Aviation from Illegal Interference;
32. Treaty on Cooperation among States Members of the Commonwealth of Independent States in Combating Terrorism;
33. Agreement on the Cooperation between the Ministries of Interior of the CIS Participating States for the Suppression of Terrorism;
34. Proliferation Security Initiative.

Council of Europe, Black Sea Economic Cooperation Organization and CIS Treaties, Conventions and Protocols

1. European Convention on the Suppression of Terrorism;
2. Protocol amending the European Convention on the Suppression of Terrorism;
3. European Convention on Extradition;
4. European Convention on Mutual Assistance in Criminal Matters;
5. European Convention on the Transfer of Proceedings in Criminal Matters;
6. Additional Protocol to the European Convention on Extradition;
7. Second Additional Protocol to the European Convention on Extradition;
8. Additional Protocol to the European Convention on Mutual Assistance in Criminal Matters;
9. Second Additional protocol to the European Convention on Mutual Assistance in Criminal Matters;
10. Convention on the Transfer of Sentenced Persons;
11. Additional Protocol to the Convention on the Transfer of Sentenced Persons;
12. Criminal Law Convention on Corruption;
13. Additional Protocol to the Criminal Law Convention on Corruption;
14. Civil Law Convention on Corruption;
15. Europol Convention;
16. Convention on Cyber Crime;
17. Additional Protocol concerning the Criminalization of Acts of a Racist and Xenophobic Nature Committed through Computer Systems;
18. European Convention on the Compensation of Victims of Violent Crimes;
19. Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime;
20. Council of Europe Convention on Laundering, Search, Seizure, Confiscation of the Proceeds from Crime and the Financing of Terrorism;
21. Council of Europe Convention on the Prevention of Terrorism;
22. Council of Europe Convention on Action against Trafficking in Human Beings.

1.2. National legislation to implement the above-mentioned international agreements.

a. The Law of the Republic of Armenia on Combating Legalization of Proceeds from the Crime (Money laundering) and financing of terrorism came into force on 14 December, 2004.

b. The Law of the Republic of Armenia on Combating Terrorism was adopted by the National Assembly of the Republic of Armenia in March, 2005.

According to the Law the main principles of combating terrorism are:

- actions of authorities in full conformity with the law;
- priority of preventive measures;
- centralized direction of forces and measures involved in antiterrorism activities;
- inevitability of punishment for preparation, financing and committing terrorist acts;
- principle of making minimal concessions to terrorists in case of absolute necessity;
- combination of explicit and covered measures to combat terrorism;
- complex deployment of legal, political, socio-economic preventive measures;
- priority of protection of persons' rights who were endangered as a result of terrorist act;
- minimal publicity of antiterrorist methods, strategy and participating units.

1.3. Roles and missions of armed and security forces in preventing and combating terrorism.

The fight against terrorism is conducted by the agencies, which are authorized by the government. They are acting within the framework provided by the law. The following agencies are directly involved in combating terrorism:

- National Security Service;
- Police;
- Ministry of Defense.

In case of necessity the President of the Republic may establish and give general guidance to the ad hoc body, which will coordinate the antiterrorist activities of involved agencies. Based on the nature of terrorist acts the supervisor of this body could be one of the heads of aforementioned agencies.

1.4. Additional relevant information on national efforts to prevent and combat terrorism

Before adopting the Law of the Republic of Armenia on Combating Terrorism, the Criminal Code of the Republic of Armenia was the document, which was putting into shape Armenian legislation dealing with the terrorism issues.

The Criminal Code clearly refers to terrorist acts in Article 217 "Terrorism", Article 388 "Terrorist act against a representative of a foreign state or international organization," and Article 389 "International terrorism". Article 217 was further amended, and a new subparagraph on Financing of Terrorism (par. 217.1) states that any person who finances an execution of a terrorist act is subject to criminal liability. According to this paragraph if execution of a terrorist act is financed by a person, who is a resident of a foreign state, is a national of that state or of another state, or is a stateless person, he/she will be subject to criminal liability in the order prescribed by the Criminal Code of the Republic of Armenia. Criminal offences listed in Articles 217, 388 and 389 incur a jail sentence up to 15 years and in case of aggravating circumstances up to the maximum sentence of life imprisonment. On 17th December, 2002 the Board of Central Bank of Armenia approved Regulation N5 on "Safeguarding Banks and Credit Organizations from Circulation of Criminally Obtained Funds; Preventing Funding of Terrorism", a Special Form on "Reporting on suspicious transaction", as well as Methodical Guidelines on "Model lists of information required by bank to establish banking account and by credit organization in servicing customers and creditors". These Regulations establish procedures and conditions for the mandatory measures and actions by banks and credit organizations to prevent:

- i) Circulation of criminally obtained funds in banks and foreign bank branches functioning in the Republic of Armenia; and
- ii) Funding of terrorism.

Article 926 of the Civil Code entitles the banks to freeze the accounts and assets of individuals and organizations. However, Article 43 of the Constitution states, that ‘The fundamental human and civil rights and freedoms set forth in Articles 23-25, 27, 28-30, 30.1, Part 3 of Article 32 may be temporarily restricted only by the law if it is necessary in a democratic society in the interests of national security, public order, crime prevention, protection of public health and morality, constitutional rights and freedoms, as well as honor and reputation of others.’

The National Security Service, Police and the Ministry of Defense have developed a plan of actions aimed at the consolidation of the security on aircraft, at the airports and vessels, which shall prevent the entry, movement of terrorists to and from the country. Appropriate measures are taken with regard to the physical security of hazardous facilities and facilities with special significance for the security of the state.

The National Security Service uses the information received from its foreign counterparts or Armenian State agencies, to prevent the persons connected to terrorist activities from entering Armenia. Such operations are, if necessary, conducted in collaboration with other agencies.

Necessary operative-intelligence measures are taken in order to reveal the facts of illicit stockpiling of arms, ammunition and explosive materials on the Armenian territory. At the same time, measures are taken in order to reveal and prevent possible facts of smuggling – both import and export of above-mentioned items from and into the territory of Armenia.

For the purpose of increasing the effectiveness of combating terrorism the Main Department on Combating Terrorism was established in the National Security Service, which coordinates the efforts in that direction with other departments and agencies.

The Department on Combating the Organized Crime of the Police Service implements certain activities in the field of fight against terrorism, within the framework of its functions and in cooperation with relevant ministries.

In the field of the fight against terrorism the Department on Combating the Organized Crime as well as the National Security Service and Emergency Management Administration of the Government of Armenia undertake joint measures according to the Decree by the Prosecutor General of Armenia on the Joint Actions in the case of Explosive Devices Installation alarm. In case of receiving an alarm about installation of explosive device the Police Service, the National

Security Service and the Emergency Management Administration jointly pursue appropriate operative-intelligence actions to discover and neutralize the explosive device.

Law enforcement agencies of Armenia undertake operative preventive “arsenal measures” not only in the territory of the country but also, given the specificities of the region, within the framework of CIS. “Border-Barrier” special initiative is aimed at preventing and revealing the groups involved in organized crime, terrorist and extremist groupings, as well as the in cases of illicit trafficking of arms, armaments and vehicles.

For the time being Armenia doesn’t have any specific bilateral treaties or agreements on Counter-terrorism. However, Armenia signed bilateral treaties on cooperation on criminal issues including issues relating to terrorism and organized crime with Greece, Romania, Bulgaria, Poland, United States and Lithuania.

The issue of combating terrorism has also been included in the Armenia-NATO/EAPC cooperation. In particular, an appropriate system of proceedings has been envisaged in order to strengthen the measures for fight against terrorism in Planning and Review Process as well as in Individual Partnership Action Plan between Armenia and the NATO. A Partnership Action Plan against Terrorism in the EAPC/PfP framework has been specifically designed as well in order to deal with this issue.

2. Stationing of armed forces on foreign territory

2.1 The Republic of Armenia does not have its armed forces permanently stationed on the territory of another participating State.

In accordance with article 11 of the Law “On Defense” the deployment of the Armed forces of the Republic of Armenia outside the territory of the Republic of Armenia is carried out on the basis of international treaties and in the framework of international peacekeeping operations under the UN mandate.

a. Kosovo

In accordance with these treaties and agreements in January 2004 a platoon of Armenian peacekeeping battalion arrived in Kosovo to participate in KFOR peacekeeping operation. The relevant memorandum was signed on September 3, 2003 in Yerevan and ratified by the Armenian Parliament on December 13, 2003. In June 2008 the peacekeepers’ number was doubled. Armenian "blue helmets" served within the Greek Army battalion.

In December 2011 the Armenian peacekeepers were withdrawn from Kosovo, because of withdrawing of Greek Army battalion.

In July 2012 Armenian contingent (35 soldiers) was redeployed in Kosovo, according to the Memorandum of Understanding signed with the US European Command, and was stationed at “CAMP BONDSTEEL”, Battle Group EAST. The memorandum was prolonged (signed on February 19, 2014 in Yerevan).

b. Afghanistan

Armenia deployed its contingent to Afghanistan as part of the NATO-led International Security Assistance Force (ISAF) in 2010. They are serving in the RC “NORTH” under German command. The rotation is 6 months. Before stationing, they undergo 1 month long pre-deployment training in Germany.

The total number of personnel is up to 130, (currently 121), they are deployed in Mazar-e-Sharif region, in 2 locations: Mazar-e-Sharif airport, Camp “Marmal” and also in Kabul: Camp “Qasaba”.

Armenian engagement in ISAF is carried out in accordance with the negotiated agreement with NATO, Transfer of Authority with SHAPE, as well as Memorandum of Understanding (MoU) with Germany, as a Framework Nation. The Armenian contingent continued to contribute to ISAF until the end of the Mission on 31st December 2014.

On December 5-6, 2014, an agreement in the form of exchange of letters was established for the settlement of legal issues in connection with the engagement of Armenian contingent in NATO-led “Resolute Support” mission in Afghanistan, in the purpose of providing non-combat trainings, consulting and assistance. In the framework of this mission there were two reinforced infantry platoons, officers for staff assignments and medical personnel (role 1) in Mazar-e-Sharif deployed.

In present, Armenian contingent of 121 servicemen contributes in the NATO's new Resolute Support Mission (RSM) to train and advise that was launched from January 1, 2015.

c. Iraq

From 2005-2008 Armenian Peacekeeping platoon was deployed in Iraq within the structure of Polish led multinational Division. Armenian contingent consisted of 46 military personnel (30 drivers, 10 de-miners, 5 doctors and a liaison officer).

d. Lebanon

Since February 2012 Armenia regularly sends a Military Observer to Lebanon in the framework of UN UNIFIL mission. Since November 26, 2014, an Armenian peacekeeping platoon of 32 members was involved in the UNIFIL Mission under the Italian Command. Relevant MOU with Italy was signed on 3rd of June, 2014 in Brussels, Belgium.

UN MILITARY OBSERVER MISSIONS

In accordance of Memorandum on joining of Armenian to the UN Peacekeeping operations signed on July 12, 2001 in New York the first Armenian officer was appointed to the Syria (UNSMIS) on May 2012 as an UN military observer.

Since February 2013 at this moment the mission continued in Lebanon.

Since 1st June, 2015, a representative of Armenian Armed Forces is deployed in UN MINUSMA mission in Mali to serve as logistic staff officer (permanent location being UN forces HQ in Bamako).

3 Implementation of other international commitments

Armenia is committed to the strict implementation of the provisions of the Treaty on Conventional Armed Forces in Europe. The Armenian side, remaining committed to its treaty obligations, exchanges information on the Armed Forces of Armenia, their structure, areas of deployment and the Treaty limited equipment, as well as receives inspections. The inspection reports clearly state that Armenia is fully implementing the Treaty.

The primary means to promote confidence - and security-building measures is the implementation of the OSCE CPC – FSC decisions, *inter alia*, the OSCE Confidence and Security Building Measures, which includes the implementation of the Vienna Document 2011. Armenia actively participates in the implementation of the latter's provisions, including receiving of inspections and evaluation visits and exchanging relevant annual information. The Armenian side actively contributed to the updating of the Vienna Document through supporting most of the suggestions on its modernization some of which were adopted as the FSC Decisions and later incorporated into the Vienna Document 2011.

Armenia is implementing the other OSCE Confidence and Security Building Measures, i.e. Annual Exchange on Small Arms and Light Weapons (SALW), relevant information on Code of Conduct (CoC), Global Exchange of Military Information (GEMI), as well as information with Regard to the OSCE Principles on the Control of Brokering in Small Arms and Light Weapons, Information Exchange with Regard to Sample Formats of the End-User Certificates and Relevant Verification Procedures, etc.

It is also worth to mention the positive role of the OSCE Communication Network as an important instrument for facilitating the implementation of various commitments under the VD-2011 and the CFE Treaty.

Armenia also provides relevant information to the United Nations, such as:

- Report of on the National Legislation on Transfer of Arms, Military Equipment and Dual-Use Goods and Technology;
- National report on the implementation of the UN Program of Actions to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects;
- National report on Conventional Arms transfer
- Report on Military Expenditures

- Report on Confidence building measures in the regional and sub-regional context
- Report on Conventional arms control at the regional and sub-regional levels.

It is also worth mentioning that Armenia, as an intention toward transparency and confidence-building measures, every year voluntarily provides specific information to the UN and to the OSCE Questionnaires on anti-personnel landmines.

Section II: Intra-State elements

1. National Planning and Decision-Making Process.

1.1 National planning and decision-making process for the determination of the military posture of the Republic of Armenia is regulated in accordance with the Constitution and legislation of the Republic of Armenia.

Particularly, the Strategic Defense Review (SDR) process was conducted from 2008 to 2011, resulting in the identification of the force structure and tasks of Armenian Armed Forces till 2015. Based on this, Armed Forces Development Plan was endorsed and put into action, envisaging the tasks of each component of the forces and their mid-term development vision.

Launched on 13 December 2013, the second iteration of SDR was concluded by December 2015. It resulted in the development of long-term development plans and programs of the defence sector from 2016 through 2020. The Public Release Document on SDR outcomes is being finalized and will be published soon. That document will describe the process and outcomes of the SDR, and will provide insights into the process of Armenian Defence Sector and Armed Forces transformation towards better meeting contemporary security challenges and the ability to deter, counter, and neutralize current and potential threats.

Defense Planning is carried out based on Mid-term expenditure program (3 years) submitted to the Government (through Ministry of Finance). Annual Defence Budget as an integral part of State Budget of the Republic of Armenia is submitted by the Government to National Assembly (Parliament) as the Draft Law on State Budget of the Republic of Armenia (on annual basis, for each fiscal year).

1.2 The Republic of Armenia organizes and conducts its security and defense policy based on its international commitments, respecting above mentioned Arms Control Mechanisms and other tools and regulations of regional and international character. Contribution, within possibilities, to international peace and security is envisaged in all strategic guidance documents of MOD (consulted with Partners and International Expert society), which are materialized in the development of tailored Peacekeeping Brigade and other relevant capabilities.

2. Existing Structures and Processes.

(a) The President:

- is the guarantor of the national independence, territorial integrity and security of the Republic,
- is the Commander in Chief of the armed forces and appoints the highest command staff of the armed forces,
- forms and presides over the Security Council of the Republic,
- issues special orders for call-up of personnel for military service,

- decides on the use of the armed forces, as well as in case of an armed attack on or an immediate danger to the Republic, or a declaration of war by the National Assembly declares a state of martial law and may call for a general or partial mobilization,

- in case of imminent danger to the constitutional order, and upon consultations with the Chairman of the National Assembly and the Prime-Minister, takes measures appropriate to the situation and address the people on the subject.

(b) The National Assembly:

- adopts laws regulating national planning and decision-making processes, forms the legal basis for the operation of the armed forces and allocates resources by adopting the national budget,

- upon the recommendation of the President may declare war,

- upon the declaration of martial law, holds a special sitting of the National Assembly,

- upon the determination of the Constitutional Court may suspend the execution of the President's decision on the use of the armed forces, declaration of a state of martial law and calls for a general or partial mobilization,

- decides on declaring war and proclaiming peace. In the event when convening a sitting of the National Assembly is impossible, the President of Republic shall solve the issue of declaring war.

- in case of imminent danger to the constitutional order, may, upon the determination of the Constitutional Court, suspend the execution of the President's decision to take measures appropriate to the situation.

(c) The Cabinet of Ministers:

- coordinates the development of, and approves guidelines for, military planning,

- determines the organizational structure and personnel strength of the armed forces,

- ensures the implementation of the defense, national security and foreign policies of the Republic,

- submits the draft state budget to the National Assembly for approval.

(d) The Ministry of Defense:

- takes part in military planning and development of guidelines for determining the military posture,

- participates in the developing and improving the main sphere of military policy including

- National Security Strategy and Military Doctrine;

- guarantees the fulfillment of defense laws in the Armed Forces, decrees of President and decision of the Government and orders of the Defense Minister;

- makes proposals regarding the organizational structure, personnel strength and supply of the armed forces.

(e) The Constitutional Court:

- decides on whether the laws, resolutions of the National Assembly, orders and decrees of the President and resolutions of the Cabinet of Ministers are in conformity with the Constitution.

- Determines whether there are grounds for the application of provisions of the President's decision on the use of the armed forces and, in case of imminent danger to the constitutional order, of the President's decision to take measures appropriate to the situation.

Armed Forces of the Republic of Armenia are within the structure of the Ministry of Defense. In conducting its activities the Ministry is guided by the Constitution of the Republic, Law “On Defense”, other relevant Laws regulating Military sphere, decrees of the President, by normative acts of the Ministry which are approved by the Cabinet of Ministers as well as by the principles and norms of international law. The Minister gives the report on Ministry’s activities to the Cabinet of Ministers. The Minister also attends joint sessions of the Parliament and the Cabinet of Ministers and participates in hearings on issues raised by members of the Parliament and replies to inquiries made by members of the Parliament.

Police Forces of the Republic of Armenia are within the structure of the Police Service. In conducting its activities the Police Service is guided by the Constitution of the Republic along with relevant laws, decrees of the President, by normative acts of the Service approved by the Cabinet of Ministers. The Police Service acts on the basis of norms of international law as well as principles of justice, democracy and human rights.

The Border Guard of the Republic of Armenia is within the structure of the National Security Service. In conducting its activities the Service is guided by the Constitution of the Republic along with relevant laws, decrees of the President, by normative acts of the National Security Service approved by the Cabinet of Ministers. The Director of the Service reports on Service’s activities to the Cabinet of Ministers. The Director of the National Security Service also attends joint sessions of the Parliament and the Cabinet of Ministers and participates in hearings on issues raised by members of the Parliament and replies to inquiries made by members of the Parliament. The National Security Service acts on the basis of norms of international law as well as principles of justice, democracy and human rights.

As a result of the Referendum held on 6 December, 2015 the Constitution of Armenian underwent changes. Among other reforms, the new Constitution envisages transition, upon completion of two-year transitional phase (till 2018), from current semi-presidential to parliamentary form of governance. As for the implications of constitutional reforms on Defense sector and Armed Forces, there will be no changes in relation to civil and democratic control. Armenian Armed Forces have been and will continue to be under strict civil and democratic control. Constitutional amends will have impact, though, on the “strategic level” chain of command and corresponding command and control arrangements. Armed Forces will be reporting the Cabinet of Ministers, which have a right to make decisions on their employment. The Prime Minister will be Commander in Chief during the war time, whereas during the peace time this authority (management of Armed Forces) is collectively vested on the Cabinet of Ministers, which will perform this function through the Minister of Defence. In order to accommodate constitutional reforms, the legislation (laws and other normative acts) will undergo thorough revision during current transitional phase.

3. Procedures related to different forces personnel

3.1 Procedures for recruitment.

A person is recruited for service in the Armed forces by:

- Conscription (each citizen of Armenia who has reached the age of eighteen years and is eligible to serve in the manner prescribed by the law on Military Duty shall serve 2 years in the national armed forces. The call-up of personnel takes place twice a year in accordance with the Law on the Military Duty of 16 September, 1998. For each call-up the President issues a special Decree and the Cabinet of Ministers adopts a separate resolution,
- Signing a contract (from 3 to 5 years) stipulating the terms of service in the armed forces.

The service by contract is regulated by the Law on Military Service of Armenia. A person is recruited for Service in Security forces in accordance with the Law on “Service in National Security bodies” of 11 April, 2003.

3.2. Exemptions and Alternative Military Service

The Law on the “Military Duty” of 16 September 1998 provides for deferment of the compulsory service. In accordance with the obligations of the Republic of Armenia to the Council of Europe the Law on Alternative service entered into force on 1st of July 2004.

The Law on Alternative service defines the procedure of replacing compulsory military service of citizens of the Republic of Armenia with alternative service, performing alternative service, demobilizing into the reserves, and registering.

The aim of the alternative service is to ensure the realization of the constitutional duty of Armenian citizens, which does not imply any punishment, humiliation, or diminishment of a person’s dignity.

A citizen subject to compulsory military service shall have the right to alternative service, if he is a member of a religious organization registered according to the law, the religious beliefs of which are in conflict with either compulsory military service in military detachments, or the bearing, keeping, maintaining, or using of arms.

Based on concerns and complaints of potential Alternative Service seekers (particularly members of religious organization “Jehovah’s witnesses”, the Law on Alternative Service was amended (The Law on making amendments and supplements to the Law on Alternative Service 02 May, 2013). The Draft Law passed through international expertise of ODIHR and Venice Commission. Before adoption, public hearings were organized by the Parliamentarian Standing committee on Defence, National Security and Internal Affairs. The amendments are in general focused on exclusion of military control of Alternative Labor Service and creation of relevant mechanisms to ensure civilian nature of Alternative Labor Service. The terms of Alternative Military and Alternative Labor Services were reduced by 6 months each (30 months instead of 36, 36 months instead of 42).

The new Republican Commission board was established which consists of members:

- Ministry of Labor and Social affairs
- Ministry of Healthcare
- Ministry of Defence
- Ministry of Territorial Administration
- Ministry of Education and Science
- Police
- Department for Ethnic Minorities and Religious Affairs (Governmental Administration body).

3.3 Legal and administrative procedures to protect the rights of forces personnel.

There is a complex system in place of legislative guaranties and safeguards as well as internal and external mechanisms to ensure and protect rights of all Armed Forces personnel, including conscripts. Besides common guarantees provided by the Constitution and other Legislative acts of the Republic of Armenia available to all citizens of Armenia, Laws regulating defense sphere and Regulations of Armenian Armed Forces define the rights and obligations of all forces’ personnel and provide precise mechanism dealing with complaints by the chain of command. Disciplinary Code clearly defines the disciplinary offences and punishments of disciplinary character for each offence separately. The social rights of personnel of all forces are defined by the Law on “Social Safety of Military Servicemen and Members of Their Families” of 27th of October 1998. There are also external and alternative mechanisms of protection of the

rights of all forces personnel, such as judicial protection or complaints addressed to Human Rights Defender of Armenia¹, as well as Public Council under the Minister of Defense, which consists of representatives local NGOs and deals with human rights violation complaints, particularly during the call-up process.

4. Implementation of other political norms, principles, decisions and international humanitarian law.

The International Humanitarian Law (including information of other international treaties and conventions, which govern armed conflicts) as a separate discipline is incorporated in the Academic Programs of the Military Educational Institutes of Armenia. Besides above mentioned, short term trainings are provided by the ICRC on regular basis for the Military Personnel of Armed Forces of Armenia on IHL and LOAC. Personnel of PKB are permanent attendees of this type of trainings.

Human Rights education and training initiatives were seriously activated and concrete steps were undertaken in Armenian Armed Forces starting from 2010. These efforts were supported by the OSCE office in Yerevan, then gradually by other IGO's (UNFPA, ICRC², UNICEF etc.), as well as civil society organizations and academic circles. As a most basic step in 2012 "The Handbook on Human Rights and Fundamental freedoms of Armed Forces personnel", developed by OSCE/ODIHR and the Geneva Centre for the Democratic Control of the Armed Forces (DCAF) was translated into Armenian and local experts wrote the teaching manual. Starting from 2012 each year Human Rights courses were organized for the military, taught by well-known local NGO experts and academicians from Human Rights sphere. The specialized courses were designed and delivered differently, based on needs and frame of responsibilities of target audience (such as Military Police, Peacekeepers, Military Academies, Vice-commanders on personnel affairs etc.). To that end special focus has been given to preparation of own military staff capable to deliver Human Rights courses in Military academies and run trainings for personnel. Thus, several small – range pilot courses with the elements of TOT (Training of trainers) were organized from 2012 to 2013 in Military Academies.

In 2014 trainings took more institutionalized character and six 4-day trainings held in different locations (3 for Military Police personnel, 3 for Vice-commanders on personnel affairs and Legal assistants to commanders). Each group consisted of around 30 officers and NCOs. The trainings have been conducted by the experts in the field of human rights. Topics vary from theories and basics of Human Rights Law (basic definitions of human rights and fundamental freedoms, human rights generations etc.) to the practical aspects of right to life, liberty and security, freedom of movement, freedom of religion and expression, prohibition of discrimination and ill treatment, and so on. Interactive teaching methods were also integrated into training program, such as team work, case studies, and moot courts.

Besides, the requirements and duties for each kind of military specialization (for example for Military Police, as a law enforcement body in military chain) were discussed and thoroughly re-considered from the perspective of their accuracy and their conformity with human rights standards. The methodology of the training was based on the Handbook on Human Rights of Armed Forces Personnel and Fundamental Freedoms of Armed Forces Personnel and the teaching manual prepared by local experts.

For 2015 the same format of Human Rights trainings in the Armed Forces has been implemented.. Moreover, in addition to 2014 program new attribute was incorporated and at the fall semester first full length specially designed course on Human Rights in the Armed Forces

¹ The position of Deputy to Human Defender was established in 2014, which is generally covers Military affairs.

² ICRC is mostly engaged in IHL trainings and awareness rising.

will be organized in Military Academy, with elements of TOT for the tutors of Military Academies, in order to help them develop teaching skills in this sphere.

For 2016 the same format of Human Rights trainings in the Armed Forces is already fixed and planned.

These efforts are undertaken to promote and accelerate the process of transformation of human rights related topics from other courses (including Military Law Studies) and establishment of fully separate course on Human Rights in the Armed Forces.

The Human Rights studies' elements were also incorporated into Military Law Studies courses in military academies. Some parallel subjects are developed and included in teaching programs (such as Military Leadership³) of military academies, where human rights related aspects are touched upon.

Trainings on Human Rights in the Armed Forces was also incorporated into the annual plans of force preparation. This means that the target audience of Human Rights trainings is not only professional militaries or staff of military academies, but also conscripts.

In addition to that special preventive-informative program was established jointly by MOD, OSCE office in Yerevan and an advanced team of practitioner-lawyers, psychologists and social workers, which aims to train schoolboys of pre-conscription age on socio-psychological changes they will face in the Army, explains how to prevent conflicts and overtake a stress, also introduces them their rights and obligations, mechanisms on how to complaint, how to protect one's rights by legal means and so on. In the frame of this program Handbook on socio-psychological preparedness of conscripts and manual on rights of conscripts have been developed in 2014.⁴

Newly developing or amending pieces of military legislation, codes and regulations are done strictly consistent with human rights standards and principles, including requirements of Armenian Human Rights Protection National Strategy. For example Disciplinary code of Armenian Armed Forces was thoroughly reviewed by foreign experts (ODIHR) in 2011, new draft Law on Military Obligation and Military Service is developed taking into account concerns and recommendations raised by civil society on acting laws and their certain provisions which were inconsistent with Human Rights.

Besides above mentioned, starting from 2014 Armenian MOD has established formal cooperation model with UNFPA office in Armenia, in order to support its gender related endeavors. In 2014 policy analysis and recommendations based on the assessment of perceptions and experiences of the target population on gender roles and service of women in the defense sector conducted in the framework of the "Supporting Integration of Gender in Defense Sector Reforms in Armenia" project which was implemented by the MoD and UNFPA Armenia CO (UN Population Fund). The MoD of Armenia in close cooperation with UNFPA with engagement of relevant experts is developing a teaching Manual on women in the armed forces. Moreover, a new strategy document (with some action-plan elements) on the rights of women in the Armed Forces and their status promotion is being developed.

³ "Handbook on Military leadership: Effective management of military teams" was prepared by the support of OSCE office in Yerevan in 2013, where many aspects of human rights standards and principles are deeply discussed.

⁴ Trainees were provided with basic knowledge on how to respond to possible psychological problems, tensions, unsatisfied basic needs, how to manage stresses and show positive conformism towards military service. In line with psychological training, basic information on rights and responsibilities of conscripts, general rules of military law, military discipline, disciplinary punishment and soldiers' encouragement measures, as well as social nature of military service were given to audience.

The functions of the Armed Forces are clearly defined by Constitution and Legislation (particularly by the Law on Defense). The combat engagement of the Armed Forces of Armenia in internal matters is strictly prohibited by the Legislation in order to secure the Constitutional provision on political neutrality of Armed Forces.

The civil and political rights of Armed Forces personnel are not limited as far as they are not inconsistent with the principle of political neutrality of Armed Forces. All the limitations are clearly defined by the Law on Military Service, Electoral Code of RA and other relevant legislative acts.

The National Security Strategy, Military Doctrine and other documents on defense policy have passed intergovernmental procedures of approval. Any contradictions with the International commitments of the RA have been eradicated from documents. Moreover, those documents were agreed upon by international experts and Partner institutions. Thus, they passed both internal and external legal expertise and filtration.

Section III: Public access and contact information

1. Public access.

Public access to information related to the armed forces is open through:

- Information Department of the Ministry of Defense,
- “Armenian Army”, military-scientific quarterly published by MOD,
- “Armed Forces”, television program,
- “Armenian Soldier” weekly,
- Press conferences in the MOD,
- Regular “open doors” events in military units.

The public informing conception (PIC) of the Ministry of Defense is the united information policy based on conceptual integrity directed by guiding documents, regulating the domestic and outdoor security of state strategy. These guiding regulations are based on the priorities of national security strategy, military doctrine of Armenia and other important challenges.

The main purpose of the public informing conception of MOD Armenia is to define improvement of defense sphere and the efforts taken towards the plans of modernization of PIC policy priorities and objectives, methods and means of the conception insurance and realization of above mentioned. These efforts also must be a good contribution for present and intending reforms in defense sphere as well as implementation of constitutional right of Armenian citizens to be informed.

In October of 2014 Armenian MOD by the support of OSCE office in Yerevan has initiated a workshop dedicated to OSCE Code of Conduct 20th Anniversary, which focused on domestic aspects of CoC implementation, including the role of civil society institutions. Based on Armenian experience, workshop discussed the means and methods of merging other commitments with CoC framework, particularly paying attention on NATO Building Integrity Programme to further building synergy, streamlining the implementation process and developing Integrity Plan for the Armenian Defence institutions.

2. Contact information

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