

Information

provided in the implementation of the Declaration on Measures to Eliminate International Terrorism, annexed to General Assembly resolution 49/60 of 9 December 1994

Fight Against Terrorism

On October 4, 2018, The Government of Armenia approved the package of bills on Amending the Criminal Code of the RA and Amending the Criminal Procedure Code of the RA and submitted them to the National Assembly.

In the field of the fight against terrorism, the draft Law on Amending the Criminal Code envisages, among other things, the incorporation of Item 1 into the Article 226, thus providing for criminalization of public calls for terrorism, financing of terrorism and international terrorism as well as overtly justifying or propagating such acts. The newly drafted Criminal Code contains also a number of other provisions regulating various aspects of countering terrorism and related issues, in order to ensure Armenia's full compliance also with the requirements of recently adopted UNSC counterterrorism resolutions.

Armenia developed and adopted its National Strategy on the Fight against Terrorism in 2012. In line with the provisions of the strategy, the Program for the Implementation of the Provisions of the Strategy on the Fight against Terrorism, covering the period from 2012 to 2017 was developed and successfully implemented. The process of elaboration of a similar program for the period 2018-2023 was initiated under the general coordination of the National Security Service (NSS) of the RA with the involvement of all the relevant ministries, state bodies and other agencies of the RA. The draft Program aims at ensuring comprehensive, holistic approach to counterterrorism measures including the strengthening and refining of domestic legislation, protection of critical infrastructure, public awareness raising etc.

Large number of practical steps and measures are already being or scheduled to ensure the implementation of appropriate provisions of UNSCR 2396. Particularly, in accordance and compliance with OP 2 of the UNSCR 2396, a number of activities are currently carried out to improve, upgrade and expand the capacities, including analytical toolkit, of the National Electronic Border Management Information System (BMIS). The latter's upgrading encompasses also improvement of personal identification methods (including fingerprint registration and its further use for verification of previous instances of border crossing and visa application, anticipated to be tested in one of operating checkpoints) as well as realization of pilot program involving “Face Detect” and “Face Compare” technologies taking into consideration good practices accumulated in advanced countries. Those measures are planned in accordance with OP 15 of the UNSCR 2396. Moreover, in line with OP 11 and 12 of the UNSCR 2396, the Ministry of Transport, Communication and Information Technologies of the RA has drafted a Law on Transport Security. Accordingly, the Government of the RA should establish an integrated transport security state system containing consolidated, automated databases¹ of passengers and transport staff to be created during the process of air, railway or automobile transportation.

¹ Those personal data include name, surname, patronymic, date of birth, sex, citizenship, type of ID and its requisites, city of departure, destination, itinerary (both direct and transit), date and time of departure/arrival.

The General Department of Civil Aviation has initiated the process of amending the Aviation Law of the Republic of Armenia to fulfil the requirement concerning the submission of advance passenger information by airlines. Furthermore, in order to provide for the full compliance with security standards established by the ICAO, a set of practical steps and arrangements² are envisaged in the recently issued draft governmental protocol decision on approving the renewed Program of measures to ensure the implementation of the provisions of the National Strategy for the Fight Against Terrorism in Armenia.

Anti-Money Laundering and Countering Financing of Terrorism (AML/CFT)

In Armenia, terrorism and terrorist financing, being considered serious criminal offenses, are duly criminalized pursuant to relevant articles (Article 217 and 217.1) of the Criminal Code in line with the requirements of the Convention for the Suppression of the Financing of Terrorism that was ratified by Armenia in 2004. The competence for pre-trial investigation of terrorism and its financing is vested in the National Security Service (NSS). Where committed in complicity with or by high level officials of legislative, executive and judicial authorities of the Republic of Armenia and persons in special public service, in relation to their position, the investigative authority sits with the Special Investigative Service.

It is essential to mention that no cases with indications of terrorism financing have ever been investigated or prosecuted and, accordingly, no convictions have been enforced. Similarly, in 2018 as before, no criminal cases were initiated pursuant to the Article 389 of the Criminal Code on international terrorism.

In compliance with relevant UNSC Resolutions, Armenia has established effective mechanisms for implementing targeted financial sanctions regimes. In particular, Article 28 of the Law on Combating Money Laundering and Terrorism Financing (AML/CFT) provides for the obligation of reporting entities to freeze all funds, financial assets or economic resources owned or controlled, directly or indirectly, by terrorism-related persons included in the lists published by or in accordance with the UNSC Resolutions as well as in the National Lists (established pursuant to UNSCR 1373) without delay and without prior notice to the persons involved. Upon freezing the property of terrorism-related persons, reporting entities shall without delay proceed to recognize the transaction or business relationship as suspicious and file a report on suspicious transaction or business relationship. Freezing shall be imposed for an indefinite term and may be revoked only by the Armenia's Financial Intelligence Unit (notably, the Financial Monitoring Center of the Central Bank of Armenia) if the property has been frozen by mistake, or when the person with frozen property has been removed from the lists of terrorism-related persons.

Any designation made under UNSC resolutions is applied automatically within the territory of Armenia. The Financial Monitoring Center of the Central Bank of Armenia possesses

² Those arrangements encompass the following actions:

- amendment to the Government Decision № 944 of May 27, 2004, establishing the procedure for organizing and exercising civil aviation control in the airports of the RA;
- renovation of fences surrounding “Zvartnots” International Airport as well as furnishing of the airport territory with new security alarm and closed-circuit television (CCTV) systems;
- preparation of specialists in the sphere of aviation security including further training (qualification improvement) of professional personnel.

technological capacities to remotely input updates on designations into financial institutions' databases through an algorithm installed within their IT systems to ensure that any matches with UN designations are automatically detected. Paragraph 2 of the Article 28 of the AML/CFT Law stipulates that the FMC is authorized to propose, either on its own initiative or at the request of competent foreign authorities, persons or entities for designation under UNSCR 1373. Currently there are no designations under National Lists.

The Central Bank of Armenia has adopted several normative acts (embracing the, so called, Listing Rules, Freezing Guidance as well as Delisting and Unfreezing Rules) in order to facilitate effective implementation of targeted financial sanctions.

In 2017 Armenia conducted an analytical update to the 2014 National Assessment of Money Laundering and Terrorism Financing Risks, covering the period from 2014 to 2016³. The results of the assessment suggest that the likelihood of individual terrorists or terrorism organizations operating in the Republic of Armenia is very low, while the effective preventive mechanisms as well as permanent and large scale operational intelligence render the misuse of financial and non-financial systems for terrorism financing purposes practically impossible. The findings of national assessment are also reaffirmed in the 5th round mutual evaluation report (MLR) of Armenia's Anti-Money Laundering and Counter-Terrorist Financing Measures issued by the Council of Europe MONEYVAL Committee. According to the report, Armenia's compliance to the FATF Recommendation 8: "Risk of Terrorism financing abuse of non-profit organizations" is identified implying low level of terrorism financing risk. As a result, the FATF Recommendation 8 has been re-rated as C or Compliant.

The Law on Combating Money Laundering and Terrorism Financing was amended on 01 March 2018. The amendments to the AML/CFT broadened the scope of the law, which now refers also to the "freezing of property of the persons related to the proliferation of weapons of mass destruction".⁴

Reasserting steady commitment to contribute to efforts of the international community aimed at suppression and criminalization of terrorism financing and taking into account the urgency of the matter, Armenia co-sponsored the Resolution 2462 entitled "Threats to international peace and security caused by terrorist acts: combating terrorism financing" that was submitted by France for the agenda of the Security Council and unanimously passed under Chapter VII of the UN Charter on 28 March, 2019.

International Counter-Terrorism Cooperation

In Armenia, no cases of home-grown or returning FTFs have been recorded. Meanwhile, the travelling and relocation of FTFs remains of vast concern for Armenia taking into account the significant number of such terrorists originating from states immediately neighboring to Armenia. Relocation of FTFs from Middle East, particularly to the conflict areas in the OSCE and CIS regions, bears a serious threat to regional security. FTFs returning from conflict zones in Middle East import their violent practices and disseminate virulent extremist ideas, thus, contributing to

³ Key findings are available at:

[https://www.cba.am/Storage/EN/FDK/risk_assesment/NRA_Update_Executive_Summary\(Public\)_eng.pdf](https://www.cba.am/Storage/EN/FDK/risk_assesment/NRA_Update_Executive_Summary(Public)_eng.pdf)

⁴ https://www.cba.am/Storage/EN/regulations/AML_CFT_Law_eng.pdf:

radicalization of societies. The Daesh-style executions and other contemptible atrocities are already not limited just to the Middle East. In this regard, it should be noted with concern that in several countries ethnicity- or religion-based intolerance, xenophobia, hatred are encouraged and instigated by state authorities with the aim of disguising chronic lack of democracy, systematic breach of human rights and fundamental political liberties, suppression and even compelled assimilation of national minorities.

Any attempt to justify and glorify the inspirers and perpetrators of such hate crimes, as well as incitement of violence, bellicose rhetoric or state-sponsored terrorism, especially in conflict environment, should be decisively and unequivocally condemned by international community.

In this respect, Armenia remains fully committed to the fight against terrorism and, in this regard, pursues cooperation with the UN specialized bodies (UN CTED, UNOCT, UNODC), the Antiterrorism Center of the CIS, relevant structural units of the CSTO, the OSCE, the Council of Europe, the NATO as well as in bilateral format.

The Counter-Terrorism Committee Executive Directorate (CTED) conducted a follow-up visit to Armenia from 11 to 13 July 2018 in order to study and assess Armenia's compliance with and implementation of the UNSC Resolution 1373 and subsequent counter-terrorism resolutions (1624, 2178, 2396) with due attention to national legislation. National security authorities and law-enforcement bodies reaffirmed Armenia's unequivocal commitment to contribute to the fight against terrorism and its financing in all its forms and manifestations; to ensure further improvement of the domestic legislation in accordance with the relevant counterterrorism resolutions of the UNSC and CTED recommendations. The CTED Delegation noticed significant progress achieved since the Delegation's initial visit from 24 to 28 of September 2007, as well as welcomed continuous efforts of the Armenian Government aimed at carrying out a comprehensive approach to address terrorism-related challenges including also through continued multidimensional cooperation with the UN and relevant regional organizations on this matter.

Steady cooperation is carried out by the National Security Service, the Police and the General Prosecutor's Office of the RA within the framework of and in accordance with the CIS Program of cooperation for 2017-2019 on countering terrorism and other violent manifestations of extremism. Meanwhile, the State Revenue Committee of the RA is a member of the Committee of Heads of Law Enforcement Units of the Council of Chiefs of the CIS Customs Services. In 2009, a Memorandum of understanding was signed between the aforementioned Committee and the CIS Anti-Terrorism Center on information exchange in the sphere of the fight against terrorism.

Representatives of national security agencies, special services and law enforcement bodies have been constantly taking part in the joint counterterrorism exercises of the CIS under the general coordination of the Anti-Terrorism Center of the CIS.

Competent state security agencies from seven countries of the CIS (Armenia, Belarus, Kazakhstan, Kyrgyzstan, Russia, Tajikistan and Uzbekistan) will engage in the “Ararat-Antiterror 2019” exercise, two final stages of which will be held in Armenia in September of the current year.

Armenia attaches vast importance to its active engagement in the regularly conducted joint operations of the CSTO Member States “CHANNEL”, “ILLEGAL”, “PROXY” («Канал», «Нелегал», «Прокси»). Initially designed to counter, respectively, drugs and arms smuggling,

illegal migration and crimes in information sphere, these operations have acquired additional value and significance enabling to combat threats stemming from FTFs that seek to return to their countries of origin/nationality or travel to third countries (also by abusing the refugee status); counter closely interlinked terrorist and organized criminal groups as well as terrorist use of ICTs and cyberterrorism.

Within the framework of cooperation with the OSCE, a National Workshop on Establishing an Advance Passenger Information (API) System is planned to be held from 17 to 19 June 2019 in Yerevan. The ultimate goal of the workshop is to assist Armenian Government in the elaboration of a road map that would outline practical measures and steps necessary for the introduction of the API system in line with international standards set by the relevant provisions of the UNSC Resolutions (in particular, 2178, 2309 and 2396) as well as commitments that Armenia has undertaken. In the outcome of the establishment of the API system, national security authorities will acquire enhanced capacities for risk assessment and detection of possible FTFs designated pursuant to the UNSC Resolutions.

Extensive cooperation is carried out through the channels of Interpol as well as engagement of representatives of the Police and National Central Bureau of Interpol in the Organization's General Secretariat-led various regional initiatives and programs, notably, Project Kalkan. Since December 2017, the information contained in the INTERPOL databases (including the Stolen and Lost Travel Documents Database) is being inserted in the National Electronic Border Management Information System. Moreover, competent state institutions, law enforcement bodies and security agencies (including the NSS and Border Guard Troops, the Financial Monitoring Center of the CBA etc.) currently have access to relevant Interpol databases.

An essential emphasize on counter-terrorism cooperation is present in bilateral agreements and MoUs that the Prosecutor General's Office has signed with relevant bodies of some twenty partner states. Those agreements and MoUs provide for various means of carrying out such cooperation including through the sharing of best practices, holding discussions, establishment of specialized working groups etc.

The NSS of the RA exchanges information, analytical data with relevant entities of partner states (in particular, the USA, France, Germany, CIS Participating States and China) concerning international developments and emerging trends conditioned by the activities of terrorist groups.

Being convinced that enhanced cooperation at both regional and international levels is crucial and indispensable for effectively countering and addressing multi-faceted threats stemming from terrorism and its financing as well as for the prosecution of perpetrators, Armenia attaches great importance not only to the cooperation of competent state bodies with relevant foreign institutions and agencies but also to continuous political dialogue and discussion contributing to and facilitating counterterrorism partnership. Armenia contributes to furthering such dialogue and cooperation by having co-organized a number of high level events aimed at promotion of peaceful co-existence, interreligious peace and stability as well as protection of ethnic and religious groups in Middle East. In this regard, the latest event was the OSCE Conference on "Preventing and Countering Hate Crimes against Christians and Members of other Religious Groups - Perspectives from the OSCE and beyond", which was hosted by Armenia in November 2017 and was co-organized in partnership with the OSCE/ODIHR.

Armenian high rank officials and delegations actively participate in UN-convened events (for instance, the First High-level Conference of Heads of Counter-Terrorism Agencies of Member States held in New York on 28-29 June 2018), OSCE-wide conferences organized by the OSCE Chairmanship, annually held consultations among the Ministries of Foreign Affairs of the Participating States of the CIS, as well as meetings in inter-parliamentary format (such as the “Conference on Countering International Terrorism” organized by the Parliamentary Assembly of the States-Parties to the CIS in Saint-Pétersbourg on 18 April, 2019) and events organized by partner countries (for example, the high-level Conferences hosted by Tajikistan in 2018 and 2019 which becomes a remarkable venue to discuss, take stock of the international endeavors and cooperation in countering terrorism and its financing).