



## MPC – MIGRATION POLICY CENTRE

Co-financed by the European Union

### *MPC - MIGRATION PROFILE*

## **Armenia**

The Demographic-Economic Framework of Migration  
The Legal Framework of Migration  
The Socio-Political Framework of Migration

Report written by the

### **MPC Team**

on the basis of CARIM East database and publications

June, 2013



© 2013. All rights reserved.  
No part of this paper may be distributed, quoted  
or reproduced in any form without permission  
from the MPC



## The Demographic-Economic Framework of Migration

Following wider patterns of post-Soviet states Armenia has seen continual patterns of mass emigration since 1991, yet this has been partially masked by a history of positive natural balances.

In the intra-census period of 2001 and 2011 the resident population fell from 3.2 to 3.0 million persons, with a natural balance of +126,000 persons. Yet, the net migration balance was -320,000, which is 10% of the 2002 population. The annual net migration balance passed instead from -23,100 in 1995-2001 to -32,000 in 2002-2011. Major outflows were directed toward the US and Russia.

As with immigration trends, between 1988 and 1992 Armenia saw the arrival over 200,000 refugees from Azerbaijan due to the war of Nagorno-Karabakh (Yunosov, 2009). Hence a major migratory challenge for the Armenian government was the effective provision of socio-political rights and welfare to refugees and IDPs.

Outward migration	Inward migration																																																																																																																																																																																																			
<p><b>Stocks</b></p> <p>According to destination countries' statistics, 643,823 or 221,846 Armenian migrants resided abroad in years around 2012 (table 1), who represent respectively 19.7% or 6.8% of the total population residing in Armenia. The huge difference between the two estimates depends on whether we count Armenian migrants in Russia according respectively to the country of birth or citizenship criterion.</p> <table border="1"> <caption>Table 1 - Armenian emigration stocks by country of residence, most recent data (c. 2012)</caption> <thead> <tr> <th>Country of residence</th> <th>Definition (a)</th> <th>Reference date (Jan 1st)</th> <th>Number</th> <th>Number</th> <th>%</th> <th>%</th> </tr> </thead> <tbody> <tr> <td><b>European Union</b></td> <td></td> <td></td> <td><b>58,323</b></td> <td></td> <td><b>9.1</b></td> <td><b>26.3</b></td> </tr> <tr> <td>of which France</td> <td>(A)</td> <td>2005</td> <td>15,368</td> <td></td> <td>2.4</td> <td>6.9</td> </tr> <tr> <td>Germany</td> <td>(B)</td> <td>2012</td> <td>12,319</td> <td></td> <td>1.9</td> <td>5.6</td> </tr> <tr> <td>Spain</td> <td>(A)</td> <td>2012</td> <td>10,982</td> <td></td> <td>1.7</td> <td>5.0</td> </tr> <tr> <td><b>CIS countries + Georgia</b></td> <td></td> <td></td> <td><b>494,650</b></td> <td><b>72,673</b></td> <td><b>76.8</b></td> <td><b>32.8</b></td> </tr> <tr> <td>of which Russia</td> <td>(A)</td> <td>2002</td> <td>481,328</td> <td>X</td> <td>74.8</td> <td>X</td> </tr> <tr> <td>Russia</td> <td>(B)</td> <td>2010</td> <td>X</td> <td>59,351</td> <td>X</td> <td>26.8</td> </tr> <tr> <td>Ukraine</td> <td>(B)</td> <td>2001</td> <td>10,686</td> <td></td> <td>1.7</td> <td>4.8</td> </tr> <tr> <td>Belarus</td> <td>(B)</td> <td>2009</td> <td>1,622</td> <td></td> <td>0.3</td> <td>0.7</td> </tr> <tr> <td><b>Other countries (b)</b></td> <td></td> <td></td> <td><b>90,850</b></td> <td></td> <td><b>14.1</b></td> <td><b>41.0</b></td> </tr> <tr> <td>of which US</td> <td>(A)</td> <td>2011</td> <td>85,263</td> <td></td> <td>13.2</td> <td>38.4</td> </tr> <tr> <td>Canada</td> <td>(A)</td> <td>2006</td> <td>2,345</td> <td></td> <td>0.4</td> <td>1.1</td> </tr> <tr> <td>Israel</td> <td>(A)</td> <td>2005</td> <td>1,066</td> <td></td> <td>0.2</td> <td>0.5</td> </tr> <tr> <td><b>Main total</b></td> <td></td> <td></td> <td><b>643,823</b></td> <td><b>221,846</b></td> <td><b>100.0</b></td> <td><b>100.0</b></td> </tr> </tbody> </table> <p>(a): Armenian migrants are defined according to the country of birth (A) or country of nationality (B) criterion according to countries of residence; in Russia both numbers are reported.</p> <p>(b): "Other countries" include Iceland, Liechtenstein, Norway, Switzerland, Jordan, Turkey, Canada, Australia, Japan and Israel</p> <p>Sources: national statistics (Population Censuses, population registers, registers for foreigners, etc.)</p>	Country of residence	Definition (a)	Reference date (Jan 1st)	Number	Number	%	%	<b>European Union</b>			<b>58,323</b>		<b>9.1</b>	<b>26.3</b>	of which France	(A)	2005	15,368		2.4	6.9	Germany	(B)	2012	12,319		1.9	5.6	Spain	(A)	2012	10,982		1.7	5.0	<b>CIS countries + Georgia</b>			<b>494,650</b>	<b>72,673</b>	<b>76.8</b>	<b>32.8</b>	of which Russia	(A)	2002	481,328	X	74.8	X	Russia	(B)	2010	X	59,351	X	26.8	Ukraine	(B)	2001	10,686		1.7	4.8	Belarus	(B)	2009	1,622		0.3	0.7	<b>Other countries (b)</b>			<b>90,850</b>		<b>14.1</b>	<b>41.0</b>	of which US	(A)	2011	85,263		13.2	38.4	Canada	(A)	2006	2,345		0.4	1.1	Israel	(A)	2005	1,066		0.2	0.5	<b>Main total</b>			<b>643,823</b>	<b>221,846</b>	<b>100.0</b>	<b>100.0</b>	<p><b>Stocks</b></p> <p>According to the 2001 population census, 25,709 foreign citizens and 285,705 individuals born abroad lived in Armenia in 2001, or 0.8% and 8.9% of the total resident population (table 2).</p> <table border="1"> <caption>Table 2 - Population residing in Armenia by country of citizenship and country of birth, 2001</caption> <thead> <tr> <th>Country of citizenship/ country of birth</th> <th>Armenia</th> <th>Azerbaijan</th> <th>Georgia</th> <th>Iran</th> <th>Russia</th> <th>Syria</th> <th>Others</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>Armenia</td> <td>2,921,973</td> <td>103,826</td> <td>64,117</td> <td>15,358</td> <td>25,776</td> <td>5,084</td> <td>49,321</td> <td>3,185,455</td> </tr> <tr> <td>Azerbaijan</td> <td>n.a.</td> <td>n.a.</td> <td>n.a.</td> <td>n.a.</td> <td>n.a.</td> <td>n.a.</td> <td>n.a.</td> <td>n.a.</td> </tr> <tr> <td>Georgia</td> <td>102</td> <td>5</td> <td>2,176</td> <td>0</td> <td>9</td> <td>0</td> <td>12</td> <td>2,304</td> </tr> <tr> <td>Iran</td> <td>8</td> <td>1</td> <td>0</td> <td>579</td> <td>0</td> <td>1</td> <td>6</td> <td>595</td> </tr> <tr> <td>Russia</td> <td>3,130</td> <td>525</td> <td>376</td> <td>14</td> <td>3,131</td> <td>5</td> <td>442</td> <td>7,623</td> </tr> <tr> <td>Syria</td> <td>7</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> <td>229</td> <td>10</td> <td>246</td> </tr> <tr> <td>Others</td> <td>873</td> <td>78</td> <td>34</td> <td>35</td> <td>42</td> <td>15</td> <td>-87</td> <td>990</td> </tr> <tr> <td>Stateless</td> <td>1,213</td> <td>11,254</td> <td>93</td> <td>13</td> <td>119</td> <td>11</td> <td>1,248</td> <td>13,951</td> </tr> <tr> <td><b>Total</b></td> <td><b>2,927,306</b></td> <td><b>115,689</b></td> <td><b>66,796</b></td> <td><b>15,999</b></td> <td><b>29,077</b></td> <td><b>5,345</b></td> <td><b>52,799</b></td> <td><b>3,213,011</b></td> </tr> </tbody> </table> <p>Source: Population Census - 2001</p> <p>Resulting mainly from the conflict within the Nagorno Karabakh region, people born in Azerbaijan represented 40.4% of all individuals born abroad, among whom a large majority has the Armenian citizenship (89.7%). Other important migrants' communities are from Georgia, Russia and Iran.</p> <p>As with their profile, they are mostly women (53.2%) with a secondary diploma (53.4%), while tertiary educated stand at 19.9%.</p> <p><b>Flows</b></p> <p>Despite Armenia has been mainly an emigration country, recently, there have been a rising number of immigrants via issued residence permits (figure 3). In 2006 2,818 were issued; in 2007 3,921 and in 2008 4,155 - an average annual increase of 15.8% (figure 3). In 2008, the majority of immigrants (90.0%) granted residence permits are citizens of non-CIS countries. Major countries of origin were Iran (almost 29%), USA (10%), Syria (9%), Iraq (7%), and Russia (6%).</p>	Country of citizenship/ country of birth	Armenia	Azerbaijan	Georgia	Iran	Russia	Syria	Others	Total	Armenia	2,921,973	103,826	64,117	15,358	25,776	5,084	49,321	3,185,455	Azerbaijan	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	Georgia	102	5	2,176	0	9	0	12	2,304	Iran	8	1	0	579	0	1	6	595	Russia	3,130	525	376	14	3,131	5	442	7,623	Syria	7	0	0	0	0	229	10	246	Others	873	78	34	35	42	15	-87	990	Stateless	1,213	11,254	93	13	119	11	1,248	13,951	<b>Total</b>	<b>2,927,306</b>	<b>115,689</b>	<b>66,796</b>	<b>15,999</b>	<b>29,077</b>	<b>5,345</b>	<b>52,799</b>	<b>3,213,011</b>
Country of residence	Definition (a)	Reference date (Jan 1st)	Number	Number	%	%																																																																																																																																																																																														
<b>European Union</b>			<b>58,323</b>		<b>9.1</b>	<b>26.3</b>																																																																																																																																																																																														
of which France	(A)	2005	15,368		2.4	6.9																																																																																																																																																																																														
Germany	(B)	2012	12,319		1.9	5.6																																																																																																																																																																																														
Spain	(A)	2012	10,982		1.7	5.0																																																																																																																																																																																														
<b>CIS countries + Georgia</b>			<b>494,650</b>	<b>72,673</b>	<b>76.8</b>	<b>32.8</b>																																																																																																																																																																																														
of which Russia	(A)	2002	481,328	X	74.8	X																																																																																																																																																																																														
Russia	(B)	2010	X	59,351	X	26.8																																																																																																																																																																																														
Ukraine	(B)	2001	10,686		1.7	4.8																																																																																																																																																																																														
Belarus	(B)	2009	1,622		0.3	0.7																																																																																																																																																																																														
<b>Other countries (b)</b>			<b>90,850</b>		<b>14.1</b>	<b>41.0</b>																																																																																																																																																																																														
of which US	(A)	2011	85,263		13.2	38.4																																																																																																																																																																																														
Canada	(A)	2006	2,345		0.4	1.1																																																																																																																																																																																														
Israel	(A)	2005	1,066		0.2	0.5																																																																																																																																																																																														
<b>Main total</b>			<b>643,823</b>	<b>221,846</b>	<b>100.0</b>	<b>100.0</b>																																																																																																																																																																																														
Country of citizenship/ country of birth	Armenia	Azerbaijan	Georgia	Iran	Russia	Syria	Others	Total																																																																																																																																																																																												
Armenia	2,921,973	103,826	64,117	15,358	25,776	5,084	49,321	3,185,455																																																																																																																																																																																												
Azerbaijan	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.																																																																																																																																																																																												
Georgia	102	5	2,176	0	9	0	12	2,304																																																																																																																																																																																												
Iran	8	1	0	579	0	1	6	595																																																																																																																																																																																												
Russia	3,130	525	376	14	3,131	5	442	7,623																																																																																																																																																																																												
Syria	7	0	0	0	0	229	10	246																																																																																																																																																																																												
Others	873	78	34	35	42	15	-87	990																																																																																																																																																																																												
Stateless	1,213	11,254	93	13	119	11	1,248	13,951																																																																																																																																																																																												
<b>Total</b>	<b>2,927,306</b>	<b>115,689</b>	<b>66,796</b>	<b>15,999</b>	<b>29,077</b>	<b>5,345</b>	<b>52,799</b>	<b>3,213,011</b>																																																																																																																																																																																												
<p>Indeed, in Russia, while individuals born in Armenia are 482,328, Armenian citizens stand only at 59,351. The former (largest) number is the result of massive ethnic repatriation waves occurred just after the collapse of the USSR, according to which significant numbers of people - born in the Armenian territory before 1991 with Russian descent - decided to 'return' their origin country. They are the so-called ethnic Russians who are generally not perceived as Armenian emigrants, but Russian nationals.</p> <p>In both cases, the preferred destinations for Armenian migrants are Russia and the US, while European Union Member States are just residual destinations.</p>																																																																																																																																																																																																				

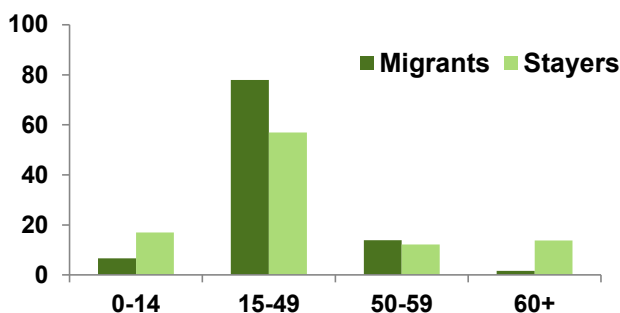
The profile of Armenians abroad is gender-balanced (males: 47.5%). As with their socio-economic profile, Armenian migrants have a medium-high level of education with 43.7% holding at least a secondary education diploma and 35.8% a tertiary one. However, OECD countries host a larger portion of tertiary educated Armenians (40.4%) than CIS states do (17.7%). In the former region, this intermediate skill profile reflects their job insertion, with almost 4 out of 10 (39.0%) Armenian migrants employed as professionals, associated professional, technicians or clerks.

### Flows

Data from the 'Sample Survey on External and Internal Migration' (SSEIM)<sup>1</sup> allow tracing the main characteristics of recent Armenian emigrants. Accordingly, between 2002 and 2007, 205,000 Armenians emigrated and were still abroad in 2007 (UNPFA, 2008). Although SSEIM data were measured in a different time period to the 2011 Census, their results supply similar results i.e. the size and direction of migration flows and migrant characteristics. Hence this allows for the assumption that migrant characteristics may not have differed from 2008-2010, a period with no active study of migrants with regard to Armenia. Hence the following data are assumed to be consistent for flows from 2002 to 2011.

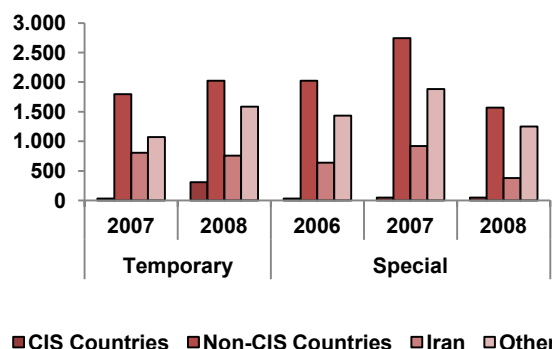
The age distribution of recent migrants differs from that of Armenian stayers, as highlighted in figure 1, working age migrants are more represented than stayers (77.9% vs. 57.0%, respectively).

**Figure 1 - Armenian emigrants and stayers by age group (in %), 2007**



Source: Sample Survey on External and Internal Migration in RA (in UNPFA, 2008)

**Figure 3 - Residence permits granted to foreign nationals by country/region of citizenship and permit type, 2006-2008**



Source: National Statistical Service - Armenia

As regards the prospects for immigration flows, we must remember here the shrinking numbers as well as the difficult economic and social situation in Armenia: no significant changes are likely in the immediate future. Undoubtedly, there is the possibility of the inflow of a considerable number of immigrants (forced settlers or refugees) from the Armenian diasporas of the Middle East: Syria, and quite possibly Iran.

Yet, as the Iraqi experience has shown, for most diaspora-members Armenia is a jumping off point for further travel to the West. According to the State Migration Service of Armenia, between 2005 and 2011 851 Iraqi citizens of Armenian origin requested asylum, in 829 cases asylum was then granted. Unfortunately, there is no reliable data as to how many eventually settled in Armenia and as to how many left the country.

As for Syrian Armenians, according to the same service, in 2011, 4,449 fled the Syrian civil war to Armenia, while in the first six months of 2012, the number of arrivals from Syria was 1,986 people, 813 more than in the previous year.

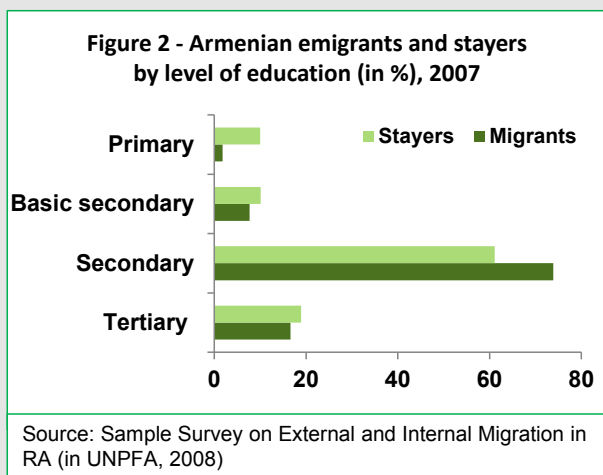
<sup>1</sup> The 2007 "Sample Survey on External and Internal Migration in the Republic of Armenia (RA)" was conducted by the National Statistical Service of RA and the RA Ministry of Labor and Social Issues June-November 2007. The United Nations Population Fund (UNPFA) has provided funding and technical assistance (UNPFA, 2008)

## MPC Migration Profile: ARMENIA

Emigrant recent flows are 78.5% male, whilst in the stayer population males only take a 48% share of the population. On average, male migrants were older than their female counterparts – 36 for the former and 31 years of age the latter. Whereas by marital status migrants have similar characteristics to the stayer population.

An overriding majority of Armenian recent emigrants left for Russia (75%), while 5% for the US and 3.4% for other CIS countries. Again, the European Union is nearly absent.

Figure 2 confirms the medium skilled profile of Armenian recent migrants, which is however higher than that of stayers.



From an employment perspective, 80% of recent emigrants did find employment abroad. Among them, the majority (75.0%) was contracted on a private basis, 7.5% publicly, and 10% were self-employed. Employment by industry is heavily centred in construction - 60%, 10% in trade, nearly 7% in services with 4% in manufacturing and transport.

Motivations to migrate were predominantly connected to issues of employment. A lack of employment was the key migration motivation for 40% of migrants, 33% left for remuneration that could provide for adequate living standards. Family reunification on the other hand only accounted for 7% of moves. Interestingly 10% moved due to a less than favourable socio-political climate. Although remuneration was a major motivation for one third of migrants 40% could not earn a sufficient wage in order to save money. One in ten migrants received half of their entitled remuneration, half received more than half but less than full pay. Hence the labour exploitation of Armenian recent emigrants is a major issue.

## The Legal Framework of Migration

In the last twenty years, the Republic of Armenia has experienced substantial changes in migration dynamics, the causes and consequences engendering them, the groups directly or indirectly engaged in migration, as well as perceptions on how to solve these problems by means of state regulation. Naturally, these changes have an impact on the Armenian system of public administration and the implemented migration policy, thus, conditioning its development.

Following the initial focus on the issue of international protection since late 1990s, the spectrum of the state regulation of migration was substantially expanded and extended beyond the issues surrounding the solution of the refugee issues only. In this period, grounds were laid for *national legislation* in the area of migration: the Law on Refugees (1999), on the legal and socioeconomic guarantees for persons that had forcibly migrated from the Republic of Azerbaijan in 1988-1992 and acquired citizenship of the Republic of Armenia (2000), on Political Asylum (2001), on the State Border, on the Border-Guard Troops, on the State Register of the Population (2002). Migration was also placed on the agenda of international relations of Armenia. Bilateral interstate agreements for regulating relations in the area of migration were concluded with over 10 states. Armenia acceded to the conventions related to the Status of Stateless Persons (1954), for the Protection of Human Rights and Fundamental Freedoms (1950), on the Nationality of Married Women (1957), Concerning Discrimination in Respect of Employment and Occupation, the Strasbourg Framework Convention for the Protection of National Minorities (1995), the ILO Migration for Employment Convention C97, etc.

Legal Framework	Outward migration	Inward migration
<b>General legal references</b>	2008 Law on Refugees and Asylum 2006 Law on Foreigners 2001 Law on State Boarder 2001 Law on Border Guards Troop 2001 Law On Political Asylum 1999 Law on Refugees (replaced by 2008 law) 1995 Law on Citizenship 1995 Constitution	
<b>Entry and Exit</b>	<p style="text-align: center;"><b>Visa</b></p> <p>Apart from being a party to the 1992 <b>Agreement on Visa-free Movement of Citizens of the CIS-Countries on the Territory of the Member States</b>, Armenia has concluded bilateral visa-free agreements with Belarus, Georgia, Kazakhstan, Russian Federation and Turkmenistan. A similar agreement has been also concluded with Argentina.</p> <p>EU-Armenia Visa Facilitation Agreement was signed in 2012 (entry into force together with EU-Armenia Readmission Agreement after internal procedures for their official conclusion are completed).</p> <p style="text-align: center;"><b>Cross-border mobility</b></p> <p>Citizens of Armenia can cross the border freely, with a valid travel document. Armenia also provides for a <b>certificate of Return to the Republic of Armenia</b>. According to the Decision of the</p>	<p style="text-align: center;"><b>Visa</b></p> <p>Entry visas are issued for up to 120 days, with the possibility of extension for a maximum term of up to 60 days. There are four types of entry visas in Armenia: visitor visas, official visas, diplomatic visas and transit visas. The entry visa is not required for the citizens of Argentina, Belarus, Georgia, Kazakhstan, Moldova, the Russian Federation, Tajikistan, Ukraine, Uzbekistan, Azerbaijan and Kyrgyz Republic (acc. to the MFA, the visa-waiver for AZ, KG and UZ citizens is practiced on an ad-hoc basis, and is not formalised by any bilateral agreement). In accordance with the Governmental Decree No. 1255-N of 4 October 2012, the citizens of the EU and Schengen Member States are exempted from visa requirement and can stay in Armenia up to 180 days per annum as of 10 January 2013.</p>

	<p>Armenian Government No 297-N 24 of March 2011, the certificate is a one-way travel document. This document enables Armenian citizens, those recognized as refugees or those who have sought asylum in the Republic of Armenia, and those with a right to reside in the Republic of Armenia to return quickly should they lack legal documents enabling them to cross the state border (point 1 of Annex 2 approved by the decision). Those illegally staying abroad without legal documents are also provided with the return certificate in order to ensure their return to the Republic of Armenia.</p>	<p style="text-align: center;"><b>Cross-border mobility</b></p> <p>Foreigners can enter Armenia through state border crossing points with a valid passport, an entry visa or a document attesting the residence status. Foreign citizens can enter Armenia either without a visa if they are citizens of certain countries exempted from the visa obligation mentioned above, or with a visa issued in an Armenian diplomatic mission, at the border crossing points or electronically.</p> <p>Exit conditions are stipulated in Art. 12 of the Law on Foreigners. Foreigners may exit Armenia with a valid passport and a valid document attesting lawful stay or residence. The exit of a foreigner may be prohibited in case of criminal charges or a court sentence.</p>
<p><b>Irregular migration</b></p>	<p>Readmission agreements are in place with Benelux countries, Bulgaria, Czech Republic, Denmark, Germany, Latvia, Lithuania, the Russian Federation, Norway, Sweden and Switzerland since 2003. In order to fulfil obligations of agreements, the government has adopted a decision No. 1360-N in 2011 which defines relevant duties of Armenian state authorities as well as procedural issues.</p> <p>Agreement on cooperation between CIS Member States in combating illegal migration of 6 March 1998 regulates cooperation between Armenia and other countries in the CIS area. On this basis, Armenia must develop instruments curbing irregular migration of its own nationals, in accordance with international law.</p>	<p>Migration-related offenses are included in the Criminal Code of Armenia (Article 329. Illegal state border crossing) according to which crossing the state border without relevant documents or permits, is punished by a fine of 100-200 of minimum salaries or imprisonment for up to 3 years. The same action committed by an organised group is punished with imprisonment for 3-7 years.</p> <p>This Article does not apply to cases when a foreign citizen or stateless person enters the Republic of Armenia without relevant documents or permits to seek political asylum stipulated by the Constitution and legislation of the Republic of Armenia. However, practically, there are cases when the foreigners who had applied for asylum were subjected to criminal liability because they did not have relevant document or permit.</p> <p>The Code on Administrative offences (Article 201) defines the sanctions for the foreigner who stays in Armenia without a valid passport or residence permit. Penalties are also foreseen for a person, who invited a foreigner without covering the cost of his accommodation, health care and travel.</p> <p>In cases of absence of travel documents or legal grounds to stay in Armenia, foreigners (except asylum seekers) are forcibly returned from the state border by the same carrier. If the immediate return is impossible, they may be <b>detained</b> in a transit area or in a special facility provided for that purpose.</p>

		<p>Foreigners with no legal grounds to stay are obliged to leave the country on their own (no time limit except for rejected asylum seekers, 6 months). The failure to depart independently can lead to the expulsion. The latter is ordered by a court upon the request of the Police. The <b>Police</b> implements the expulsion decision. A 3-year entry ban is imposed for expelled foreigners. <b>Arrest and detention</b> are possible when there is a risk of absconding (max. 90 days). If the expulsion is impossible within 90 days, the police issues a <b>temporary residence permit</b> valid for up to one year.</p> <p>A foreigner subject to expulsion from the Republic of Armenia enjoys all the rights to judicial remedies provided for by the laws of the Republic of Armenia. A detained or arrested foreigner enjoys the following rights:</p> <ul style="list-style-type: none"> <li>– to information in their own language;</li> <li>– to appeal; the appeal has a suspensory effect on the expulsion.</li> <li>– to legal support and consular support;</li> <li>– to apply to a court for release;</li> <li>– to necessary medical assistance.</li> </ul> <p>The Code on Administrative offences (Art. 201) defines sanctions for the employer (in the case of a legal entity, their executive directors) if they employ foreigners without a work permit or without appropriate resident status. The employer is punished by a fine of 100-150 minimum salaries.</p>
	<p>The definition of “Trafficking” was stipulated in the Criminal Code (Article 132) in 2003. This article was amended in 2006 and accepted the definition of “Trafficking” from “Palermo Protocol” (ratified by Armenia in 2003).</p>	
<p><b>Rights and settlement</b></p>	<p>According to the Constitution, Armenian citizens enjoy the protection of their State both at home and abroad.</p> <p>Armenia is a party to the Agreement on guaranteeing rights of CIS citizens in the field of pension provision (in force since 1993), very relevant for Armenian migrant workers.</p>	<p>Foreigners have the rights, freedoms, and responsibilities equal to the citizens of the Republic of Armenia, unless otherwise provided for by the Constitution, laws, and the international treaties of the Republic of Armenia.</p> <p>Armenian legislation distinguishes between three types of residence permits: temporary; permanent and special. <b>Temporary residence permit</b> is granted by the Police Department for a term of up to one year with a possibility of extension for one year every time. <b>Permanent residence permit</b> is granted for a term of five years with a possibility of extension for</p>

## MPC Migration Profile: ARMENIA

		<p>the same term every time. <b>Special residence status</b> is granted to foreigners of Armenian origin. Special residence status may also be granted to other foreigners who carry out economic or cultural activities in the Republic of Armenia. Special residence status is granted (by the President) for a term of ten years. It may be granted more than once.</p>
<p><b>Labour</b></p>	<p>Armenia ratified ILO Migration for the Employment Convention (C97) and the ILO Migrant Workers Convention (C143). Arts are of particular importance to the employment of Armenian citizens abroad. 2-4 of the ILO C97 Migration for Employment Convention, obliging Armenia: to facilitate the departure of migrant workers; to maintain an adequate and free service to assist migrant workers, and, in particular, to provide them with accurate information, and to take all appropriate steps against misleading emigration and immigration information.</p> <p>Armenia also pre-signed a bilateral Agreement with Qatar on recruitment and effective use of Armenian health workers.</p>	<p>The <i>Law on Foreigners</i> of 2006 is a key legal act regulating the employment of foreigners in Armenia. A definition of “Migrant Workers” is not stipulated by the Law. The Law does not classify foreign workers according to their qualifications, specific sectors of employment by the nature of their employment (paid or self-employed, seasonal, etc.). The Law envisages favourable treatment with regard to some categories of foreigners, depending on their legal status. There is no established quota system for migrant workers.</p> <p>Employers have the right to conclude an employment contract (service contract) with foreign employees. They also have the right to use their labour based on the work permits granted to foreigners by the authorized body. When granting work permits to foreign citizens, the needs of the Armenian labour market have to be taken into account. Therefore, time-limits for an employer have been established to fill available vacancies with Armenian citizens before engaging foreign nationals.</p> <p>These provisions from the relevant Articles of the Law on Foreigners and the Code of Administrative Offences have not been fully implemented so far, and all provisions on the principle of national preference and the requirement of a work permit (Arts. 22-26, 28) are not applicable until the Government adopts relevant implementing decisions.</p>



	<p>Armenia has concluded bilateral agreements regulating labour migration with Belarus (entered into force in 2001), Georgia (into force since 1996), the Russian Federation (in force since 1994) and Ukraine (in force since 1997). Moreover, among several agreements within the framework of CIS, it is a party to the 2010 <i>Convention on the legal status of migrant workers and their families, adopted by CIS Member States</i>. Together with Azerbaijan, Belarus and Moldova, Armenia is a party to the 2008 CIS Convention on the legal status of migrant workers and members of their families, coming from the CIS participation (in force since 2010, for UA since 2012).</p> <p>Armenia is also a party to the following multilateral agreements in the framework of CIS:</p> <p>Agreement on cooperation within the field of labour migration and social protection for migrant workers of 15 April 1994</p> <p>Protocol on amendments to the Agreement on cooperation in the field of labour migration and social protection for migrant workers of 25 November 2005.</p>	
<p><b>Citizenship</b></p>	<p>The Article 13.1 of the <b><i>Law on the Citizenship of the Republic of Armenia</i></b> of 1995 regulates the state approach to dual citizenship. A person who holds the citizenship of other countries in addition to Armenian citizenship is deemed dual citizen of the Republic of Armenia. For the Republic of Armenia, a dual citizen is recognized only as Armenian citizen. A dual citizen of the Republic of Armenia has the same rights, responsibilities and obligations as other citizens. An Armenian citizen upon accepting or receiving the citizenship of another country shall inform the authorized body of the Armenian Government, no later than one month thereafter.</p>	<p><b><i>Law on the Citizenship of the Republic of Armenia</i></b> of 1995 defines grounds, procedure and conditions for acquisition, cessation and loss of citizenship as well as deprivation of citizenship and its restoration.</p> <p>Bases for the acquisition of RA Citizenship are stipulated in Article 9 of this Law. As a rule, RA Citizenship is acquired:</p> <ol style="list-style-type: none"> <li>1. Through recognition of citizenship;</li> <li>2. By birth;</li> <li>3. Through naturalization;</li> <li>4. Through the restoration of citizenship;</li> <li>5. Through receiving citizenship as a group (group naturalization);</li> </ol> <p>According to Art. 10 (2) of the Law, stateless persons or former citizens of other USSR republics who are not foreign citizens and who permanently reside in Armenia can be recognized as citizen of the Republic of Armenia if they have applied for its acquisition up to one year after the entry into force of the Law. That deadline has been prolonged for a few times to encourage refugees from Azerbaijan /1988-1992/ to obtain citizenship of Armenia. According to the last amendment of this Law they can apply for that until 31 December, 2012.</p> <p>Any foreigner of 18 years of age and capable of working may apply for Armenian citizenship, if he/she:</p> <ol style="list-style-type: none"> <li>1. has been lawfully residing on the territory of the Republic of Armenia for the preceding 3 years;</li> <li>2. is proficient in Armenian;</li> <li>3. is familiar with the Constitution of the Republic of Armenia.</li> </ol>

		<p>Receiving RA Citizenship as a group in case of repatriation or other cases prescribed by Law shall be carried out by decree of the President of the Republic.</p>
<p><b>International Protection</b></p>	<p>Armenia acceded to the 1951 Geneva Refugee Convention and the 1967 New York Protocol relating to the Status of Refugees in 1993.</p> <p>The following forms of international protection exist in Armenia:</p> <ul style="list-style-type: none"> <li>a) Asylum granted to refugees and persons in need of temporary protection</li> <li>b) Political Asylum as a special status granted to publicly well-known foreigners and providing protection from political persecution experienced by them in their countries of origin.</li> </ul> <p>The RA Law on Refugees and Asylum (Chapter 2) establishes basic rights of the asylum seekers and recognized refugees. Asylum seekers and refugees have the same rights and obligations as foreigners and stateless persons legally residing in Armenia, unless the present Law provides otherwise (Art. 15). They have the right to apply to UNHCR (Art. 16).</p> <p>Asylum seekers and refugees granted asylum have a right to be allowed to seek and find an employment within the territory of Armenia under the same conditions as citizens of Armenia, unless the present Law provides otherwise (Art. 21). The Law On Foreigners envisages favourable treatment with regard to some categories of foreigners, proceeding from their legal status. At the same time, an asylum seeker or recognized refugee cannot fill positions in state and local self-government bodies.</p> <p>Refugees granted asylum have the right to benefit from the social services, state-allowances and other financial assistance, which are defined by the legislation of Armenia for the citizens of the Republic of Armenia, as well as they have the right for social protection with regard to pension security and unemployment prescribed by the legislation of Armenia (Art. 23), the right to accommodation (Art. 24).</p> <p>Refugees do not enjoy political rights.</p>	

## The Socio-Political Framework of Migration

In the early 1990s, migration was not a priority in Armenia policy-making. The focus was on mobility after the collapse of the Soviet Union and the flows of Armenian refugees following the conflict in Nagorno-Karabakh. The first decade of independence was characterised by intensive mobility of the population, with growing prevalence of outward migration, but the policies did not follow the phenomena on the ground. At that time, migration was regulated by the state mainly by legislation, i.e. law on citizenship, law on foreigners, law on state border, etc. Only early 2000s brought a change. For the first time, the state policy on migration in Armenia has been formulated in the document “Concept of State Regulation of Migration in Armenia” which was adopted by the Government in November 2000.

The government of Armenia announced EU integration as a political direction for the country. This approach covers all possible policy areas, including migration. The latter is defined by the priorities of the European Neighbourhood Policy (ENP) and Eastern Partnership initiative. In the field of Justice, Freedom and Security of the ENP Action Plan there are more than 20 issues related to migration: starting from the border management, readmission and asylum issues and ending with the combating of illegal migration and trafficking in human beings.

The attitude of the Armenian authorities towards regulation of migration processes, as well as their causes and consequences has become more proactive as evidenced by its **2008-2012 Programme**.

To date, the Armenian government has adopted a number of strategic documents, which are also linked to the area of migration regulation (the Strategy of National Security, the Sustainable Development Programme, the Concept for the Development of Co-operation between Armenia and the Diaspora, the Strategy on Demographic Policy of Armenia, etc.).

Socio-Political Framework	Outward migration	Inward migration
<b>Governmental Institutions</b>	<p>The current migration management model in the Republic of Armenia is decentralized, in the sense that various functions and operations – such as control over entry, stay, residence and exit of foreigners, emigration of nationals, labour migration, asylum, etc. – are performed by different governmental entities. The State Migration Service (SMS) created in 2010 within the Ministry of Territorial Administration is the central authority responsible for the development and implementation of the state policy on management of migration processes, as well as for the coordination of activities of the governmental institutions dealing with migration issues in the area of policy development and drafting legal acts.</p> <p><b>Ministry of Diasporas</b>, established in 2008, is responsible for the development, implementation and continuous improvement of the state policy on development of the Armenia-Diaspora partnership and the coordination of the activities of the state bodies in this field. <b>The Police</b> is responsible for issuance of exit stamps (passport validation) for Armenian citizens and operates the Passport and Residence database of the citizens of the Republic of Armenia.</p> <p><b>Ministry of Foreign Affairs</b> is responsible for passports, and return certificates as well as for the issuance of the special residency status and the relations with Armenians abroad.</p>	<p><b>Border Guard Troops under the National Security Service</b> are in charge of the border management and control. They also manage the Border Management Information System database.</p> <p><b>The Police</b> investigates cases of illegal state border crossings but is also responsible for visa issuance at the borders, visa extension, granting of residence status/residence permits, registration of foreigners on the territory.</p> <p><b>Ministry of Foreign Affairs</b> is responsible for issuance of visas.</p>

## MPC Migration Profile: ARMENIA

<p><b>Governmental Strategy</b></p>	<p>Emigration is not separately emphasized in the “Concept for the Policy of State Regulation of Migration in the Republic of Armenia” (2010) as a priority direction. Issues related to emigration are captured in various emigration areas, such as labour emigration, illegal emigration from Armenia, etc.</p> <p>In 2009 the Concept Paper on Development of Armenia and Diaspora Co-operation was approved by the Armenian Government and the Draft of the Concept Paper on Organization of Repatriation Process was developed. The main objectives include protection of the rights of Armenian workers abroad (e.g. through ensuring legal migration); development of economic ties (e.g. through joint projects with Armenian associations abroad); encouragement for investment in Armenia; and return policy.</p>	<p>Recent key policy instruments regarding migration include:</p> <ul style="list-style-type: none"> <li>– Concept for the Policy of State Regulation of Migration in the Republic of Armenia, 2010</li> <li>– The Action Plan for Implementation of the Policy Concept for the State Regulation of Migration in the Republic of Armenia, 2012-2016</li> <li>– Concept on Studying and Preventing Irregular Migration Originating from Armenia, 2012-2016 (adopted in 2011)</li> <li>– Trafficking Policy of Armenia 2010-2012</li> </ul> <p>The new Concept of State Regulation of Migration in the Republic of Armenia has been approved by the Government of Armenia’s protocol decision N 51, on December 30, 2010. It is implemented by the “Action Plan for Implementation of the Policy Concept for the State Regulation of Migration in the Republic of Armenia in 2012-2016”</p> <p>As a result of the measures carried out in the framework of the Action Plan, Armenia invests in substantial legislative reforms in the area of migration and in conformity with the EU legislation; improves institutional infrastructure as well as its systems of border management, and provision of asylum.</p> <p>One of the priorities is also the introduction of a migration information database centralizing all the information.</p>
<p><b>Civil Society</b></p>	<p>Eurasia Partnership Foundation (EPF)</p> <p>EPF established six Migration and Return Resource Centers</p> <p><b>“French-Armenian Development Foundation in Armenia” (FFAD)</b></p> <p><b>The International Centre for Human Development (ICHD) NGO</b></p>	<p><b>The International Centre for Human Development (ICHD) NGO</b></p>
<p><b>Migration and economic development</b></p>	<p>European integration, being a political priority for the development of the Republic of Armenia, the mobility facilitation of people and stimulation and intensification of the contacts between the citizens of Armenia and the EU being important elements of Armenia’s European rapprochement, as such <b>the Joint Declaration on a Mobility Partnership between Armenia and the EU was signed on October 27, 2011</b>. One of the potential benefits of Armenia-EU Mobility Partnership is regulated labour</p>	

	<p>opportunities in the participating MS, which will offer the Armenian migrant new skills and work experience, increased incomes, equal treatment and rights, the possibility of transfer of pension rights and which will offer Armenia as a country more foreign investment and trade links, transfer of remittances, know-how and innovations and the promotion of brain circulation (via circular migration schemes and increasing the role of the Diaspora communities in the development of their home country). However, there is no concrete step implemented in this framework up to this day.</p> <p>The Armenian government also strongly promotes and facilitates the mobilizing of migrants' assets for the development of the economy of the country. In 2006, the government worked out a project for creating a special All-Armenian bank in Armenia, which allows more efficient use of capital of the Diaspora in the development of Armenian economy. Construction of All-Armenian bank has already started in one of the small towns of the Republic - in Dilijan, which is planned to be turned into a major financial centre of Armenia.</p>
<p><b>International Cooperation</b></p>	<p>Armenia is a member of the following association actively working on migration issues: IOM, Council of Europe, Commonwealth of Independent States, and OSCE. It participates in the following regional processes: Budapest Process, Prague Process, and Eastern Partnership. It is subject to the European Neighbourhood Policy and Black Sea Synergy.</p>