

LAW
OF THE REPUBLIC OF ARMENIA

Adopted on 28 December 2001

ON NATIONAL SECURITY BODIES

This Law shall prescribe the concept of national security of the Republic of Armenia, the place and role of the National Security Bodies of the Republic of Armenia in the system for ensuring national security of the Republic of Armenia, legal grounds for, principles and directions of their activities, powers, forces and means, as well as the procedure for ensuring social protection for the employees and supervising the activities thereof.

CHAPTER 1

GENERAL PROVISIONS

Article 1. Concept of national security of the Republic of Armenia

National security of the Republic of Armenia is such a state of State and public where security of persons, public and the State, territorial integrity, sovereignty, constitutional order, normal economic development of the country, protection of material and spiritual values of the public, rights and freedoms of citizens, as well as protection of the environment from internal and external threats is ensured.

The relevant state administration bodies shall, within the scope of their competences, exercise the functions of ensuring the national security of the Republic of Armenia.

Article 2. National Security Bodies, their role and significance

The National Security Bodies shall be the integral part of the system for ensuring the security of the Republic of Armenia and shall, within the scope of their competences, ensure the security of persons, public and the State.

Article 3. System of National Security Bodies

1. The National Security Service (hereinafter referred to as "the Authorised Body") shall be a body under the Prime Minister. The system of the National Security Bodies of the Republic of Armenia shall comprise the Authorised Body, including central and marz [regional] bodies, border guard troops, State Protection Service, educational institutions, special and other subdivisions.

(Article 3 edited by HO-268-N of 23 March 2018)

Article 4. The Authorised Body

1. The Government shall exercise general management of the activities of the Authorised Body.
2. The Authorised Body shall be governed by the Prime Minister, and directly managed by the head of the Authorised Body.
3. Intelligence, counter-intelligence, military counter-intelligence and investigation bodies shall, under the prescribed procedure, function within the system of the Authorised Body.
4. In the territory of the Republic of Armenia, the Authorised Body shall carry out operational management of the activities of bodies and subdivisions performing intelligence activities related to the issues of the national security.
5. The structure of the Authorised Body shall be prescribed based on this Law.

(Article 4 edited by HO-268-N of 23 March 2018)

Article 4.1. Appointment and dismissal of the head and deputy heads of the Authorised Body

1. Direct management of the Authorised Body shall be carried out by the head of the National Security Service, who shall be appointed to the position or dismissed from the position by the President of the Republic, upon the recommendation of the Prime Minister.
2. The recommendation of the Prime Minister shall be submitted in writing and shall include the name, surname, father's name, date of birth, information on the professional career, as well as the title of the person nominated for the position.
3. The relevant draft decree of the President of the Republic on appointing to or dismissing from the position shall be attached to the recommendation of the Prime Minister.
4. The President of the Republic shall — within a period of three days following the receipt of the recommendation of the Prime Minister — sign the draft decree attached to the recommendation or return it with objections to the Prime Minister.
5. Where the Prime Minister fails to accept the objection of the President of the Republic within a period of five days, the President of the Republic shall, within a period of three days following the expiry of the five-day time period, sign the decree or apply to the Constitutional Court.
6. Where the Constitutional Court adopts a decision on declaring the recommendation submitted by the Prime Minister to the President of the Republic as complying with the Constitution, the President of the Republic shall sign the relevant decree within a three-day time period.
7. Where the Constitutional Court adopts a decision on declaring the recommendation submitted by the Prime Minister to the President of the

Republic as contradicting the Constitution, the Prime Minister shall — within a period of five days — submit a new recommendation as prescribed by part 2 of this Article.

8. Where the President of the Republic fails to fulfil the requirements prescribed by parts 4-6 of this Article, the specified person shall — pursuant to Article 139 of the Constitution — be deemed to be appointed to or dismissed from the position by virtue of law on the day following the expiry of the three-day time period prescribed by parts 4-6 of this Article, whereon the Prime Minister shall disseminate a written statement. The written statement shall be signed by the Prime Minister and published on the official website of the Government.
9. Deputy heads of the Authorised Body shall be appointed to and dismissed from positions as prescribed by this Article, upon the written motion of the head of the Authorised Body.
10. The following shall be attached to the recommendation of the Prime Minister on appointing to or dismissing from positions the deputy heads of the Authorised Body:
 - (1) the written motion of the head of the Authorised Body on appointing to or dismissing from positions the deputy heads of the Authorised Body, addressed to the Prime Minister and including the information prescribed by part 2 of this Article;
 - (2) the relevant draft decree of the President of the Republic on appointing to or dismissing from positions the deputy heads of the Authorised Body.

(Article 4.1 supplemented by HO-268-N of 23 March 2018)

Article 4.2. Investigation bodies

1. The investigation body shall — in the cases and under the procedure prescribed by the Criminal Procedure Code of the Republic of Armenia — organise and conduct preliminary investigation.

2. The head of the Authorised Body shall, upon the consent of the Prime Minister, appoint and dismiss the head of the investigation body.

(Article 4.2 supplemented by HO-268-N of 23 March 2018)

Article 5. Legislation on the activities of National Security Bodies

The legislation on the activities of the National Security Bodies shall comprise the Constitution of the Republic of Armenia, international treaties of the Republic of Armenia, this Law, other laws and legal acts, including the secondary regulatory acts adopted by the Authorised Body within the scope of its competence.

(Article 5 amended by HO-268-N of 23 March 2018)

Article 6. Principles of the activities of National Security Bodies

The activities of the National Security Bodies shall be based on the principles of lawfulness, democracy, equality before the law, respect for and protection of the rights and freedoms of the human being and the citizen, independence from the activities of the political parties and public unions, as well as combination of overt and covert methods and means not prohibited by the legislation of the Republic of Armenia.

Article 7. Guarantees for protection of the rights and freedoms of the human being and the citizen

Protection of the rights and freedoms of the human being and the citizen shall be guaranteed when carrying out the activities of the National Security Bodies.

No restriction on the rights and freedoms of the human being and the citizen shall be allowed, except for the cases provided for by the Constitution and laws of the Republic of Armenia.

A person shall — under the procedure prescribed by the legislation of the Republic of Armenia — have the right to appeal against the actions of the National Security Bodies or the officials thereof, related to the violation of his or her rights and freedoms.

State bodies, local self-government bodies, organisations and citizens shall — in case their rights and freedoms are restricted by the National Security Bodies — have the right to be provided with explanations and information by the National Security Bodies, as prescribed by the legislation of the Republic of Armenia.

State bodies, organisations and citizens shall — as prescribed by law — have the right to require compensation for the pecuniary damage caused by unlawful actions of the National Security Bodies.

The National Security Bodies shall not have the right to collect, keep, use or disseminate information on the personal and family life of the citizen, obtained during the activities of the National Security Bodies, without the consent thereof, except for the cases provided for by law.

The employees of the National Security Bodies shall — in case of violating the rights and freedoms of the human being and the citizen during the fulfilment of their duties — be held liable as prescribed by law.

Article 8. Keeping information on National Security Bodies secure

Citizens of the Republic of Armenia related to state and official secrets with regard to the activities of the National Security Bodies shall, as prescribed by the legislation of the Republic of Armenia, bear liability for making them public.

The documents and materials containing information on the employees of the National Security Bodies, persons co-operating or having co-operated, on a confidential basis, therewith, as well as on the practices, methods and means related to intelligence, counter-intelligence and operational intelligence activities of the National Security Bodies shall be kept in the archive of the Authorised Body.

The archive materials of the Authorised Body shall be declassified as prescribed by law.

CHAPTER 2.

MAIN DIRECTIONS OF ACTIVITIES OF NATIONAL SECURITY BODIES

Article 9. Activities of National Security Bodies

The activities of the National Security Bodies shall be carried out in the following main directions:

- (a) intelligence activities;
- (b) counter-intelligence activities;
- (c) military counter-intelligence activities;
- (d) protection of state border;
- (e) fight against crime.

Other directions of the activities of the National Security Bodies shall be defined by this Law and other laws of the Republic of Armenia.

The activities of the National Security Bodies, as well as the methods and means applied thereby must not violate the rights and freedoms of the human being and the citizen, prescribed by the Constitution and laws of the Republic of Armenia, as well as cause harm to human life and health, property and environment.

Article 10. Intelligence activities

Intelligence activities, including foreign intelligence shall be the activities carried out within the scope of competence of the National Security Bodies, aimed at obtaining information on the threats posed to the security of the Republic of Armenia and at strengthening the foundations of the State.

The procedure for and conditions of co-operation of the intelligence body of the Authorised Body with the bodies of executive power of the Republic of Armenia shall be defined by the legislation of the Republic of Armenia and jointly adopted legal acts, while co-operation with international organisations — by international treaties.

The procedure for undertaking intelligence measures, as well as for using covert methods and means while carrying out intelligence activities shall be prescribed by the legislation of the Republic of Armenia and legal acts of the Authorised Body, regulating operational intelligence activities.

(Article 10 amended by HO-268-N of 23 March 2018)

Article 11. Counter-intelligence activities

Counter-intelligence activities shall be the activities carried out within the scope of competence of the National Security Bodies, aimed at disclosing, preventing and disrupting intelligence activities of special services and other organisations of foreign states, as well as separate individuals.

The grounds for performance of counter-intelligence activities by the National Security Bodies shall be the following:

- (a) existence of information on the intelligence activities of special services and other organisations of foreign states, as well as separate individuals, aimed at the national security of the Republic of Armenia;
- (b) necessity for fight against crimes under the investigative jurisdiction thereof;
- (c) necessity for ensuring protection of information containing state and official secret;
- (d) necessity for watching (checking) persons co-operating or having co-operated, on a confidential basis, with the National Security Bodies;
- (e) necessity for ensuring internal security.

The grounds for carrying out counter-intelligence activities may be altered only by law. During counter-intelligence activities, the National Security Bodies may use overt and covert methods and means not prohibited by the legislation of the Republic of Armenia, the nature whereof shall be determined by the conditions of those activities.

The procedure for using overt and covert methods and means when carrying out counter-intelligence activities shall be prescribed by the acts of the Authorised Body.

Counter-intelligence activities concerning the secrecy of correspondence, telephone conversations, postal and telegraphic and other communications of the citizens of the Republic of Armenia, as well as inviolability of the home of citizens shall be carried out as prescribed by law.

In the cases provided for by part 5 of this Article, in order to carry out counter-intelligence activities, the National Security Bodies shall, upon the request of the court, submit official documents (except for official operational documents which contain information on the persons co-operating or having co-operated, on a confidential basis, with the National Security Bodies, as well as on the organisation of performance of counter-intelligence activities, practices, methods and means thereof) pertaining to the grounds for carrying out counter-intelligence activities.

The decision of the court with regard to carrying out counter-intelligence activities, as well as the materials having served as a ground for the adoption thereof shall be kept at the National Security Bodies, as prescribed by the legislation.

(Article 11 amended by HO-268-N of 23 March 2018)

Article 12. Military counter-intelligence activities

Military counter-intelligence activities shall be carried out by the military counter-intelligence body (services, divisions, units) of the Authorised Body in the Armed Forces of the Republic of Armenia, the Police troops, other troops and military

formations of the Republic of Armenia, as well as administration bodies thereof for the purpose of disclosing, preventing and disrupting crimes under the investigative jurisdiction thereof, protecting from infiltrations of the special services of foreign states, as well as assisting the command in the preservation of combat readiness and combat training.

(Article 12 amended by HO-8-N of 14 December 2004, HO-268-N of 23 March 2018)

Article 13. Fight against crime

The National Security Bodies shall, for the purpose of fulfilling the tasks assigned thereto by this Law or other laws, carry out, as prescribed by the legislation of the Republic of Armenia, operational intelligence measures, conduct investigation and preliminary investigation aimed at disclosing, preventing and disrupting crimes under the investigative jurisdiction thereof.

Other tasks with regard to fight against crime may be assigned by law to the National Security Bodies.

The activities of the National Security Bodies in the field of fight against crime shall be carried out in compliance with the legislation regulating criminal, criminal procedure and operational intelligence activities of the Republic of Armenia, as well as this Law and other secondary regulatory acts.

The National Security Bodies shall preserve the scene of the incident in the cases assigned to their jurisdiction by law, the rules whereof shall be prescribed by the Government of the Republic of Armenia.

(Article 13 supplemented by HO-133-N of 1 March 2018, amended by HO-268-N of 23 March 2018)

Article 14. Protection of state border

The protection of the state border of the Republic of Armenia shall be carried out by border guard troops, in compliance with the legislation of the Republic of Armenia and international treaties of the Republic of Armenia.

CHAPTER 3.

POWERS OF NATIONAL SECURITY BODIES

(title edited by HO-268-N of 23 March 2018)

Article 15. Powers of National Security Bodies

(title edited by HO-268-N of 23 March 2018)

1. The National Security Bodies shall:
 - (1) — within the scope of their competence — ensure sovereignty, inviolability of state borders, territorial integrity, constitutional order of the Republic of Armenia, rights, freedoms and legitimate interests of citizens, as well as enhance defence capacity of the Republic;
 - (2) co-operate, on a confidential basis, with persons having given consent thereto;
 - (3) conduct, as prescribed by law, investigation, preliminary investigation and undertake operational intelligence measures, have and use places of arrest, in compliance with the legislation of the Republic of Armenia;
 - (4) infiltrate special services and organisations of foreign states, as well as criminal groups carrying out intelligence and other activities, which may harm the national security of the Republic of Armenia;

- (5) exercise state control in the field of information security as prescribed by law, as well as co-ordinate the activities in the field of cryptographic and technical protection of information guarded by the legislation of the Republic of Armenia, prescribe a uniform procedure for the organisation of counteraction against technical intelligence in the Republic of Armenia;
- (6) — when fulfilling official duties — use means of communication belonging to state and local self-government bodies and means for detection thereof, and in urgent cases — also means of communication belonging to organisations and natural persons and means for detection thereof, with adequate compensation;
- (7) use, in urgent cases, vehicles belonging to natural persons and organisations for preventing crimes, chasing and arresting persons having committed crime or suspected in the commission thereof, taking natural persons in need of emergency medical care to institutions providing medical assistance and medical services, as well as for reaching the scene of the incident. The National Security Bodies shall, as prescribed by law, be obliged to compensate the expenses incurred thereby or the damage caused thereto;
- (8) enter — as prescribed by law — residential and other constructions, land plots, constructions of organisations when chasing persons suspected in the commission of crime, where there are sufficient data to assume that crime has been committed or is being committed therein and that delay may put the life and health of citizens at risk;
- (9) check identification documents of natural persons and officials, where there are sufficient grounds for suspecting them in the commission of crime;
- (10) arrest persons having infiltrated or made an attempt of infiltrating the controlled areas of facilities under special regime and other protected

facilities, as well as check their identification documents, receive explanations, search those persons, examine and seize their things and documents;

- (11) submit, under the prescribed procedure, recommendations or motions to state bodies and organisations, related to elimination of security threats, as well as reasons and conditions contributing to the commission of crimes, disclosure, prevention and disruption whereof is assigned to the jurisdiction of the Authorised Body;
- (12) receive (including on-line), as prescribed by law, information from state and local self-government bodies and organisations necessary for the fulfilment of duties assigned to the National Security Bodies, except for the cases when special procedure for receiving information is prescribed by the legislation of the Republic of Armenia;
- (13) have information systems, centres for conducting analyses, making audio and video recordings, filming and photography, as well as technical centres for the purpose of co-ordination of the activities of the National Security Bodies and summarisation of the results;
- (14) conduct criminological and other examinations, as well as studies;
- (15) co-operate, within the scope of competences of the National Security Bodies, with special services and law-enforcement bodies of foreign states based on international treaties, documents regulating sector-specific co-operation of the Republic of Armenia, and in exceptional cases – on a reciprocal basis, as well as exchange operational information, special technical and other means therewith under the prescribed procedure and based on co-operation;
- (16) participate, as prescribed by law and within their competences, in the development of draft international treaties of the Republic of Armenia and conclude civil-law contracts;

- (17) implement measures aimed at ensuring their own security (including counteraction against technical intelligence means of foreign states in the system of the Authorised Body), protecting the information of the National Security Bodies, containing state and official secrets, use technical means for the purpose of preventing and disrupting infiltration of special services and organisations of foreign states, criminal groups and separate individuals;
- (18) use documents of state bodies and organisations, other means necessary for disguise for the purpose of disguising the employees of the National Security Bodies, subdivisions, constructions and vehicles of the National Security Bodies;
- (19) conduct scientific researches into fundamental issues of national security of the Republic of Armenia;
- (20) use, on a contractual basis, residential and other constructions of natural persons and organisations;
- (21) have, as prescribed by law, relevant educational institutions for the purpose of professional training of the personnel;
- (22) carry out training of personnel with or without compensation for special services, security services of organisations of foreign states, where it does not contradict the principles of activities of the National Security Bodies;
- (23) submit information on issues pertaining to the national security of the Republic of Armenia to the Prime Minister, and upon his or her assignment — to other state bodies and organisations;
- (24) disclose, prevent and disrupt intelligence and other subversive activities of special services and organisations of foreign states, as well as of separate individuals, aimed against the security of the Republic of Armenia;

- (25) collect intelligence information for the purpose of ensuring the security of the Republic of Armenia, enhancing its economic, scientific and technical potential, as well as strengthening its state security;
- (26) disclose, prevent and disrupt crimes under the investigative jurisdiction thereof and other crimes that became known during the exercise of their powers provided for by law, carry out search of persons having committed those crimes or persons suspected of committing those crimes;
- (27) disclose, prevent and disrupt acts of terrorism;
- (28) develop and implement, jointly with the relevant state bodies, measures aimed at fight against corruption in state and local self-government bodies, illegal trafficking and smuggling of weapons and narcotic drugs related to foreign states, legalisation of proceeds of crime, armed groups, criminal groups, persons and organisations that intend violent change of constitutional order of the Republic of Armenia;
- (29) ensure — within the scope of their competence — security in state bodies and institutions of the Republic of Armenia, Armed Forces and other troops of the Republic of Armenia;
- (30) ensure — within the scope of their competence — the security of military and industrial complex, security in the fields of atomic energy, transport and communication, economy, finance and industry, as well as of strategic facilities and in the field of primary research and development of the Republic of Armenia;
- (31) participate in the development and implementation of measures aimed at the protection of information containing state and official secrets, control the process of protection of state and official secrets in state bodies, military formations and organisations, implement, under the prescribed procedure, measures with regard to granting permission of access to information containing state and official secrets to citizens;

- (32) undertake measures, aimed at ensuring the security of the organisations and citizens of the Republic of Armenia beyond its borders;
- (33) ensure the security of diplomatic representations of foreign states in the territory of the Republic of Armenia;
- (34) participate in ensuring, within the scope of competence thereof and jointly with competent state bodies, the security during assemblies and public events held in the territory of the Republic of Armenia;
- (35) carry out registration and centralised record-registration of radioelectronic communication means, radio data and radio transmissions through radio monitoring, disclose radio transmissions and radio waves of radioelectronic means posing threat to the national security of the Republic of Armenia or used for illegal purposes;
- (36) participate, pursuant to the legislation, in the solution of issues related to acquisition or termination of citizenship of the Republic of Armenia, entry into and exit from the territory of the Republic of Armenia by the citizens of the Republic of Armenia, foreign nationals and stateless persons, as well as status of stay in the Republic of Armenia of foreign nationals and stateless persons;
- (37) preserve mobilisation readiness of the National Security Bodies of the Republic of Armenia;
- (38) participate in the development of state policy in the fields of protection of state information resources within information and telecommunication systems of the Republic of Armenia, cryptographic and technical protection of information, counteraction against technical intelligence, as well as implement that policy;

- (39) provide the President, Prime Minister, relevant officials of state and local self-government bodies of the Republic with means of government communication and other types of special communication;
- (40) carry out training and re-training, as well as advanced training of personnel for the National Security Bodies;
- (41) carry out protection of the state border of the Republic of Armenia, in compliance with the legislation;
- (42) organise and carry out counter-intelligence activities, determine the procedure for undertaking counter-intelligence measures and for using covert methods and means while undertaking them, as well as define the procedure for infiltration of special services and organisations of foreign states by National Security Bodies;
- (43) assist in the preservation and reinforcement of combat readiness and combat training of the Armed Forces and other military formations of the Republic of Armenia, as well as governing bodies thereof;
- (44) receive, develop and analyse information on dangers posing threat to the security of the Republic of Armenia, as well as foresee those dangers;
- (45) participate, as prescribed by law, in the measures undertaken during martial law or state of emergency;
- (46) prescribe the procedure for applying and assigning real and conventional names in the National Security Bodies;
- (47) establish, as prescribed by law, restrictions and norms on the use of lands of special significance, develop and submit recommendations related to the procedure for using lands of special significance, protection zones, special regulatory provisions, as well as the procedure for carrying out urban development activities;

- (48) publish, within the scope of their competences, acts on ensuring the national security and oversee the process of implementation thereof by state and local self-government bodies, organisations;
- (49) second the official representatives of the National Security Bodies to foreign states for the purpose of increasing the effectiveness of fight against international crime, upon the consent of special services or competent bodies of those states;
- (50) inform the Prime Minister and, upon his or her consent — the bodies of state administration system and territorial administration bodies on the dangers posing threat to the security of the Republic of Armenia;
- (51) ensure the economic security of the Republic of Armenia and fight against economic crimes within the scope of their competence;
- (52) receive radio frequency domains from organisations in charge of distribution and designation of radio frequencies, as well as rent communication lines and communication channels from the relevant organisations of the Republic of Armenia for the exclusive use of government communication and other types of special communication in the Republic of Armenia and outside its territory;
- (53) ensure operational postal services (except for the diplomatic mail) for the President, National Assembly, Government, Prime Minister and ministries, autonomous bodies, territorial administration bodies, Supreme Judicial Council, courts, Prosecutor's Office, Investigation Committee, Special Investigation Service, Central Bank and other state bodies of the Republic, military units (except for the military units of the Ministry of Defence of the Republic of Armenia) located in the territory of the Republic of Armenia, as well as diplomatic representations accredited in the Republic of Armenia and diplomatic representations of the Republic of Armenia in foreign states;

- (54) transfer correspondence of state and diplomatic bodies, having special significance or secret or top secret and other official correspondence, as well as ensure preservation thereof;
- (55) establish communication, information and data transmission systems for coordination of the activities and summarisation of the results of the activities of the Authored Body, means of information protection (including cryptographic means of protection), define, in compliance with the legislation of the Republic of Armenia, the procedure for record-registration, storage and use of operational, archive and other materials related to the activities of the Authorised Body;
- (56) generalise, within the scope of their competences, the practice of application of the legislation of the Republic of Armenia, submit to the Prime Minister, under the prescribed procedure, recommendations with regard to improvement thereof, participate in the development of the relevant draft regulatory legal acts, as well as carry out methodological guidance of the National Security Bodies while organising legal support to the activities thereof;
- (57) prescribe uniform requirements for the organisation of workflow management and archive keeping in the Authorised Body, pursuant to the legislation of the Republic of Armenia;
- (58) handle publications and communications related to the activities of the National Security Bodies in the press and via other mass media;
- (59) organise, implement and control special measures for counteraction against technical intelligence in the state and local self-government bodies, as well as representations of the Republic of Armenia in foreign states, ensure, as prescribed by the legislation of the Republic of Armenia, expert

examination with regard to introduction of information technologies, information and telecommunication systems, as well as software support and protective measures;

- (60) ensure protection of life, health, honour and dignity, as well as property of military servants and civilian staff of the National Security Bodies, persons assisting those bodies, participants of criminal procedure in cases reserved to investigative jurisdiction of the National Security Bodies, family members and relatives thereof from criminal encroachments;
- (61) organise reception of citizens, consider their petitions, applications and appeals within the scope of their competence;
- (62) prepare, under the prescribed procedure, documents disguising officials of bodies carrying out operational intelligence activities, secret agents and persons, collaborating, on a confidential basis, with those bodies, as well as organisations, institutions, constructions put into operation, special technical means and vehicles established by bodies carrying out operational intelligence activities;
- (63) participate in the development of technical requirements for armament and special equipment, as well as for armament and special equipment being created, carry out allocation of orders for accumulation, storage and repair of armament and special equipment, as well as orders for supply and repair work thereof;
- (64) have, under the prescribed procedure, special subdivisions for the fulfilment of duties of the National Security Bodies.

(Article 15 amended by HO-146-N of 9 April 2007, HO-221-N of 23 March 2018, edited by HO-268-N of 23 March 2018)

Article 16. Obligations of officers of National Security Bodies

(Article repealed by HO-268-N of 23 March 2018)

Article 17. Use of weapon, special means and physical force

The employees of the National Security Bodies shall be allowed to carry and keep registered service weapons and special means. They shall, in the cases and under the procedure provided for by law, have the right to apply physical force, including hand-to-hand combat techniques, as well as weapons and special means.

Article 18. Co-operation with the Republic of Armenia and foreign organisations

The National Security Bodies may co-operate with state bodies and organisations.

The National Security Bodies shall co-operate with law-enforcement bodies when undertaking operational intelligence measures and carrying out investigative actions, prescribed by law, for the purpose of disclosing and preventing crimes, as well as solving other problems.

The National Security Bodies of marzes shall be independent from territorial state administration bodies and local self-government bodies as well as their officials when carrying out operational intelligence activities.

The National Security Bodies may, as prescribed by the laws of the Republic of Armenia, use the resources of other security forces of the Republic of Armenia.

State bodies and organisations shall be obliged to assist the National Security Bodies when fulfilling the duties assigned thereto by the National Security Bodies.

Organisations and citizens providing services related to postal service, electronic communication, including systems of remote coded communication, secret

communication, satellite communication shall, upon the request of the National Security Bodies, be obliged to include additional equipment and software products in the hardware, as well as create necessary conditions in order for the National Security Bodies to undertake operational and technical measures.

The staff of commissioned officers of the National Security Bodies may, as prescribed by the legislation of the Republic of Armenia and for the purpose of fulfilling the tasks of the National Security Bodies, be seconded to state bodies and organisations, leaving them in military service. The aforementioned commissioned officers shall be appointed as prescribed by the legislation of the Republic of Armenia.

The seconded commissioned officers shall have the right to select and receive pension, according to the position held before or after the secondment.

The co-operation of the National Security Bodies with special services, law-enforcement bodies and organisations of foreign states shall be carried out based on the international treaties, documents regulating sector-specific co-operation of the Republic of Armenia, and in exceptional cases – on a reciprocal basis.

(Article 18 amended, supplemented by HO-268-N of 23 March 2018)

CHAPTER 4.

FORCES AND MEANS OF NATIONAL SECURITY BODIES

Article 19. Employees of National Security Bodies

Citizens of the Republic of Armenia having the ability — as consistent with their personal characteristics and efficiency, education and health condition — to carry out the duties assigned thereto may be employees of the National Security Bodies.

The military servants of the National Security Bodies shall be the main personnel thereof. In exceptional cases, officers and workers may be employed on a contractual basis (civilian staff).

Commissioned and non-commissioned officers shall be military servants of the National Security Bodies and shall join military service in compliance with the legislation of the Republic of Armenia, taking into consideration the peculiarities prescribed by this Law, which are conditioned by the special nature of duties carried out thereby.

Commissioned and non-commissioned officers of the National Security Bodies shall be included in the personnel (including commissioned officers seconded to republican and marz bodies of state administration, organisations) and reserve of the Authorised Body.

The powers of officials of the National Security Bodies related to applying incentive measures and imposing disciplinary penalties, conferring military ranks upon military servants under command, demoting and dismissing them from positions shall be prescribed by law.

The obligations, rights and privileges of the civilian staff of the National Security Bodies shall be prescribed by the labour legislation of the Republic of Armenia and legal acts of the Authorised Body.

It shall be allowed to grant awards to the employees of the National Security Bodies for their exceptional services related to ensuring the national security without making it public (confidentially).

The employees of the National Security Bodies shall be prohibited from engaging in entrepreneurial activities, as well as from assisting legal persons and citizens carrying out such activities. The employees of the National Security Bodies shall not have the right to combine service with other paid job, except for the engagement in scientific, pedagogical and creative activities, where it does not impede the fulfilment of their official duties (except for the cases when it is connected with official exigency).

The uniform and distinctive emblems of the military servants of the National Security Bodies shall be approved by the Prime Minister.

(Article 19 amended by HO-268-N of 23 March 2018)

Article 20. Legal protection of employees of National Security Bodies

The employees of the National Security Bodies shall be under state protection when fulfilling their official duties. Only state bodies and officials authorised by laws of the Republic of Armenia shall have the right to intervene in the official activities thereof.

Impeding the fulfilment of the official duties of the employees of the National Security Bodies, showing resistance to employees that fulfil their official duties, insulting them, using violence or threatening to use violence against them shall entail liability provided for by the legislation of the Republic of Armenia.

Protection of life and health, honour and dignity, as well as property of the employees of the National Security Bodies and their family members from criminal encroachments with regard to the fulfilment of their official duties shall be carried out as prescribed by the legislation of the Republic of Armenia.

Apprehension, arrest, search of employees of the National Security Bodies fulfilling official duties, as well as examination thereof, their things and vehicles of personal and official use shall be carried out with the participation of the official representative of the National Security Bodies.

The information related to the employees having carried out (carrying out) a special assignment of the National Security Bodies in special services and organisations of foreign states, as well as criminal groups shall be state and official secret and may be made public only upon the written consent of the specified employees and in the cases provided for by the law of the Republic of Armenia.

The employees of the National Security Bodies shall not be held liable for the physical harm or financial damage caused — in the cases and under the procedure provided for by law and through use of physical force, special means and firearms — thereby to a person having committed a crime.

Article 21. Social protection of employees of National Security Bodies

(title edited by HO-162-N of 12 December 2013)

1. Social protection of employees of the National Security Bodies shall be carried out in compliance with the Laws of the Republic of Armenia "On military service and the status of military servants" and "On remuneration of persons holding state positions and state service positions".

(Article 21 edited by HO-162-N of 12 December 2013, amended by HO-268-N of 23 March 2018)

Article 22. Responsibilities of employees of National Security Bodies

Employees of the National Security Bodies shall, as prescribed by the legislation of the Republic of Armenia, be held liable for failure to fulfil or properly fulfil his or her duties.

The actions, omissions and decisions of the employees of the National Security Bodies may be appealed against to superior authorities or through judicial procedure.

(Article 22 amended, supplemented by HO-268-N of 23 March 2018)

Article 23. Rights and obligations of persons co-operating with National Security Bodies

The National Security Bodies may, upon the consent of separate individuals, engage them, also as out-of-staff employees, in overt or covert co-operation related to the fulfilment of the duties assigned to the National Security Bodies. The procedure for the activities of out-of-staff employees of the National Security Bodies shall be prescribed by secondary regulatory acts of the Authorised Body.

A person co-operating with the National Security Bodies on a confidential basis shall have the right to:

- (a) be provided with explanations by the employees of the National Security Bodies with regard to the tasks assigned thereto, as well as his or her rights and obligations;
- (b) use operational and cover-up documents for the purpose of covert activities;
- (c) be granted awards for faultless performance of separate assignments;
- (d) receive, under the procedure and in the amount prescribed by the legislation of the Republic of Armenia, compensation for the damages caused to health or property while co-operating with the National Security Bodies.

A person co-operating with the National Security Bodies shall be obliged:

- (a) to carry out the assignments of the National Security Bodies;
- (b) not to permit intentional introduction of biased, false or defamatory information;
- (c) not to publish information containing state or official secret, as well as the information that has become known thereto while co-operating with the National Security Bodies.

(Article 23 amended by HO-268-N of 23 March 2018)

Article 24. Ensuring information for National Security Bodies

When carrying out their activities, the National Security Bodies may, with the knowledge or upon the assignment of the Authorised Body, develop, create and put into operation information systems, communication and data transmission systems, as well as means for information protection (including means for cryptographic protection) without licensing.

Availability of information on legal persons and citizens in the information systems shall not serve as a ground for the restriction of the rights of the specified persons by the National Security Bodies.

The procedure for record-registration and use of information on offences committed in the field of National Security Bodies of the Republic of Armenia, as well as intelligence and other activities of special services and organisations of foreign states and separate individuals shall be prescribed by the acts of the Authorised Body.

(Article 24 amended by HO-268-N of 23 March 2018)

Article 25. Armament and clothing of National Security Bodies

The National Security Bodies shall develop, create, acquire and use armament and clothing (including technical and other special means), acquire and use assault weapon, as well as service weapon and ammunition included in the composition of armament of the National Security Bodies and envisaged by law of the Republic of Armenia for the National Security Bodies.

The National Security Bodies shall carry out transfer of armament and clothing used by the National Security Bodies (including special technical and other means), as well as their export from the Republic of Armenia and import into the territory of the Republic of Armenia as prescribed by the legislation of the Republic of Armenia.

Article 26. Financial support and logistics

Financing of the National Security Bodies shall be carried out at the expense of the State Budget of the Republic of Armenia and other means prescribed by the legislation of the Republic of Armenia.

A special line-item shall be envisaged for the Authorised Body in the State Budget of the Republic of Armenia.

The Authorised Body may, at the expense of the State Budget of the Republic of Armenia, construct residential buildings in order to meet the needs of the employees of the National Security Bodies.

The organisations established for ensuring the activities of the National Security Bodies shall carry out their activities in compliance with the existing legislation of the Republic of Armenia.

CHAPTER 5.

SUPERVISION OVER ACTIVITIES OF NATIONAL SECURITY BODIES

Article 27. Supervision over the activities of National Security Bodies

The Prime Minister shall exercise supervision over the activities of the National Security Bodies, within the scope of powers vested therein by the Constitution and laws.

Deputies of the National Assembly of the Republic of Armenia shall, as concerns parliamentary activities thereof and as prescribed by the legislation of the Republic of Armenia, have the right to receive information on the activities of the National Security Bodies.

(Article 27 edited by HO-268-N of 23 March 2018)

Article 28. Entry into force of the law

This Law shall enter into force from the moment of its official promulgation.

**President
of the Republic of Armenia**

R. Kocharyan

Yerevan

24 January 2002

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