

**THE LAW OF THE REPUBLIC OF ARMENIA ON CITIZENS
WHO FAILED TO COMPLETE COMPULSORY MILITARY SERVICE
THROUGH VIOLATION OF THE ESTABLISHED PROCEDURE**

Adopted on December 17, 2003

Article 1. The Scope of the Law

This scope of this Law shall include those citizens of the Republic of Armenia who, through violation of the existing law, were not conscripted for compulsory military service over the period from the call-up of the autumn of 1992 to the date of the enactment of this Law, then turned 27 or were, in conformity with the established procedure, qualified for exemption from compulsory military service or granted an extension (hereinafter referred to as "citizens with compulsory military service not completed").

Article 2. Rates of Compulsory Payments

Citizens who failed to complete compulsory military service may make the following payments for not being conscripted in each call-up period starting from the moment of not reporting for conscription for compulsory military service through violation of the existing law up to their 27th birthday or up to the moment when they were qualified for exemption from compulsory military service or granted an extension in conformity with the established procedure.

1. Citizens over 27 years of age, liable for call-up, with compulsory military service not completed – at the rate of 100 minimum wages.
2. Citizens liable for call-up, with compulsory military service not completed, qualified later for exemption from compulsory military service,
 - a) whom the national conscription committee qualified as unfit for military service by reasons of health, canceling their registration (* exempting them from conscription liability) – at the rate of 30 minimum wages,
 - b) whose father or brother died (or was killed) defending the Republic of Armenia or performing their duties in Armed Forces and other troops, and who is the only male child in the family – 0 rate,
 - c) who has an academic degree (master's degree or PhD) and is involved in professional, scientific or educational activities – at the rate of 50 minimum wages,
3. Citizens with compulsory military service not completed, who were later qualified for exemption from compulsory military service under a Government decree - at the rate of 50 minimum wages.

4. Citizens liable for call-up, with compulsory military service not completed, who were later qualified for an extension entitlement with a view to continue their education - at the rate of 150 minimum wages,
5. Citizens with compulsory military service not completed, who were later qualified for an extension entitlement by family reasons, who have:
 - i. disabled father and mother or a single disabled father or mother, provided the latter don't have any other able-bodied children who are citizens of the Republic of Armenia and are not in compulsory military service (disabled parents are:
 - father and mother qualified for old age pension,
 - father and mother classified under disablement groups 1 or 2,
 - father and mother declared disabled by a court decision)
 - ii. a child raised without a mother,
 - iii. two children,
 - iv. a wife classified under disablement groups 1 or 2,
 - v. a brother or a sister classified under disablement groups 1 or 2 or declared disabled by a court decision, provided that there is no other family member living with him (her),
 - vi. a wife in her sixth month of pregnancy with the second child or with twins,
 - vii. an extension entitlement by reasons of family in cases not provided for in the Law
- at the rate of 30 minimum wages,
6. Citizens with compulsory military service not completed, who later had 3 or more children or 2 children raised without a mother, irrespective of the condition of aging 27 - 0 rate.
7. Citizens liable for call-up, with compulsory military service not completed, who were later qualified for a conscription extension entitlement by reasons of health - at the rate of 30 minimum wages.
8. Citizens liable for call-up, with compulsory military service not completed, who were later qualified for a conscription extension entitlement by other reasons - at the rate of 200 minimum wages.
9. Citizens with compulsory military service not completed, who were later granted foreign citizenship - at the rate of 100 minimum wages.
10. Citizens with compulsory military service not completed, who were previously sentenced to prison once for committing a grave crime or at least twice for committing willful crimes and served their sentence in prison for at least 3 years, as well as citizens who committed any of the crimes included in the list

approved by the Ministry of Defense of the Republic of Armenia and the General Prosecutor's Office of the Republic of Armenia, be virtue of which they are relieved from conscription - at the rate of 100 minimum wages.

Citizens who make payments in cases provided for in this Law shall be entitled to an extension of conscription up to the age of 27, in conformity with the procedure established in the Law of the Republic of Armenia on Conscription Liability.

Article 3. Application to be submitted by citizens with compulsory military service not completed

Citizens with compulsory military service not completed shall submit the application to the military commissariat where they are registered,

Citizen's application shall include documents confirming his right of exemption from compulsory military service or his extension entitlement.

Citizens, who are foreign residents with compulsory military service not completed, shall submit their applications to the diplomatic mission or the consulate of the Republic of Armenia in that country.

Applications submitted by citizens with compulsory military service not completed shall be registered in due form and then delivered to competent authorities.

Postal delivery expenses arising from submissions of applications by citizens with compulsory military service not completed shall be covered by applicants, in the presence of competent authorities.

Article 4. Examination of applications submitted by citizens with compulsory military service not completed

Applications submitted by citizens with compulsory military service not completed shall be examined and conclusions shall be communicated to applicants within one month.

Applications requiring additional examination and verification shall be examined and conclusions shall be communicated to applicants within two months at the latest.

The list of authorities in charge of examination of applications submitted by citizens with compulsory military service not completed, as well as the procedure for examination and examination timeframes shall be specified by the Government of the Republic of Armenia.

If applicant disagrees with the conclusion, he shall be entitled to appeal it in court in conformity with the established procedure within one month after receiving it.

Article 5. Payment procedure

Citizens with compulsory military service not completed shall make the payments specified by this Law through the banking system within 10 days after receiving the conclusion. The payments shall be deposited at a special account opened specifically to that purpose by the competent defense authority of the Republic of Armenia.

Article 6. Cessation of criminal prosecution and registration in the reserve

Citizens who, through violation of the existing law, were not conscripted for compulsory military service, then turned 27 or were, in conformity with the established procedure, qualified for exemption from compulsory military service or granted an extension, within one month after making the specified payments, shall be issued a decision of the investigating authority on cessation of criminal prosecution with respect to him, and a military service card, and shall be registered in the reserve.

The procedure for cessation of criminal prosecution with respect to citizens with compulsory military service not completed shall be established by the Government of the Republic of Armenia.

Article 7. Entry into force

1. This Law shall enter into force as from March 1, 2004.
2. Other legislation arising from this Law shall be adopted by the Government of the Republic of Armenia.

President of the Republic of Armenia
Robert Kocharyan

January 13, 2004