

LAW
OF THE REPUBLIC OF ARMENIA

Adopted by the National Assembly

16 September 1998

ON CONSCRIPTION

CHAPTER 1

GENERAL PROVISIONS

Article 1. Subject matter of the Law

This Law shall regulate the relations connected with organising and conducting military registration, preparation for the military service, military call-up, military service and military readiness actions in the reserve for citizens in the Republic of Armenia.

Article 2. Legislation on conscription

The legislation on conscription is composed of the Constitution of the Republic of Armenia, international treaties of the Republic of Armenia, this Law, other laws and legal acts.

Article 3. Conscription

1. Conscription is the constitutional duty of citizens to take part in the defence of the Republic of Armenia.

Conscripts shall be considered to be the male citizens of pre-military, military age and those registered in the reserve, as well as female citizens with military profession or having completed the military service.

2. Conscription of citizens shall comprise:

- military registration,
- preparation for the military service,
- military call-up and military service,
- registration in the reserve.

Article 3¹. Conscription of dual citizens

1. The citizen of a foreign state who has accepted citizenship of the Republic of Armenia shall be exempt from compulsory military service, if, before the acceptance of citizenship of the Republic of Armenia, the citizen has served in the armed forces of the foreign state for no less than 12 months or has completed alternative military service for no less than 18 months, except for the states defined by the Government of the Republic of Armenia.

2. The citizen of the Republic of Armenia who has accepted the citizenship of a foreign state shall not be exempt from compulsory military service, regardless of the fact that he or she has served in a foreign state or not.

3. The dual citizen shall not be exempt from the military call-up and training musters.

(Article 3¹ supplemented by HO-76-N of 26 February 2007)

Article 4. Ensuring fulfilment of conscription

1. The officials of state and local self-government bodies, irrespective of their organisational-legal form, employer organisations and educational institutions shall be obliged to:

(a) maintain the register of conscripts on timely and in the prescribed manner, submit the lists of persons subject to military registration to the military commissariats of their place of registration (for those without registration - the actual place of residence), as well as provide data on the conscript's removal from registration, his or her being admitted, transferred to and being expelled (dismissed) from work (an educational institution);

(b) by the demand of the relevant military commissariat, notify conscripts about the military call-up to the military commissariat;

(c) dismiss conscripts from work or release them from instruction for the required time mentioned in the notice of military service or of the military commissariat.

2. The Police of the Republic of Armenia shall be obliged to:

(a) grant or exchange passports to conscripts (except for those in the reserve abroad), perform the actions of registering or removing the registration in their military documents in accordance with the residence, in case of the presence of indications regarding military registration from the relevant military commissariat. Indicate the validity of the passports of pre-military age conscripts in foreign states before the military age, and in case of the military age, with a deferral period granted by the conscript of compulsory military service,

(b) support military commissariats in calling up conscripts, calling them to military training and registering them.

3. The medical-social expert examination commissions shall be obliged to, within a week, inform the relevant military commissariat about all conscripts that have been recognised as disabled, regardless of the disability.

4. Civil status acts registration authorities shall be obliged to, within a week, inform the relevant military commissariat about the change of last name, name, father's name and date of birth of the conscripts, as well as the registration of their death in civil status acts.

5. The investigative and preliminary investigative bodies shall be obliged to, within a week, inform the relevant military commissariat about the conscripts against whom a criminal charge has been brought, and the courts shall be obliged to inform about the criminal judgements and final decisions having entered into legal force in relation to the mentioned persons.

The courts shall send the registration certificates of conscripts sentenced to imprisonment or detention, the military service record cards and copies of verdicts to the relevant military commissariat within a week after the criminal judgements have entered into legal force.

Penitentiary establishments shall be obliged to, within a week, inform military commissariats of their place of registration (for those without registration - the actual place of residence) about the conscripts that have been sentenced to imprisonment or have been released from prison.

6. The diplomatic and consular bodies of the Republic of Armenia shall be obliged to:

(a) on the ground of notification sent by the military commissariat of the Republic of Armenia, notify — in accordance with the procedure established by the Government of the Republic of Armenia — the conscript having passed consular registration in their consular region to show up to the diplomatic body or consulate and submit a notice about being called-up for compulsory military service with a signature of the person who has shown up;

(b) provide, within two weeks and in accordance with the procedure established by the Government of the Republic of Armenia, to the military commissariat of the Republic

of Armenia the data regarding the conscript having passed consular registration in their consular region;

(c) within the limits of their competence, support the return of pre-draftees and draftees to the Republic of Armenia.

7. Impeding the securing of fulfilment of conscription on the part of officials shall incur liability in accordance with the procedure prescribed by law.

(Article 4 edited, amended, supplemented by HO-128-N of 1 June 2006, edited by HO-102-N of 30 April 2009, amended, supplemented, edited by HO-215-N of 18 November 2009, amended by HO-38-N of 19 March 2012, amended by HO-92-N of 21 June 2014)

CHAPTER 2

MILITARY REGISTRATION

Article 5. Military registration of citizens

1. Military registration is the state system for registration of pre-draftees (16-18 years of age), draftees (18-27 years of age) and citizens in the reserve and for the analysis of the call-up, training musters and mobilisation resources of the republic.

The procedure for military registration shall be defined by the Government of the Republic of Armenia.

2. Military registration of conscripts shall be carried out by the commissariats of the place of their residence.

Military registration of conscripts living abroad (for more than a month) shall be carried out by diplomatic and consular bodies.

Military registration of conscripts that work and study shall also be carried out by enterprises, institutions, organisations and educational institutions.

3. Military registration of pre-draftees shall be considered as enlisting. Male citizens having attained the age of 16 shall be subject to enlisting.

Enlisting shall be performed by the commissions of military commissariats within the months of January-May of the current year.

Enlisting of male conscripts aged 16 to 27 and having acquired citizenship of the Republic of Armenia shall be performed in accordance with the procedure prescribed by this point.

(Notice: The amendments and additions to Article 5 of this Law by HO-128-N of 1 June 2006, HO-272-N of 28 November 2007, HO-215-N of 18 November 2009, HO-38-N of 19 March 2012, HO-92-N of 21 June 2014 have initially been linked to Point 2

of the Article, whereas had to be linked to Point 3, as a result of which there is no incorporation of Article 5.)

Article 6. Duties of citizens in the process of military registration and call-up to compulsory military service

(Title edited by HO-215-N of 18 November 2009)

1. Citizens shall be obliged to show up to the military commissariat of their place of registration (for those without registration - the actual place of residence) for military registration, as well as to be called up to compulsory military service.

2. Citizens who have been released from military service to the military reserve shall be obliged to, within seven days, show up to the military commissariat of their place of registration (for those without registration - the actual place of residence) for military registration.

3. In case of changing the place of registration (for those without registration - actual place of residence), the conscripts shall — for military registration — be obliged to show up to the relevant military commissariat within seven days after arriving at the new place of registration (for those without registration - the actual place of residence).

Persons having been sentenced and punished in the form of imprisonment during military service shall be obliged to, within seven days following their release, show up to the military commissariat of their place of registration (for those without registration - the actual place of residence).

4. Conscripts shall be obliged to, within seven days, inform the military commissariat of their place of registration (for those without registration - the actual place of residence) about changes of their health condition, family status, place of registration

(for those without registration - the actual place of residence), education, workplace and position.

(Article 6 amended by HO-128-N of 1 June 2006, supplemented by HO-272-N of 28 November 2007, edited, supplemented, amended by HO-215-N of 18 November 2009, supplemented by HO-38-N of 19 March 2012, amended by HO-92-N of 21 June 2014)

CHAPTER 3

PREPARATION OF CITIZENS FOR THE MILITARY SERVICE

Article 7. Medical check-up and examination

1. Medical check-up shall be conducted by the doctors of the commissions of military commissariats during the enlisting of conscripts, the call-up to military service, joining military service and training musters. If it is not possible to receive a medical evaluation of the fitness of the citizen for military service, then the local military call-up commission shall be obliged to send the citizen to a relevant medical institution to undergo a medical examination, and to undergo treatment in case of need. The list of those medical institutions shall be approved by the Government.

2. In cases mentioned in this Article the medical check-up and examination of conscripts shall be carried out on priority and gratuitous basis.

(Article 7 supplemented by HO-215-N of 18 November 2009)

Article 8. Pre-military preparation

Pre-military preparation shall, in the manner prescribed by the Government, be organised and carried out at general education schools, primary vocational and secondary vocational education institutions.

(Article 8 amended by HO-38-N of 19 March 2012)

Article 9. Training at sport-technical organisations of a defensive nature

Pre-draftees are initially prepared for military service through the programme for military professions at the sport-technical organisations of defensive nature by the selection of the military commissariat and with a referral.

Article 10. Training at military-educational institutions

1. The procedure for admission to military-educational institutions shall be approved by the Government of the Republic of Armenia.

Citizens completing or having completed the fixed-term military service may be admitted to military-educational institutions before attaining the age of 23.

2. Citizens having been admitted to military-educational institutions shall be considered military servicemen in compulsory military service, enjoy the rights and privileges prescribed for them by the legislation and bear responsibilities, except for cases prescribed by law. Persons having been dismissed or expelled from that institution shall compensate the costs connected to their education and shall be sent to compulsory military service under general conditions when having attained the age of 18. In the period of military service, in the given case, only the period of previously completed service of persons dismissed due to health condition, as well as in the case of studying at military aviation educational institutions - the period of previously completed service of persons dismissed due to being unfit for flights and of citizens admitted to military-educational institutions during the military service, shall be calculated. Persons having been dismissed or expelled from a military-educational institution before having attained the age of 18 shall be registered at the military call-

up department of the military commissariat of their place of registration (for those without registration - the actual place of residence) and shall be subject to be called-up to compulsory military service, on general grounds, during the military call-up declared after attaining the age of 18.

(Article 10 supplemented by HO-104 of 25 October 2000, HO-215-N of 18 November 2009, amended, supplemented by HO-38-N of 19 March 2012)

CHAPTER 4

MILITARY CALL-UP

Article 11. Military call-up for compulsory military service

1. Male draftees between the ages of 18 and 27 (except for the case prescribed by Article 14 (4) of this Law) and officers of the first group of the reserve up to the age of 35 who have been recognised as fit for military service based on their health conditions, shall be called up for compulsory military service in peace.

2. Persons who are being investigated (preliminary investigation, trial) or who have previously been convicted for having committed a grave crime or at least a double intentional crime and have served at the place of imprisonment for no less than 3 years, and if they have committed a criminal offence mentioned in the list approved by the Ministry of Defence of the Republic of Armenia and the Prosecutor's Office of the Republic of Armenia, shall not be subject to be called up for compulsory military service.

The procedure of military call-up for compulsory military service of persons who have been sentenced and served punishment for less than three years at the place of imprisonment in the past or of registering them in the reserve shall be defined by the Minister of Defence.

3. The military call-up and demobilisation of the rank and file shall be carried out within the time limits established by the decree of the President of the Republic, twice a year.

4. The military call-up and demobilization of officers of the reserve shall be carried out within the time limits established by the decree of the President of the Republic. The list of categories of officers deferred from military call-up shall be approved by the Government.

5. The number of the rank and file and officers of the reserve subject to military call-up shall be defined by the Government.

6. After the military call-up for compulsory military service is declared, all draftees, as well as draftees over the age of 27, in the case prescribed by Article 14 (4) of this Law, shall be obliged to show up to the military commissariat where they are registered within the period mentioned in the notice.

7. During the military call-up for compulsory military service, as well as during the compulsory military service, the following shall benefit from the privilege of serving at the military unit located close to their places of residence:

(a) the only child of a single father or mother and a father or mother on seniority pension, or of a father or mother with a third degree disability;

(b) draftees that have a father (mother) or brother (sister) who was deceased (died) while performing service duties during the defence of the borders of the Republic of Armenia, during service in the armed forces and other forces, as well as in the military subdivisions of foreign states stationed in the Republic of Armenia under international treaties of the Republic of Armenia;

(c) draftees who are married and have one child;

(d) draftees with no parents, as well as draftees with one parent and no adult sister or brother;

(e) by the decree of the Minister of Defence of the Republic of Armenia, other draftees.

A military unit close to the place of residence shall be considered a military unit stationed up to 150 km away from the place of registration (for those without registration - the actual place of residence) of the draftee.

8. Brothers called up for compulsory military service during the declared military call-up, upon their desire, shall be called up for service at the same military unit.

(Article 11 supplemented by HO-57 of 3 May 2000, HO-104 of 25 October 2000, HO-106 of 25 October 2000, amended, supplemented, edited by HO-128-N of 1 June 2006, supplemented by HO-102-N of 28 November 2007, amended, supplemented, edited by HO-38-N of 19 March 2012)

Article 12. Exemption from compulsory military service

1. The following persons shall be exempted from compulsory military service:

(a) the citizen who has been recognised as unfit for military service due to health condition by the republican military call-up commission - by removing from military registration, or the citizen recognised as unfit for military service in peacetime - by registering in the reserve;

(b) the citizen whose father (mother) or brother (sister) has been deceased (has died) while performing service duties for the defence of the Republic of Armenia or in the armed forces and other forces, and who is the only male child of the family;

(c) the citizen, by the decision of the Government;

(d) the citizen who has completed compulsory military service in the armed forces of foreign states before accepting citizenship of the Republic of Armenia;

(e) the citizen with an academic degree (candidate of sciences or doctor of sciences), if the citizen is involved in professional, scientific or pedagogical activity.

2. Reserve officers shall be exempt from compulsory military service on the grounds of subpoints (a) and (c) of Part 1 of this Article.

(Article 12 supplemented by HO-93 of 11 October 2000, amended by HO-128-N of 1 June 2006, supplemented by HO-38-N of 19 March 2012)

Article 13. Deferral from the military call-up to compulsory military service due to family status

1. Deferral from the military call-up for compulsory military service due to family status shall be granted to the draftee who has:

(a) father and mother incapable for work or a single father or mother incapable for work, if they do not have another child that is considered a citizen of the Republic of Armenia capable for work and is not in compulsory military service.

Parents incapable for work shall be:

-father and mother that have reached the age giving a right to the old age pension;

-father and mother with a first or second degree of disability;

-father and mother who have been recognised as having no legal capacity by a court judgement;

(b) a child growing up without mother;

(c) two and more children;

(d) disabled wife with a first or second degree of disability;

(e) siblings (sister or brother) under the age of 18, or over 18 but with a first or second degree of disability or recognised as having no legal capacity by a court

judgement, if there is no other person considered to be a family member living with him and considered capable for work.

The draftee shall also be deferred, if the latter's wife is six months pregnant with the second child or twins.

2. If the citizen, before reaching the age of military call-up, has been adopted for at least 5 years, or the parents have divorced at least 5 years before, and there is any one of the conditions prescribed by this Article, then the citizen shall benefit from the right to receive deferral from the military call-up for compulsory military service.

3. The decision on granting deferral from compulsory military service due to family status in cases not prescribed by this Law shall be taken by the Minister of Defence, in the presence of a conclusion of the republican military call-up commission.

4. In cases prescribed by this Article, the draftee shall be deferred before attaining the age of 27. Where, before attaining the age of 27, the citizen does not lose the right to deferral, then he or she shall be exempt from compulsory military service during peacetime and registered in the reserve.

(Article 13 supplemented by HO-57 of 3 May 2000, HO-180 of 2 May 2001, amended by HO-128-N of 1 June 2006, HO-272-N of 28 November 2007)

Article 14. Deferral from compulsory military service for continuing education

1. Deferral from compulsory military service to continue education shall be granted to:

(a) students studying day-time at state higher educational institutions (including residency studies [ordinatura], [medical] internship and Master's studies), as well as students studying day-time at secondary professional education institutions included in the list approved by the Government of the Republic of Armenia;

(b) learners studying on-site by the state order in the post-graduate programme (aspirantura) of the state scientific and educational system;

(c) students studying at higher educational institutions of foreign states by the state order, interstate and inter-departmental agreements, learners in the ordinatura, internship, Master's and post-graduate programmes - in cases and in accordance with the procedure established by the Government of the Republic of Armenia;

(d) students of the judicial academy;

(e) those learning at primary professional (crafts) educational programmes on the ground of general and basic education, before attaining 19 years of age, if they submit to the relevant military commissariat a reference given by the official of the educational institution regarding their study at the given educational institution.

2. The procedure and conditions for entering post-graduate and Master's programmes shall be approved by the decision of the Government.

The procedure of being called up for compulsory military service for persons who have defended their dissertations, but have not received Higher Attestation Commission's approval and persons who have completed the post-graduate programme and have a scheduled date for defence of the dissertation, shall be established by the Government of the Republic of Armenia.

3. The citizens who have been deferred for continuing education and the citizens who have been excluded or expelled from the educational institutions mentioned in part 1 of this Article (except for the citizens who have been excluded from the educational institution for not paying the tuition and have started studying again on the ground of paying the tuition before the declaration of the military call-up to compulsory military service), or the citizens who have remained in the same academic year [repeater] due to lack of academic performance and have attained 18 years of age, shall be stripped of the right to deferral and are subject to be called up, if they do not benefit from the right to be exempted from compulsory military service or be deferred on other

grounds from the military call-up for compulsory military service provided for by this Law.

4. Persons who have been deferred from compulsory military service to continue their education shall be called up for compulsory military service before attaining 27 years of age, excluding those studying by state order in the post-graduate programmes of the scientific-educational system, in foreign states by interstate and inter-agency agreements or in the case prescribed by Article 16(2) of this Law, as well as students of the judicial academy, who are granted deferral until the end of studies. If the mentioned persons finish their studies at an age above 27, then they shall be called up for compulsory military service during the military call-up following the graduation from the post-graduate programme or judicial academy.

The officers of the first group of the reserve subject to be called up for compulsory military service in accordance with the prescribed procedure who have finished the post-graduate programme or have an academic degree, shall be called up for compulsory military service according to their specialisations.

(Article 14 edited by HO-42 of 6 March 2000, supplemented by HO-57 of 3 May 2000, HO-325 of 16 April 2002, HO-345-N of 20 May 2002, edited by HO-128-N of 1 June 2006, supplemented, edited by HO-136-N of 21 February 2007, edited by HO-104 of 28 November 2007, HO-215-N of 18 November 2009, supplemented by HO-177-N of 25 May 2011, HO-38-N of 19 March 2012, amended by HO-57-N of 2 May 2013)

Article 15. Deferral from compulsory military service due to health condition

1. Draftees in need of treatment due to health condition shall be granted deferral from compulsory military service for three times - up to a year each. After the period of deferral granted for the third time is over, the draftee, based on the results of the medical examination, shall either be recognised as fit for military service and called up for military service, or shall be recognised as unfit for military service in peacetime and shall be registered in the reserve, or shall be recognised as unfit for military service and shall be removed from the military registration.

2. Draftees who are temporarily unfit for compulsory military service due to health condition shall be deferred from the military call-up once - for a period of three years. After the period of deferral is over, the draftee, based on the results of the medical examination, shall either be recognised as fit for military service and called up for military service, or shall be recognised as unfit for military service in peacetime and shall be registered in the reserve, or shall be recognised as unfit for military service and shall be removed from the military registration.

The draftees who have received deferral for studying in the post-graduate programme or judicial academy provided for by Article 14(4) of this Law and have finished their studies at an age above 27, may, due to health condition, be granted deferral for treatment purposes once - for up to 6 months, and in the case of being recognised as temporarily unfit for compulsory military service - up to one year. After the period of deferral is over, the draftee, based on the results of the medical examination, shall either be recognised as fit for military service and shall be called up to military service, or shall be recognised as unfit for military service in peacetime and shall be registered in the reserve, or shall be recognised as unfit for military service and shall be removed from the military registration.

3. The decisions on granting deferral prescribed by parts 1 and 2 of this Article shall be taken by the republican military call-up commission, on the ground of the conclusion of the central medical commission established by the decision of the Government of the Republic of Armenia.

4. Citizens registered in the reserve due to health condition on the ground of this Article, as well as of parts 2 and 5 of Article 23 of this Law, shall be subject to medical re-examination, once every 5 years. Citizens recognised as fit for compulsory military service based on the results of medical re-examination before attaining the age of 27 shall be subject to be called up for military service, on general grounds.

(Article 15 edited by HO-128-N of 1 June 2006, supplemented by HO-272-N of 28 November 2007, amended by HO-38-N of 19 March 2012, HO-54-N of 2 May 2013)

Article 16. Deferral from compulsory military service on other grounds

1. The members of the National Assembly, within the entire time limit of their powers, shall be granted the right to be deferred from the military call-up for compulsory military service.

2. In separate cases, the Government shall determine the categories of citizens and individual citizens, who are deferred from the military call-up for compulsory military service.

Article 17. Local and regional military call-up commissions

1. To conduct the military call-up for compulsory military service, the military call-up commissions shall be established in accordance with the procedure prescribed by the Government - local, according to the territories served by the military commissariats , and regional (Yerevan city)- according to regions.

2. The composition of local military call-up commissions shall be confirmed by the governor (mayor of Yerevan) - upon submission by the relevant military commissar.

The military commissar shall be considered to be the chairperson of the commission.

The local military call-up commissions shall:

- organise the medical check-up of draftees;
- make decisions on call-up and sending the draftees to military service in the armed forces and other forces according to the types of troops, on granting deferral due to family status and to continue studies;
- make a preliminary conclusion and submit to the regional (Yerevan city) military call-up commission the documents on granting deferral to draftees due to family status in cases not provided for by this Law;
- make a preliminary conclusion and submit, for a conclusion, to the central medical commission the documents on granting deferral to draftees based on the results of the medical check-up and on exempting draftees from compulsory military service;
- discuss the applications for admission to military-educational institutions and take a decision thereabout.

3. The regional (Yerevan city) military call-up commissions shall be composed by the Government. The relevant governor (mayor of Yerevan) shall be considered the chairperson of the commission.

The regional (Yerevan city) military call-up commissions shall:

- co-ordinate the activities of local military call-up commissions;
- **(point repealed by HO-38-N of 19 March 2012)**
- take a decision on granting deferral to draftees due to family status in the cases not prescribed by this Law and submit the decision to the republican military call-up commission.

4. The decisions of the local and regional (Yerevan city) military call-up commissions shall be adopted by the majority of votes of the total number of members of the commission.

(Article 17 amended by HO-215-N of 18 November 2009, HO-38-N of 19 March 2012)

Article 18. Republican military call-up commission

1. To direct the activities of local and regional (Yerevan city) military call-up commissions and supervise activities in the period of military call-up, the government shall establish a republican military call-up commission.

2. The republican military call-up commission shall:

- discuss the complaints about the decisions of the local or regional (Yerevan city) military call-up commissions;
- take decisions on exempting from compulsory military service due to health condition, on granting deferral due to being temporarily unfit for compulsory military service;
- make a conclusion on the decisions of the regional (Yerevan city) military call-up commissions on granting deferral due to family status in cases not provided for by this Law and shall submit the conclusion to the Minister of Defence.

3. The complaint of the draftee or other persons regarding the decision of the local or regional (Yerevan city) military call-up commission, before it is reconsidered, shall not suspend the implementation of the decision.

The republican military call-up commission shall take decisions on complaints within a month, by a simple majority of votes.

The decisions of the republican military call-up commission, within a one-month period after they are taken, can be appealed to the court in accordance with the procedure prescribed by law.

(Article 18 amended by HO-128-N of 1 June 2006)

CHAPTER 5

MILITARY SERVICE

Article 19. Military service

(Article repealed by HO-383-N of 3 July 2002)

Article 20. Types of military service

(Article repealed by HO-383-N of 3 July 2002)

Article 21. Time limits of military service

(Article repealed by HO-383-N of 3 July 2002)

Article 22. Taking up of military service

(Article repealed by HO-383-N of 3 July 2002)

Article 23. Release from the armed forces and other forces

1. Military servicemen shall be released from the armed forces and other forces by the commander of the military unit, within the periods mentioned in Article 4 of the Law of the Republic of Armenia "On Completion of Military Service" and in accordance with the procedure prescribed by the decree of the Minister of Defence.

2. Servicemen undergoing temporary military service shall be released prematurely to the reserve, if they are recognised as unfit for further military service due to health condition by the central military medical commission.

The servicemen who have been granted the right to be exempt from military service and be deferred from military call-up on the grounds of Article 12(1)(b) and subpoints “a-e” of Article 13(1) and Article 13(3) of this Law, shall be released and registered as servicemen in the reserve within a month.

3. The procedure of releasing the servicemen mentioned in part 2 of this Article shall be established by the Minister of Defence.

4. Persons released to the reserve on the grounds of Article 13 of this Law may be called-up to temporary military service before attaining 27 years of age, if the grounds for granting a deferral have been eliminated and the period not spent in service exceeds 16 months.

5. Persons sentenced during compulsory military service on the ground of the court judgement that has entered into legal force shall be removed from the lists of staff of the military unit and shall be registered in the department for draftees of the military commissariat that has called them up to military service, and after being released from the place of imprisonment, during the declared military call-up, they shall be subject to continue serving the period that they have not served during the military call-up to compulsory military service, except for cases prescribed by Article 11(2) of this Law, and where they do not benefit from the right to be exempt from compulsory military service prescribed by this Law or deferral from the military call-up to compulsory military service due to family status or health condition, in the presence of which they are registered in accordance with the procedure prescribed by part 2 of this Article.

6. Privates and sergeants with higher or secondary professional education and who have completed the training musters and successfully passed the tests shall be granted the rank of officer or non-commissioned officer when being transferred to the reserve before the end of their temporary military service. During the transfer to the reserve, persons who have been ranked officer or non-commissioned officer may

be involved in the training musters of conscripts organised for the preparation of officers and non-commissioned officers of the reserve.

The time limits and procedure of taking the tests shall be defined by the Minister of Defence.

(Article 23 edited by HO-104 of 25 October 2000, amended by HO-383-N of 3 July 2002, amended, supplemented by HO-128-N of 1 June 2006, supplemented, edited by HO-38-N of 19 March 2012)

CHAPTER 6

RESERVE

Article 24. Reserve

1. The following shall be included and registered in the reserve:

- citizens who have completed temporary military or alternative service and have been released to the reserve;
- ***(paragraph repealed by HO-215-N of 18 November 2009)***
- citizens released from compulsory military service in cases prescribed by this Law;
- female conscripts;
- conscripts who have acquired citizenship of the Republic of Armenia and have attained 27 years of age;
- persons of military age listed in Article 11(2) of this Law;
- citizens who have made payments in accordance with the procedure prescribed by law for not completing compulsory military service by violating the prescribed procedure.

2. Citizens registered in the reserve are called reservists of the reserve and are divided into rank and file, non-commissioned and commissioned staff of the reserve.

(Article 24 supplemented by HO-128-N of 1 June 2006, HO-272-N of 28 November 2007, amended, edited, supplemented by HO-215-N of 18 November 2009)

Article 25. Rank and file of the reserve

1. The rank and file of the reserve shall be divided into two groups, according to age. Reservists of the reserve up to the age of 45 shall be registered in the first group, and those up to the age of 50 shall be registered in the second group.

2. The first and second group of the reserve, according to the level of military preparedness, shall be divided into two categories.

Citizens who have completed compulsory military service, regardless of the duration of service, shall be registered in the first category of reserve, except for citizens who have been prematurely demobilised as a result of being recognised as unfit for military service due to health condition, as well as the participants of war or combat operations, regardless of the fact of completing military service.

Male citizens who have not completed compulsory military service, as well as have been prematurely demobilised as a result of being recognised as unfit for military service due to health condition and female citizens in military registration shall be registered in the second category of reserve.

3. Citizens registered in the second category of the first and second groups of the reserve shall be registered in the first category of reserve in case of completing the training musters lasting not less than three months.

(Article 25 edited by HO-272-N of 28 November 2007, HO-215-N of 18 November 2009)

Article 26. The completion of training musters of rank and file in the reserve and call-up to military trainings and military exercises

(Title supplemented by HO-215-N of 18 November 2009)

1. The soldiers in the reserve registered in the first category of the first group of the reserve may — for improving military skills and training — be called up to training musters up to four times in peacetime, up to three months in each case, but for no more than three months within a year. Moreover, the mentioned reservists may be called up to training musters not earlier than one year after being released to the reserve.

2. The reservists registered in the second category of the first group of the reserve, with the purpose of acquiring military skills, may be called up to training musters in peacetime up to six times, up to three months in each case, but for not more than three months within a year.

3. The soldiers, sergeants and non-commissioned officers registered in the first category of the first and second groups of the reserve preparing for the position of commissioned officer, shall be called up to training musters for a period of three months.

4. Persons registered in the second group of the reserve may be called up to training musters one to two times, up to two months in each case.

5. (part repealed by HO-272-N of 28 November 2007)

6. Training musters are announced by the decision of the Government of the Republic of Armenia, in accordance with the list of measures, the periods, as well as the number and professions of mobilized persons established by the Government of the Republic of Armenia on the ground of plans of mobilization preparation for each year. The Government shall have the right to, in case of necessity, keep the rank and file of

the reserve in training musters up to two months more than the periods established by this Article, as well as increase the number of training musters without exceeding the total periods thereof established by parts 1-3 of this Article.

7. To check the preparedness for mobilization of the armed forces in peacetime, citizens registered in the first group of the reserve may be called up to military trainings (command and staff or staff) for up to 10 days, or military exercises (military drills) for the entire period of their duration. Military trainings (command and staff or staff) and military exercises (military drills) shall be announced by the decree of the Minister of Defence of the Republic of Armenia.

(Article 26 amended, supplemented by HO-128-N of 1 June 2006, amended by HO-272-N of 28 November 2007, supplemented, amended, edited by HO-215-N of 18 November 2009, edited, supplemented by HO-38-N of 19 March 2012)

Article 27. Non-commissioned officers of the reserve

1. Reservists without the ranking of officer shall complete military service as non-commissioned officers in the armed forces and other forces.
2. The procedure of completion of military service for non-commissioned officers of the armed forces and other forces shall be prescribed by legislation.
3. Non-commissioned officers may be in military service until they attain 45 years of age. Upon their consent, that period may be extended up to 5 years.

The non-commissioned officers released from military service shall be in the reserve of the armed forces and other forces until they attain 55 years of age.

Article 28. Officers of the reserve

1. The group of officers of the reserve shall be composed of:

- officers and generals released from temporary military service and registered in the reserve;
- sergeants and non-commissioned officers with higher or secondary professional education, who have completed temporary military service and have received the rank of officer in accordance with the prescribed procedure;
- citizens who have completed military training during their studies at higher educational institutions and have been granted the rank of officer in accordance with the prescribed procedure;
- soldiers, sergeants and non-commissioned officers, who have been granted the rank of officer on the ground of higher and secondary professional civil education;
- those released from the penitentiary service of the Ministry of Justice of the Republic of Armenia, the Police and national security service bodies, taking the special ranks granted to them into consideration, except for those who have completed military service in those bodies and having military ranks;
- persons who have acquired citizenship of the Republic of Armenia and with the rank of an officer, taking into consideration the ranks of officer.

2. *(point repealed by HO-383-N of 3 July 2002)*

3. Female officers in military registration, in accordance with their profession, regardless of military rank, shall be registered in the third group of the reserve, and their age limit shall be considered 50.

4. Officers who have reached the age limit in the reserve or officers who have been recognised as unfit for military service during peacetime and war due to health condition shall be removed from the military registration.

(Article 28 amended by HO-383-N of 3 July 2002, supplemented by HO-128-N of 1 June 2006, edited, supplemented, amended by HO-215-N of 18 November 2009)

Article 29. The completion of training musters of officers and non-commissioned officers of the reserve and the procedure of calling up to military service

(Title amended by HO-128-N of 1 June 2006)

1. Those in the first group of the reserve may be called up to training musters for up to three months, those in the second group of the reserve - for up to two months, and those in the third group of the reserve - for up to one month. For the improvement of military skills and training in peacetime, the officers and non-commissioned officers of the first group may be called up to training musters for up to 30 days, and in the case of command and staff or staff trainings and drills - for up to 10 days.

The flight personnel of the first group of the reserve, besides completing the training musters prescribed by this Part, while being in the first group of the reserve, shall also be called up to training musters to perform flying drills up to five times, for two months in each case, but for not more than two months within a year.

2. The Minister of Defence shall be entitled to, in case of need, extend the periods of training musters for officers and non-commissioned officers in the reserve for up to two months, as well as the quantity of musters, not exceeding the total periods prescribed in part 1 of this Article.

3. The officers of the reserve may be, in peacetime, called up to:

(a) compulsory military service for up to 3 years through a call-up, according to professions and quantity determined by the Government;

(b) contractual military service - voluntarily and in accordance with the procedure prescribed by legislation.

(Article 29 amended, edited, supplemented by HO-128-N of 1 June 2006)

CHAPTER 7

RIGHTS, OBLIGATIONS AND LIABILITY OF MILITARY SERVICEMEN AND CONSCRIPTS

Article 30. Rights, obligations and liability of military servicemen and conscripts

1. The rights and obligations of military servicemen and conscripts shall be defined by this Law, other laws and legal acts.

2. While performing the duties for military registration, during enlistment at military call-up stations and call up to training musters, the job (position) and average salary of citizens shall be maintained at the permanent workplace (regardless of its organisational-legal form).

After completion of training musters, those in the reserve without permanent employment shall be paid a lump sum equal to the amount and according to the procedure that is established for contractual servicemen of the armed forces of the Republic of Armenia.

3. Military servicemen and conscripts shall be held liable in accordance with the procedure prescribed by legislation for evading the call-up to temporary military service, the training musters, mobilization and military registration, as well as for committing military crimes and offences related to military registration.

4. Citizens who have not obtained the right to be exempt from compulsory military service or to be deferred from compulsory military service by this Law and have not completed compulsory military service, may not be appointed to positions included in public service.

(Article 30 amended, supplemented by HO-128-N of 1 June 2006, edited by HO-215-N of 18 November 2009)

CHAPTER 8

FINAL PROVISIONS

Article 31. Entry into force of the Law

1. This Law shall enter into force from the moment of its promulgation.
2. The Law of the Republic of Armenia "On Conscription" adopted on 9 December 1991 shall — upon entry into force of this Law — be repealed together with its amendments and supplements.

President of the Republic of Armenia

R. Kocharyan

Yerevan

14 October 1998

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