

LEGAL DEPARTMENT OF THE MINISTRY OF FOREIGN AFFAIRS OF THE RUSSIAN FEDERATION

LIST OF BILATERAL INTERNATIONAL TREATY OF RUSSIA

**TREATY BETWEEN THE RUSSIAN FEDERATION AND THE REPUBLIC OF ARMENIA ON THE STATUS OF
THE BORDER GUARD TROOPS OF THE RUSSIAN FEDERATION DEPLOYED ON THE TERRITORY OF
THE REPUBLIC OF ARMENIA AND THE CONDITIONS OF THE OPERATION THEREOF 19920113**

Counterparty: Republic of Armenia

Date of conclusion: 30.09.1992

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30.09.1992 Validity: In force

TREATY

between the Russian Federation and the Republic of Armenia on the status of the Border Guard Troops of the Russian Federation deployed on the territory of the Republic of Armenia, and the conditions of the operation thereof

The Russian Federation and the Republic of Armenia, hereinafter referred to as the Parties, having high regard to the new political realities in the world and in the Transcaucasian region, the acquisition of state independence by the Russian Federation and the Republic of Armenia, proceeding from the intention to develop friendly relations and mutually beneficial cooperation based on the principles and norms of international law, recognizing the inalienable right of all independent states to take measures to protect their state borders, guided by the need to ensure the collective security of the member states of the Commonwealth of Independent States, desiring to create a treaty basis for the presence of the Border Guard Troops of the Russian Federation on the territory of the Republic of Armenia and provision of protection of the border with Turkey and Iran thereby,

have agreed on the following:

Article 1

For the purpose of this Treaty, the following concepts shall mean:

1. "Border Guard Troops of the Russian Federation" - formations, units and subdivisions of the Border Guard Troops of the Russian Federation on the territory of the Republic of Armenia.
- 2.2. "Persons included in the Border Guard Troops of the Russian Federation":
 - a) military personnel of the Border Guard Troops of the Russian Federation;

- b) civilians from among the citizens of the Russian Federation working in units, institutions, organizations and enterprises of the Border Guard Troops of the Russian Federation.
3. Family members of persons included in the Guard of the Russian Federation" - spouses, children, as well as relatives living together and dependent thereon.
 4. "Place of deployment" - the territory on which the Border Guard Troops of the Russian Federation are stationed, including the locations of military units with training centers, firing ranges and other facilities used by the Border Guard Troops of the Russian Federation.
 5. "Movable property of the Border Guard Troops of the Russian Federation"- all types of weapons, ammunition, military equipment, including vehicles, as well as any other material means necessary for the sustainment of troops.
 6. "Real estate of the Border Guard Troops of the Russian Federation" - land plots occupied by the Border Guard Troops of the Russian Federation, and military towns, airfields, firing ranges and other buildings and structures located thereon.

Article 2

The Republic of Armenia, in the interest of ensuring its own security, the security of the Russian Federation and the collective security of the CIS member states, delegates the issues of protecting the state border with Turkey and Iran within its territory to the border troops of the Russian Federation deployed at the time of signing this Treaty on the territory of the Republic of Armenia.

Article 3

The border troops of the Russian Federation, located on the territory of the Republic of Armenia and guarding the state border, are guided in their activities by the interstate treaties of the former Soviet Union with Turkey and Iran, agreements on border issues of the CIS member states, the Law of the Soviet Union "On the State Border of the USSR," legislative acts of the Republic of Armenia, as well as normative acts of the Border Guard Troops of the Russian Federation in part not contradictory to the legislation of the Republic of Armenia.

Border troops of the Russian Federation coordinate their actions to protect the state border of the Republic of Armenia with the President and Government of the Republic of Armenia.

Border troops of the Russian Federation located on the territory of the Republic of Armenia shall respect the sovereignty of the Republic of Armenia, observe local legislation and not allow interference in the internal affairs of the Republic of Armenia. The local authorities shall respect the legal status of the Border Guard Troops of the Russian Federation, the persons who constitute part

thereof, and the family members of these persons and shall not allow any actions that make it difficult for the Border Guard Troops of the Russian Federation to fulfill their tasks. They shall take the necessary and coordinated measures with the Border Guard Troops of the Russian Federation to ensure their safety, as well as the safety of the property of the troops, including measures to prevent any illegal actions. Border troops of the Russian Federation shall not be involved in the fulfillment of other tasks not related to border protection with Turkey and Iran (with the exception of works on elimination of natural disasters, accidents and catastrophes).

Article 4

The organizational and staffing structure of the Border Guard Troops of the Russian Federation located on the territory of the Republic of Armenia at the time of signing this Treaty, and their places of deployment shall be preserved until the conclusion of special agreements between the Russian Federation and the Republic of Armenia.

In order to ensure the control of the troops, the Operational Group "Armenia" shall be created.

The troops shall be complemented under the command of the Border Troops of the Russian Federation.

Alongside the establishment of its own border structures, the Republic of Armenia, in agreement with the leadership of the Border Guard Troops of the Russian Federation, shall sequentially take sections of the border with Turkey and Iran under its guard, organizing their protection in close cooperation with the Border Guard Troops of the Russian Federation.

Article 5

In the interest of protecting the state border of the Republic of Armenia with Turkey and Iran, the Border Guard Troops of the Russian Federation located on the territory of the Republic of Armenia, in cooperation with the State Administration of National Security and other law enforcement agencies of the Republic of Armenia, shall conduct operational and intelligence work, inquire into cases of border violations, and carry out urgent investigative actions in accordance with the criminal and criminal procedure legislation of the Republic of Armenia. The border representation activities of the Border Guard Troops of the Russian Federation shall be carried out in accordance with the valid agreements with Turkey and Iran on border regime issues with the participation and under the general leadership of the Ministry of Foreign Affairs of the Republic of Armenia.

Article 6

The Border Guard Troops of the Russian Federation, in accordance with the valid legislative acts regulating the procedure for crossing the border, shall carry out the passage of persons, vehicles, cargo, goods and other items through the existing checkpoints located on the border of the Republic of Armenia with Turkey and Iran. The movement of passengers and vehicles across the border at newly established checkpoints shall be opened by the Government of the Republic of Armenia after the completion of all work on the construction (reconstruction) of these points according to designs agreed upon with the Border Guard Troops of the Russian Federation, and the creation of the required infrastructure for their operation.

Article 7

The Border Guard Troops of the Russian Federation shall use the forces and means of aviation units based both on the territory of the Republic of Armenia and beyond its borders, both from base airfields and from temporary airfields (sites) in border protection.

The Republic of Armenia undertakes not to impede the flights of fixed wing, rotary wing and other aircraft of the Border Guard Troops of the Russian Federation in the airspace of the Republic of Armenia in compliance with the established flight rules.

Provision of flights of aviation of the Border Guard Troops of the Russian Federation, as well as the use of airfields and airports, railways and highways and their structures on the territory of the Republic of Armenia related to border protection, shall be carried out free of charge.

Article 8

In the interest of the consistent formation of the national Border Guard Troops of the Republic of Armenia, the Border Guard Troops of the Russian Federation, by order and on a contractual basis, shall provide the necessary assistance, including in the training of national personnel for the Border Troops of the Republic of Armenia. The training of officers, warrant officers and midshipmen for the Border Guard Troops of the Republic of Armenia shall be carried out in educational institutions of the Russian Federation upon agreement between the Parties. The training of specialists for the Border Guard Troops of the Republic of Armenia shall be carried out in the training centers of the Russian Federation and the Republic of Armenia.

Article 9

The Russian Federation and the Republic of Armenia shall ensure the full scope of political, socio-economic and other rights and freedoms, as well as the legitimate interests of persons serving in the Border Guard Troops of the Russian Federation and their family members in accordance with the norms of international law. The Republic of Armenia shall grant the right to persons serving in the Border Guard Troops of the Russian Federation and their family members, military personnel - after their discharge into the reserve or retirement, to voluntarily acquire Armenian citizenship in accordance with the legislation of the Republic of Armenia. In this event, the Parties proceed from the fact that the term of military service in the Border Guard Troops of the Russian Federation and work at enterprises, institutions and organizations of the Border Guard Troops of the Russian Federation on the territory of the Republic of Armenia shall be accounted for the period required for acquiring citizenship and pension of the Republic of Armenia.

Article 10

Provision of livelihoods (housing, utilities, medical care, etc.) for the units and formations of the Border Guard Troops of the Russian Federation on the territory of the Republic of Armenia shall be carried out by the Republic of Armenia, while financing and logistical support shall be provided by both Parties on a shared basis, for which the Parties shall conclude a separate agreement.

Article 11

The Republic of Armenia shall reserve the right to the Border Guard Troops of the Russian Federation to use barracks and residential towns, airfields, training centers and fields with equipment and installations, residential and other buildings and structures, land plots, railway access roads, transport, postal, telegraph-telephone and radio communications, electricity, utilities, construction and other services that the Border Guard Troops of the Russian Federation use at the time of signing this Treaty. The procedure and conditions for the use by the Border Guard Troops of the Russian Federation of the said facilities and means, as well as various types of services, shall be defined by

separate agreements between the Parties.

Article 12

In the event of the vacation of structures, buildings, barracks and residential towns, airfields, training centers, training fields with stationary equipment and installations and other real estate used by the Border Guard Troops of the Russian Federation, the Parties shall be guided by the following principle: real estate leased by the troops from legal entities and citizens of the Republic of Armenia shall be returned to the Republic of Armenia. The procedure for the transfer of real estate and movable property to the Republic of Armenia in the cases established by this Article shall be defined by a separate agreement between the Parties.

Article 13

The Republic of Armenia undertakes to prevent entry into the territory of the Russian Federation of persons from third countries in violation of the legislation of the Russian Federation.

Article 14

The Republic of Armenia shall reserve the right of ownership of the real estate assets belonging to them (residential buildings, summer houses and garden plots, garages, etc.) to the persons who are members of the Border Guard Troops of the Russian Federation and their family members, who depart from the Republic of Armenia for permanent residence, to freely sell or export their property outside its borders without restrictions.

Article 15

1. The Republic of Armenia shall ensure the accommodation of persons included in the Border Guard Troops of the Russian Federation and their family members in the residential premises occupied by them at

the time of signing this Treaty.

2. Persons included in the Border Guard Troops of the Russian Federation on the day of signing this Treaty and in need of improved housing conditions shall be provided with residential premises in order of priority.
3. Military personnel who are not provided with residential premises shall be provided with housing at the expense of the residential premises vacated by the departure of military personnel, regardless of its departmental affiliation, as well as at the expense of the housing stock rented from the Republic of Armenia by the command of the Border Guard Troops of the Russian Federation. The Republic of Armenia shall lease residential premises to the command of the Border Troops of the Russian Federation on its territory.

As compensation for the residential premises provided by the Republic of Armenia for use by military personnel and other persons included in the Border Guard Troops of the Russian Federation, the Russian Federation shall pay the costs of maintaining and repairing these premises.

The command of the troops, with the consent of the Armenian side, may build residential buildings on the territory of the Republic of Armenia at its own expense, which shall become the property of the Russian Federation.

4. The Republic of Armenia shall designate to the Border Troops of the Russian Federation, for the entire period of their presence in the country, the living space occupied by them on the day of signing this Treaty, regardless of its departmental affiliation.
5. The Republic of Armenia shall provide living space to persons who are members of the Border Guard Troops of the Russian Federation, who have chosen cities and other populated areas of the country as their permanent place of residence and who are registered for housing with the local government bodies of the Republic of Armenia on the day of signing this Treaty.
6. Living spaces occupied by persons who are members of the Border Guard Troops of the Russian Federation and their family members may be transferred to their personal (private) ownership gratuitously. The act of ownership of living spaces shall be drawn up by local

authorities in accordance with the legislation of the Republic of Armenia.

7. The Republic of Armenia shall provide registration and issue residence permits to persons who are members of the Border Guard Troops of the Russian Federation and their family members.

Article 16

The Republic of Armenia shall ensure equal rights with its citizens for persons included in the Border Guard Troops of the Russian Federation and their family members in obtaining education in higher, secondary and vocational educational institutions, in attending or being admitted to preschool institutions, in medical and other types of social security.

The Russian Federation shall compensate the expenses of the Republic of Armenia spent on social security of persons included in the Border Guard Troops of the Russian Federation and their family members.

The procedure for mutual settlements between the Russian Federation and the Republic of Armenia in the field of social security of persons included in the Border Guard Troops of the Russian Federation and their family members shall be defined by agreement between the Parties.

Article 17

The Republic of Armenia shall grant the right to persons who are members of the Border Guard Troops of the Russian Federation and their family members crossing the state border of the Republic of Armenia, upon entry for service and exit upon completion of service, to carry their belongings without restrictions and without the collection of duties, taxes and charges.

Specific issues of application of the provisions on import and export, as well as tax, customs and currency provisions in force in the Republic of Armenia, with respect to the Border Guard Troops of the Russian Federation, persons who are members of the Border Guard Troops of the Russian Federation and their family members located on the territory of the Republic of Armenia shall be regulated by special agreements.

Article 18

Persons included in the Border Guard Troops of the Russian Federation and their family members shall cross the state border of the Republic of Armenia with identity cards (military cards) or foreign passports, and minors - with entries in these documents.

The movement of military personnel, weapons, military equipment and other material resources supplied to the Border Guard Troops of the Russian Federation on the territory of the Republic of Armenia, as well as their movement across the territory of Armenia in the interest of border protection shall be carried out unimpededly.

The movement of military groups with weapons, as well as ammunition, military equipment and other material resources outside the territory of the Republic of Armenia shall be carried out in agreement with the concerned agencies of the Republic of Armenia.

The procedure for the passage of the Border Troops of the Russian Federation, persons included in their composition, moving alone or as part of border units, subdivisions and groups, the transportation of military cargo across the state border of the Republic of Armenia after the establishment of the border regime shall be determined by agreement of the Parties.

Article 19

Jurisdictional issues related to the presence of the Border Guard Troops of the Russian Federation on the territory of the Republic of Armenia shall be regulated as follows:

1. In cases of crimes and misdemeanors committed by persons included in the Border Guard Troops of the Russian Federation or their family members on the territory of the Republic of Armenia, as a general rule, the legislation of the Republic of Armenia shall apply and local courts, the prosecutor's office and other local bodies competent in matters of prosecuting crimes and misdemeanors shall operate.

Cases of crimes committed by military personnel who are citizens of the Russian Federation and included in the Border Guard Troops of the Russian Federation shall be investigated by the competent bodies of the Republic of

Armenia.

2. Clause 1 of this article shall not apply:

a) in the event of the commission by persons who are members of the Border Guard Troops of the Russian Federation or members of their families of a crime or misdemeanor against the Russian Federation, as well as against persons who are members of the Border Guard Troops of the Russian Federation located on the territory of the Republic of Armenia or members of their families;

b) in the event of the commission by persons who are members of the Border Guard Troops of the Russian Federation of crimes or misdemeanors during the performance of official duties.

In the cases specified in clauses "a" and "b" of this article, the competent Russian courts and other bodies shall act on the basis of the legislation of the Russian Federation.

The competent bodies of the Russian Federation and the Republic of Armenia may mutually address each other with requests to transfer or accept jurisdiction over individual cases provided for in this article. Such requests shall be considered favorably.

Article 20

In the event of a crime being committed against the Border Guard Troops of the Russian Federation located on the territory of the Republic of Armenia by persons who are part of the Border Guard Troops of the Russian Federation, as well as their family members, the perpetrators shall bear the same liability as for crimes against the Republic of Armenia and its citizens.

Article 21

The competent authorities of the Russian Federation and the Republic of Armenia will provide each other with all kinds of assistance, including legal assistance, on matters of prosecution of the crimes and misdemeanors specified in Articles 19 and 20 of this Treaty.

Article 22

1. The Russian Federation agrees to compensate for material damage that may be caused by the actions or omissions of the Border Guard Troops of the Russian Federation or individuals from their ranks in the performance of official duties to local institutions and citizens or citizens of third countries located on the territory of the Republic of Armenia, in the amounts established on the basis of the claims made and taking into account the provisions of local legislation. The amount of damage shall be determined by the Joint Commission formed in accordance with Article 29 of this Treaty. Disputes that may arise from the obligations of the Parties shall also be subject to consideration by the Joint Commission.
2. The Russian Federation also agrees to compensate the Republic of Armenia for damage caused by institutions and citizens of third countries on the territory of the Republic of Armenia as a result of actions or omissions of persons from the Border Guard Troops of the Russian Federation committed outside the performance of official duties, as well as caused by actions or omissions of family members of persons from the Border Guard Troops of the Russian Federation in amounts established by a local court on the basis of claims made against the persons who caused the damage.
3. Compensation for damage shall be made by the Russian Federation within three months from the date of the decision of the Joint Commission or the entry into force of the court decision. Payment of amounts by decision of the Joint Commission or the court to the affected persons and institutions shall be made by the relevant local authorities.
4. Claims for compensation for damages that are not satisfied prior to the entry into force of this Treaty shall be considered by the Joint Commission.

Article 23

1. The Republic of Armenia agrees to compensate for material damage caused to the property of the Border Guard Troops of the Russian Federation located on the territory of the Republic of Armenia, as well as to individuals from among the citizens of the Russian Federation who are members of the Border Guard Troops of the Russian Federation, as a result of the actions or omissions of local state institutions in the amounts established by the Joint Commission established in accordance with Article 29 of this Treaty.

Disputes that may arise from the obligations of state institutions to the Border Guard Troops of the Russian Federation shall also be subject to consideration by the Joint Commission.

2. The Republic of Armenia also agrees to compensate the Russian Federation, individuals who are members of the Border Guard Troops of the Russian Federation, and their family members for damage caused by the actions or omissions of local citizens and legal entities in the amounts established by the local court on the basis of claims brought against the persons who caused the damage.

Article 24

The Border Guard Troops of the Russian Federation located on the territory of the Republic of Armenia shall have the right, upon notification of the relevant bodies of the Republic of Armenia, to maintain and use their own radio-electronic facilities and means without paying any fees and without special registration.

The Republic of Armenia shall reserve the right to the Border Guard Troops of the Russian Federation to use radio frequencies by the active services of these troops in accordance with the procedure existing at the time of signing this Treaty.

In order to avoid mutual radio interference, the joint use of radio frequencies by the radio services of the Border Guard Troops of the Russian Federation and the Republic of Armenia shall be regulated by mutual agreement by a permanent joint group of experts on these matters.

Article 25

1. Передвижение, учения и маневры Пограничных войск Российской Федерации вне мест их дислокации проводятся на основании планов,

согласованных с государственными органами Республики Армения.

2. Пограничные войска Российской Федерации имеют право в местах дислокации и при передвижениях осуществлять меры по охране военных объектов в соответствии с порядком, установленным в Пограничных войсках Российской Федерации.

3. 1. Movement, training and maneuvers of the Border Troops of the Russian Federation outside their places of deployment are carried out on the basis of plans agreed upon with the state bodies of the Republic of Armenia. 2. The Border Troops of the Russian Federation have the right to implement measures to protect military facilities in their places of deployment and during movements in accordance with the procedure established in the Border Troops of the Russian Federation.

Article 26

The provisions of this Treaty, in particular the provisions pertaining to jurisdiction and liability for damage caused, shall apply respectively to the Border Guard Troops of the Russian Federation transiting through the territory of the Republic of Armenia.

Article 27

1. The servicemen of the Border Guard Troops of the Russian Federation, located on the territory of the Republic of Armenia, shall wear the uniform established for them, have the right to carry and store weapons in accordance with the procedure established in the Border Guard Troops of the Russian Federation.

2. The automobile equipment of the Border Guard Troops of the Russian Federation and their institutions shall have a registration number and a clear distinctive sign. Unified registration numbers and signs are established by the order of the Border Guard Troops of the Russian Federation and communicated to local government agencies.

3. Local government bodies recognize, without testing or payment, driver's licenses issued by government bodies of the former USSR and the Russian Federation to persons who are members of the Border Guard Troops of the Russian Federation located on the territory of the Republic of Armenia.

Article 28

To regulate the issues related to the presence of the Border Troops of the Russian Federation, the Parties shall designate their authorized representatives with respect to the presence of the Border Guard Troops of the Russian Federation on the territory of the Republic of Armenia.

Article 29

To settle the issues related to the interpretation or application of this Treaty, a Joint Commission shall be formed, to which each Party shall designate three of its representatives. The Joint Commission shall act on the basis of the rules adopted thereby. The seat of the Joint Commission shall be the city of Yerevan. If the Joint Commission is unable to settle the issue referred thereto, it shall be referred for settlement through diplomatic channels as soon as possible.

Article 30

This Agreement shall enter into force upon its conclusion and shall remain in force for the duration of the presence of the Border Guard Troops of the Russian Federation on the territory of the Republic of Armenia. It may be amended with the consent of the Parties.

This Agreement is made in two copies, each in the Armenian and Russian languages. Both texts have equal legal force.

Concluded in Yerevan on September 30, 1992

(Signatures)