

Information
provided by the Government of the Republic of Armenia regarding
the scope and application of the principle of universal jurisdiction

(a) National legislation concerning universal jurisdiction:

The issues concerning the application of the principle of universal jurisdiction are regulated by the Criminal Code of the Republic of Armenia (hereinafter referred to as "CCRA") and the Criminal Procedure Code of the Republic of Armenia (hereinafter referred to as "CPCRA").

According to Article 14 of the CCRA, a person who commits a crime in the territory of the Republic of Armenia is subject to liability under the CCRA. In cases of crimes committed in the territory of the Republic of Armenia and other states, the person's liability arises under the CCRA, if the person was subjected to criminal liability in the territory of the Republic of Armenia, unless an international treaty of the Republic of Armenia prescribes otherwise.

Article 3 of the CPCRA states that in the territory of the Republic of Armenia, proceedings in criminal cases shall be conducted in accordance with the provisions of CPCRA, irrespective of the place where the crime was committed, unless otherwise prescribed by the international treaties of the Republic of Armenia. Upon the motion of foreign courts or investigation agencies, a criminal procedure code of such foreign country may apply to certain investigative or court actions, if so provided by international treaties of the Republic of Armenia.

The Article 15 of the CCRA stipulates that a citizen of the Republic of Armenia or stateless person permanently residing in the Republic of Armenia who commits a crime outside of the territory of the Republic of Armenia, is subject to criminal liability under the CCRA, if the act committed by such person is recognized as a crime in the legislation of the foreign country where the crime was committed, and if such person has not been convicted by foreign country for that crime. When convicting the above mentioned persons, the punishment can not exceed the upper limit for punishment in the state where the crime was committed. However, for certain crimes, such as genocide, terrorism, ecocide, production or proliferation of mass destruction weapons and application of prohibited methods of war, such persons are subject to criminal liability regardless whether the act is considered a crime or not in the foreign country where the crime was committed.

A foreign citizen or stateless person not permanently residing in the Republic of Armenia, who commits a crime outside the territory of the Republic of Armenia, is subject to criminal liability under the CCRA, if such person commits: (1) such crimes which are provided in an international treaty of the Republic of Armenia, or (2) such grave and particularly grave crimes which are directed against the interests of the Republic of Armenia or the rights and freedoms of the citizens of the Republic of

Armenia, and if such person has not been convicted by a foreign country for that crime and is subjected to criminal liability in the territory of the Republic of Armenia.

CCRA states that a citizen of the Republic of Armenia who commits a crime in a foreign country cannot be extradited to that foreign country. In accordance with an international treaty of the Republic of Armenia, a foreign citizen or stateless person in the territory of the Republic of Armenia, who commits a crime outside the territory of the Republic of Armenia, can be extradited to a foreign state. A person cannot be extradited to a foreign country if there are serious reasons to believe that that person can be subjected to torture. If the legislation of the country seeking extradition of a person who commits a crime envisages death penalty for the given crime, then the extradition of such person can be turned down, unless the country seeking extradition presents satisfying assurances to the extraditing country that the death penalty will not be carried out. In case of refusal to extradite the person who committed a crime, the prosecution for the crime committed in the territory of a foreign country is done in accordance with the CCRA.

(b) Judicial practice in the field of universal jurisdiction:

There have been no cases of application of universal jurisdiction.

(c) International treaties of the Republic of Armenia relating universal jurisdiction:

- Geneva Conventions and their Additional Protocols
- Convention against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment
- International Convention on the Suppression and Punishment of the Crime of Apartheid
- Convention on the Prevention and Punishment of the Crime of Genocide
- International Convention for the Protection of All Persons from Enforced Disappearance (signed on 10 Apr 2007)
- Convention on Offences and Certain Other Acts Committed on Board Aircraft
- Convention for the Suppression of Unlawful Seizure of Aircraft
- Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation
- Protocol on the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, supplementary to the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation
- Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation
- Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf
- Convention on the Physical Protection of Nuclear Material

- Convention on the Marking of Plastic Explosives for the Purpose of Detection
- Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents
- International Convention against the Taking of Hostages
- International Convention for the Suppression of Terrorist Bombings
- International Convention for the Suppression of the Financing of Terrorism
- International Convention for the Suppression of Acts of Nuclear Terrorism (signed on 15 Sep 2005)
- European Convention on the Transfer of Proceedings in Criminal Matters
- European Convention on the Suppression of Terrorism and its Protocol
- Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism
- European Convention on Extradition and its two Additional Protocols
- Convention on the Transfer of Sentenced Persons
- European Convention on Mutual Assistance in Criminal Matters and its Additional Protocol
- CIS Convention on Extradition of Persons Sentenced to Imprisonment for Serving Further Sentence
- CIS Convention on Extradition of Offenders with Mental Disorders to another State for Compulsory Treatment
- CIS Convention on Legal Assistance and Legal Relations in Civil, Family and Criminal Matters
- Bilateral international treaties on extradition with Latvia, the Republic of Bulgaria, Georgia, the United Arab Emirates, the Islamic Republic of Iran and the Arab Republic of Egypt,
- Bilateral international treaties on legal assistance in criminal matters with Bulgaria, Romania, Georgia, the Hellenic Republic, the United Arab Emirates, the Republic of Lithuania, the Islamic Republic of Iran and the Arab Republic of Egypt.