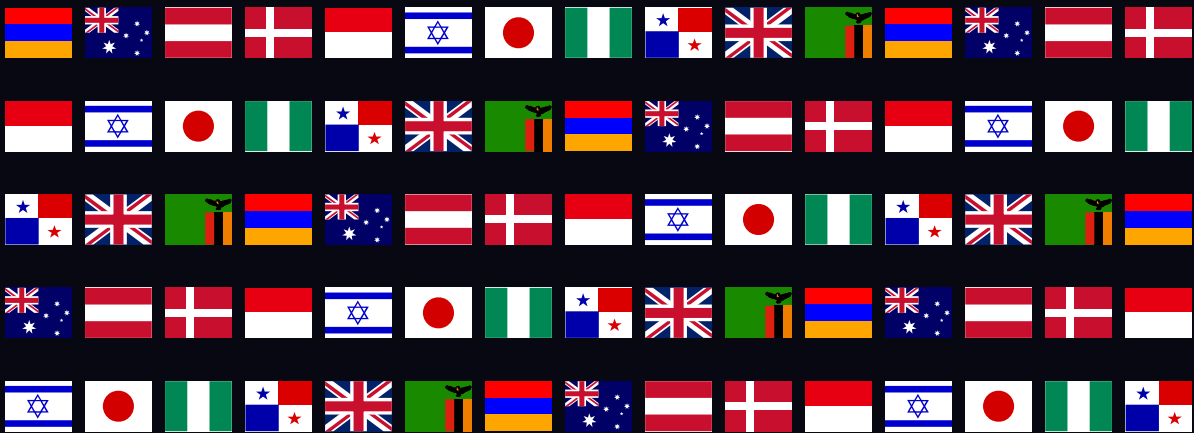


CORPORATE IMMIGRATION

Armenia



Corporate Immigration

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Quick reference guide enabling side-by-side comparison of local insights into the general framework; short-term entry, including visa, visa waiver and fast-track regimes; long-term entry, including assessment criteria, application process and routes for entrepreneurs, investors and highly skilled workers; extension and conversion of immigration rights; rights of dependants; other requirements, restrictions and penalties; and recent trends.

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GENERAL FRAMEWORK

Legislation

What primary and secondary legislation governs immigration in your jurisdiction?

The primary legal acts regulating immigration in Armenia are (referring to Armenian official texts only, as an English official translation is not available):

- the Republic of Armenia (RA) Law 'on Foreigners', which mainly regulates the entrance, residence and exit of foreigners, as well as transfer and transit through Armenia;
- the RA Law 'on Citizenship', which, among other matters, regulates the grounds for acquisition of citizenship of the RA; and
- the RA Law 'on Refugees and Asylum', which mainly regulates relationships with respect to the recognition of refugees, provision of asylum and ensures compliance with the 1951 Convention relating to the status of refugees and 1967 Minutes.

The main secondary legal acts are:

- RA government decision No. 493-N, which regulates the procedure for the acquisition of work permits,
- RA government decision No. 1390-N, which regulates the procedure for the acquisition of citizenship; and
- RA government decision No. 1268-N, which regulates the procedure for the acquisition visas to Armenia.

Law stated - 10 July 2023

Restrictions on cross-border movement

What laws, regulations and policies control movement across borders in emergency circumstances such as a pandemic? How have the border restrictions been implemented?

Overall, the two main legal Acts that regulate control measures during emergency situations are the RA Law on the Legal Regime of the Extraordinary Situation and the RA Law on Population Protection in Emergency Situations . The former outlines the process for declaring emergency situations, the measures and extent to which they can be implemented within such situations, and other limitations as to the rights and obligations of citizens. Furthermore, the RA Law on of Population Protection outlines the grounds for organising the protection of the population and rights and obligations thereof, as well as state and legal private entities.

Generally speaking, the laws indicate a number of rights that may be limited during emergencies and obligations that may be imposed. Among others, the right of persons to cross the state border of Armenia may be limited. This was explicitly indicated during the time when a number of legislative changes were adopted with respect to measures against covid-19. In particular, the laws regulated the process for declaring an emergency situation in the event of a pandemic and the measures for limiting the crossing of the border both for persons and for goods.

In Armenia, a state of emergency is declared by the Government of Armenia and its respective decision shall include a list of limitation of rights, including limitations on crossing the border.

Law stated - 10 July 2023

International agreements

Has your jurisdiction concluded any international agreements affecting immigration (eg, free trade agreements or free movement accords)?

Armenia is party to the Eurasian Economic Union (EAEU), which provides a number of incentives for citizens and businesses of member countries. The Treaty on the EAEU provides for free movement of citizens and goods (subject to customs legislation requirements). Citizens are entitled to move and work freely without a work permit in member states.

Armenia also has agreements with specific states with which Armenia has visa-free regimes, and other agreements facilitating the visa regime or allowing the visa-free regime for persons with diplomatic passports.

Law stated - 10 July 2023

Regulatory authorities

Which government authorities regulate immigration and what is the extent of their enforcement powers? Can the decisions of these authorities be appealed?

The Migration and Citizenship Service of the Ministry of Internal affairs is the main body regulating immigration. Its main responsibilities are to:

- grant residence permit entry visas;
- grant work permits or other documents confirming the right to reside or work, or both, in Armenia; and
- grant the status of refugee or asylum.

As regards citizenship, applications are processed by the same authority, but the final decision is made by the president of the RA.

It is further noteworthy that during the processes outlined above, the National Security Service of Armenia (NSS) is entitled to carry out investigations and provide feedback on decisions. The feedback from the NSS, if negative, serves as an unequivocal ground to reject the granting of permits or citizenship.

Decisions are generally subject to an appeal before a court. However, in cases where the rejection is based on the feedback provided by the NSS, this may limit the right to appeal as the services are reluctant to reveal the grounds for rejection even if there is a judicial case already initiated and it is closed from the public. Currently, there is a pending case before the Court of Cassation (court of the highest instance) which is yet to address the extent to which the grounds for the negative feedback can be challenged and the extent of reliance on the feedback from the Migration and Citizenship Service and other authorities.

Law stated - 10 July 2023

Government policy

In broad terms what is your government's policy towards business immigration?

The Government's Programme for 2021–2026 sets out its goal for the implementation of actions for promoting immigration of technological potential in the high technology sector.

The government's priorities regarding migration policy are:

- the digitisation and simplification of the system for issuing work permits and residency to foreign citizens in the RA; and
- improvement of the mechanisms for admission of foreign citizens and stateless persons seeking asylum.

The government has made progress with some reform by way of the Migration and Citizenship Service – which was formed as part of the Ministry of Internal Affairs of the RA, with the unification of the migration service of the Ministry of Territorial Administration and Infrastructure of the RA and the Passport and Visa Police Department.

Accordingly, the government's policy is favourable towards immigration and it is taking the necessary measures for improving the immigration environment.

Law stated - 10 July 2023

SHORT-TERM TRANSFERS

Visas

In what circumstances is a visa necessary for short-term travellers? How are short-term visas obtained?

The Republic of Armenia (RA) has a visa-free regime in accordance with bilateral and multilateral agreements with a number of countries (the list of countries may be found here)¹ For other countries, persons wanting to enter Armenia must have a respective visa to enter. Depending on the country, the visa is either issued at the border when arriving in Armenia or at the diplomatic representations of foreign countries.

In foreign states, entry visas for the RA are issued by diplomatic representations or consular offices of the RA or at crossing points of the state border of the RA. As necessary, the visa may be issued in the territory of the RA – by the public administration body authorised in the field of police of the RA, as well as the public administration body authorised in the field of foreign affairs.

A foreigner may apply to a diplomatic representation or consular office of the RA to obtain an entry visa for the RA four months (the maximum period) before the planned visit, submitting the documents as required.

Law stated - 10 July 2023

Restrictions

What are the main restrictions on a business visitor?

A visitor entry visa entitles the foreigner to enter and stay in the RA for a term of up to 120 days, with the possibility of extension for a maximum term of up to 180 days. Entry visas for the RA shall be issued for single entry, unless otherwise provided for by the laws of Armenia or international agreements. In order to stay in the country for a longer period and provided that the respective grounds provided by law are met, the person shall get a residence permit.

Visa holders are solely entitled to reside in Armenia and have no rights to work. Foreigners may not be employed by Armenian companies unless they have a respective work permit (unless the requirements of the work permit are not applicable to the citizen of the respective country or for a specific position).

Law stated - 10 July 2023

Short-term training

Is work authorisation or immigration permission needed to give or receive short-term training?

There are no specific regulations on short-term training. However, according to the RA Law on Foreigners, lecturers, teachers, other persons engaged in scientific and pedagogical activities invited to deliver lectures at educational institutions of the RA, as well as foreigners included in the management of these educational institutions – the performance of administrative and managerial functions are excluded from the work permit obligation. This applies only to cases when the training or lecture is organised by RA educational organisations. If that isn't the case, then a work authorisation will be needed. There is no such requirement, however, if the individual is the one who is receiving the training.

Law stated - 10 July 2023

Transit

Are transit visas required to travel through your country? How are these obtained? Are they only required for certain nationals?

In order to be able to travel from any state to a third state through the territory of the RA via air or land, a foreigner must obtain a transit entry visa, which is issued for a single entry or multiple entries with a validity period of up to one year.

Foreigners shall submit passenger tickets to the third country or the entry visa for the third country (not applicable in the case of land means of transport), or both, and may stay in the territory of the RA for no more than 72 hours, except in emergency cases when it is permitted to stay in the RA for more than 72 hours until the emergency situation ends.

If a foreigner is in a transit zone and will not enter the territory of the RA, they may stay in the transit zone for no more than 48 hours, except in emergency cases when it is permitted to stay in the RA longer than 72 hours until the emergency situation ends.

According to the general rule, transit visas are required in each case when an individual is crossing an RA border; however, this requirement does not apply for certain countries with which the RA has a visa-free regime according to bilateral and multilateral agreements, or whose nationals are unilaterally exempted from the requirement for obtaining a visa.

Law stated - 10 July 2023

Visa waivers and fast-track entry

Are any visa waiver or fast-track entry programmes available?

The RA has a visa-free regime in accordance with bilateral and multilateral agreements with a number of countries, whose nationals are unilaterally exempted from the requirement for obtaining a visa (exclusions are applicable to either all passport holders or holders of diplomatic passports).

Law stated - 10 July 2023

LONG-TERM TRANSFERS

Categories

What are the main work and business permit categories used by companies to transfer skilled staff?

In the Republic of Armenia (RA), there are no subcategories of work permits. The law provides for only one type of work permit, subject to exceptions where a work permit is not required. For example, citizens of the Eurasian Economic Union (EAEU) member countries are exempt from the requirement for a work permit. However, they should still receive a certificate confirming the legality of their residence, which replaces the residence permit (if they are planning to stay in Armenia for more than 180 days).

RA legislation differentiates between three types of residence permit, namely:

- a temporary residence permit (one year);
- a permanent residence permit (five years); and
- a special residence permit (10 years).

The main type of residence permit used by companies to transfer skilled staff is the temporary residence permit. It may be granted on the same basis as a work permit; in cases when the relevant employee is exempted from the obligation to acquire a work permit, they still can acquire a residence permit should they reside in Armenia for a period exceeding the permitted length of the visa. In other words, being employed by an Armenian company always serves as a ground for acquisition of a residence permit and this is done either based on a work permit or simply based on the employment agreement (if exempted from the requirement for a work permit).

Another widely used option is to obtain a residence permit on the basis of entrepreneurial activity. Carrying out entrepreneurial activity entitles individuals to receive both the temporary and permanent residence permit. The individual must either (1) open a company in Armenia, (2) become a shareholder (no minimum share amount is required by law) of an existing company or (3) be registered as a private entrepreneur.

It is particularly important to note that a foreigner must be able to prove that they actually work for an Armenian company or are engaged in entrepreneurial activity, and the company, for example, is not solely established for the purposes of acquiring a permit. Otherwise, the applicant may not be eligible for a permit.

Law stated - 10 July 2023

Procedures

What are the procedures for obtaining these permissions? At what stage can work begin?

A work permit is an electronic confirmation registered by the authorised state body in the field of migration (Migration and Citizenship Service) on a single electronic platform that allows a foreigner to obtain a temporary residence permit and work in the RA. Even if a work permit is issued beforehand, an individual can only start work after receiving a temporary residence permit, as the law states that an employment contract can only be a fixed contract for the duration of the residence permit. Nevertheless, the employer should finalise with the foreign candidate a commitment to employment based on the duration that the work permit is issued for.

In the case of citizens of the member states of the EAEU, since they are exempt from the requirement to obtain a work permit, they are entitled to start work before receiving any documentation (only a social service number is required). However, they are obliged to receive a certificate confirming the legality of their residence in Armenia if they will be

staying in the RA for more than 180 days. Again, the process is carried out through the same electronic platform used for work permits by submitting electronic applications (eg, the employment contract must be submitted electronically).

Law stated - 10 July 2023

Period of stay

What are the general maximum (and minimum) periods of stay granted under the main categories for company transfers?

A temporary residence permit is granted for a period of one year, with the possibility of extension.

A permanent residence permit is granted for a period of five years, again with the possibility of extension.

Both types of permits are the most widely used ones for company transfers.

Special residence status can be granted for a period of 10 years. It can be extended more than one time. There is no minimum requirement.

Law stated - 10 July 2023

Processing time

How long does it typically take to process the main categories?

The decision to grant or refusal to grant a temporary or permanent residence permit is made by the authorised state administration body in the field of migration and citizenship within 30 days from the date of submission of the application. Simultaneously, the processing time for granting, refusal or extension of a temporary residence permit to a foreigner on the basis of employment, as well as the issuance of a certificate confirming the legality of residence (applicable in the case of citizens of member countries of EAEU) is 30 days from the date of receipt of the application lodged through the electronic platform.

However, taking into account the volume of immigration applications received during the last few years, the process in practice takes longer – realistically, up to two months.

Law stated - 10 July 2023

Staff benefits

Is it necessary to obtain any benefits or facilities for staff to secure a work permit?

As regards foreigners who have a residence permit to work in the RA, the employment contract is fixed for the duration of the residence permit.

According to RA legislation, in addition to the general requirements applicable to employment contracts, if an employee is a foreigner the employment contract should also cover the following matters, which are considered as applicable benefits to foreigners:

- the transportation of a foreign employee and their family members to the RA;
- social security and insurance;
- meeting;
- housing;
- address registration; and

- return.

Law stated - 10 July 2023

Assessment criteria

Do the immigration authorities follow objective criteria, or do they exercise discretion according to subjective criteria?

To understand the scope of discretion of the state authorities, the grounds for refusal of a work permit issuance should be examined, namely:

- the state of the labour market of the RA, based on its analysis, does not allow for that work, including cases when the workplace can be staffed by citizens of the RA;
- citizenship of the RA is required under the laws of the RA for performing the given work;
- the required information or documents are falsified;
- the employer with whom the foreigner concerned shall be recruited has previously breached the requirements of admitting foreigners to employment; and
- there are reasons threatening the state security of the RA.

The grounds for refusal of a work permit indicate that these are mainly objective criteria and leave state bodies little discretion. However, a refusal to grant a work permit on the basis of a threat to the state security of the RA is quite subjective and this ground may be used in the case where there is abuse of state bodies.

Law stated - 10 July 2023

High net worth individuals and investors

Is there a special route for high net worth individuals or investors?

High net worth individuals or investors are eligible to obtain either temporary or permanent residence permits based on the ground of carrying out entrepreneurial activity in the RA. Such individual may either (1) register a new company, (2) become a shareholder of an existing company or (3) register as a private entrepreneur. The law does not stipulate any other requirements regarding carrying out entrepreneurial activity; nevertheless, the National Security Service is entitled to conduct a verification before a residence permit is granted.

Law stated - 10 July 2023

Is there a special route (including fast track) for high net worth individuals for a residence permission route into your jurisdiction?

There is a specific category of guest or visitor entry visa which is issued for the purpose of participation in business negotiations in the RA or conducting employment or economic activity (eg, establishment of a commercial organisation, establishment of a branch or representative office of a commercial organisation of a foreign state, investment in the RA, import and export of goods and services). However, there are no fast-track regimes provided; the procedure is the same.

In addition, if high net worth individuals carry out entrepreneurial activity in the RA, they may apply for temporary or

permanent residence permits.

According to the RA Law on Citizenship, the RA citizenship may be granted in a simplified manner to persons who have made significant contributions in the fields of economics, science, education, culture, healthcare and sports. The criteria for determining whether the contribution is significant should be set by an RA government decision. However, to date, no such decision has been adopted.

Law stated - 10 July 2023

Highly skilled individuals

Is there a special route for highly skilled individuals?

Highly skilled individuals, according to RA legislation, are exempt from the requirement to obtain a work permit (note, this does not relate to the obligation to obtain a residence permit which confirms the legality of the residence in the RA).

Accordingly, the RA government has established a list of professions whereby a work permit is not necessary in order to work in the RA, which includes:

- creation and management of databases and information networks; and
- electronics and automation.

In addition, highly qualified foreign specialists are not required to obtain a work permit if they hold one of the following qualifications:

- an 'agronomist' qualification in the specialty 'Agriculture';
- a 'farmer' qualification in the specialty 'Organisation of peasant (farmer) economy';
- a 'technician-agronomist' qualification in the specialty 'greenhouse economy';
- a science degree;
- a degree in informatics and computing technics;
- a degree in finance;
- a degree in management and administration;
- a degree in computer security;
- a degree in electronics and automation; and
- a degree in food technology.

Law stated - 10 July 2023

Ancestry and descent

Is there a special route for foreign nationals based on ancestry or descent?

Foreign nationals of Armenian origin (ie, having parents or grandparents with Armenian origin) have grounds to apply for temporary, permanent and special residence permits; furthermore, this extends to applying for RA citizenship.

In addition, the law provides that being a close relative (ie, parent, brother, sister, spouse, child, grandmother, grandfather, grandchild) of a citizen of the RA or of a foreigner holding permanent residence status in the RA, is a ground for receiving a temporary residence permit.

Law stated - 10 July 2023

Minimum salary

Is there a minimum salary requirement for the main categories for company transfers?

In Armenia, there is no general rule in labour or immigration laws regarding minimum salary. Minimum salary requirements are generally regulated; according to the Law on 'Minimum Salary', the minimum monthly salary is 75,000 drams which is net of applicable taxes and other mandatory payments.

Law stated - 10 July 2023

Resident labour market test

Is there a quota system or resident labour market test?

To hire a foreigner, an employer must first create a job vacancy on the united electronic platform of the work permit for foreigners . After that, the system automatically performs a search in the database of the RA Ministry of Labour and Social Affairs to search for a RA citizen job seeker in order to fill the vacant position. If the system does not find matches, the employer is immediately informed about the possibility of concluding an employment contract with a foreigner. If the platform detects a match, the relevant department of the RA Ministry of Labour and Social Affairs receives a notification about the available vacancy. If the vacant position is not filled with a RA citizen within the specified period, the employer receives a notification about the possibility of hiring a foreigner.

Law stated - 10 July 2023

Shortage occupations

Is there a special route for shortage occupations?

According to decision No. 493-N of the government of the RA, foreigners with the following majors included in the list of majors of secondary vocational education have the right to work in the RA without a work permit:

- creation and management of databases and information networks;
- electronics and automation;
- agriculture with farmer qualification;
- greenhouse economy qualification; and
- technician-agronomist qualification.

Foreigners with a scientific degree, as well as foreigners with the following specialties included in the list of specialties and qualifications of higher professional education of the RA have the right to work in the RA without a work permit:

- informatics and computer technology;
- finance;
- management and administration;
- computer security;
- electronics and automation; and
- food technology.

Law stated - 10 July 2023

Other eligibility requirements

Are there any other main eligibility requirements to qualify for work permission in your jurisdiction?

Other than those discussed previously, there are no other main eligibility requirements to qualify for work permission in the jurisdiction of the RA.

Law stated - 10 July 2023

Third-party contractors

What is the process for third-party contractors to obtain work permission?

From the literal reading of the law, the right to acquire a residence permit based on employment (work permit) is also applicable to third-party contractors. Although it is not explicitly stated in law, this still cannot be a short-term or one-time service, as the work permit can only be granted for a specific period based on the underlying agreement being concluded.

Third-party contractors have a right to apply for a work permit through the same procedure as foreigners (eg, in the event of a contract for the provision for services to be concluded, a contractor can obtain a work permit on behalf of other companies).

Law stated - 10 July 2023

Recognition of foreign qualifications

Is an equivalency assessment or recognition of skills and qualifications required to obtain immigration permission?

According to RA legislation, there is no equivalency assessment or recognition of skills and qualifications required to obtain immigration permission. If the employer is satisfied with the foreigner's secondary education, it will not be an obstacle to the foreigner getting a work permit. Note, in the case of professions for which professional education is mandatory even for RA citizens (eg, healthcare professions), in the event of a foreigner being hired, the Armenian authorities will assess whether the foreigner's formal qualifications are relevant to the offered position.

Law stated - 10 July 2023

EXTENSIONS AND VARIATIONS

Short-term to long-term status

Can a short-term visa be converted in-country into longer-term authorisations? If so, what is the process?

According to the general rule, entry visas to the Republic of Armenia (RA) are issued for a period of up to 120 days, with the possibility of extension for a maximum period of 180 days. A person staying in the RA on legal grounds can submit an application for a residence permit with a right to work. A residence permit is also required if the period of stay in the RA is more than 180 days (120+60).

Law stated - 10 July 2023

Long-term extension

Can long-term immigration permission be extended?

Long-term immigration permissions can be extended, each of them for the same period as given and for unlimited times (ie, temporary residence status for one year each time, permanent residence status for five years each time, special residence status for 10 years each time).

Law stated - 10 July 2023

Exit and re-entry

What are the rules on and implications of exit and re-entry for work permits?

Obtaining a work permit in Armenia is accompanied by obtaining a temporary residence permit,

Once a foreigner has acquired a work permit accompanied by a temporary residence permit, there are no restrictions to exit and re-enter the territory of the RA.

Law stated - 10 July 2023

Permanent residency and citizenship

How can immigrants qualify for permanent residency or citizenship?

Permanent residence status is granted to a foreigner if any of the following circumstances are met:

- the foreign citizen proves:
 - the existence of a spouse or a close relative (ie, parent, child, brother, sister, grandmother, grandfather, grandchild) who is a citizen of the RA or has a special residence status in the RA; and
 - they have housing and means of subsistence in the RA and have lived at least three years in the RA according to the law;
- the foreign citizen is Armenian by nationality; or
- the foreign citizen carries out business activities in the RA.

Law stated - 10 July 2023

End of employment

Must immigration permission be cancelled at the end of employment in your jurisdiction?

As soon as the employment contract ends, the employer is obliged to inform the Migration Service about it. If a new contract is not signed with another employer, the residence status of the foreigner will be cancelled.

Law stated - 10 July 2023

Employee restrictions

Are there any specific restrictions on a holder of employment permission?

There are no specific restrictions on a holder of employment permission concerning matters such as promotion,

change of salary or working for more than one employer.

The same employment rules apply to both citizens of Armenia and to foreigners holding permits. The only difference is the fact that although fixed-term contracts can be concluded in very specific cases only (the general rule is to conclude non-fixed term contracts), contracts with foreigners must be for a fixed term (ie, the same duration as the respective permit).

Law stated - 10 July 2023

DEPENDANTS

Eligibility

Who qualifies as a dependant?

In the case of a Eurasian Economic Union citizen having a temporary residence permit, the spouse of the foreigner (where married), parents and children qualify as dependants.

Generally, a parent, a child, a brother, a sister, a grandmother, a grandfather or a grandchild of a foreign citizen who has a permanent or a special residence permit or of a Republic of Armenia (RA) citizen, qualifies as a dependant.

Law stated - 10 July 2023

Conditions and restrictions

Are dependants automatically allowed to work or attend school?

Dependant persons do not automatically receive the right to work or education. They must submit an application to obtain residence status and attach proof of their dependency (eg, birth certificate, marriage certificate).

Law stated - 10 July 2023

Access to social benefits

What social benefits are dependants entitled to?

Foreign citizens residing in the RA and having the right of residence are entitled to the following state benefits.

- family allowance;
- social benefit;
- emergency assistance;
- one-time allowance for the birth of a child;
- childcare allowance for a child up to two years of age;
- temporary disability benefit;
- maternity allowance;
- old age allowance;
- disability allowance;
- benefit in the case of loss of breadwinner;
- funeral allowance; and
- care allowance.

Foreigners must be registered at an Armenian address in order to be eligible. In many cases, the family registered on the social assessment system and having non-adult members (under 18) has the right to receive social benefits.

Law stated - 10 July 2023

OTHER REQUIREMENTS, RESTRICTIONS AND PENALTIES

Criminal convictions

Are prior criminal convictions a barrier to obtaining immigration permission?

The grant of residence status to a foreigner may be refused if they have been convicted in the Republic of Armenia (RA) for committing a medium, serious, or particularly serious crime under the Criminal Code of the RA, and the conviction has not been expunged or extinguished in accordance with the established procedure.

Law stated - 10 July 2023

Penalties for non-compliance

What are the penalties for companies and individuals for non-compliance with immigration law?
How are these applied in practice?

According to the Code of 'Administrative offences', foreigners living in the territory of the RA without a valid residence status are liable to a fine up to 50,000–100,000 drams. As for companies or individual entrepreneurs signing an employment contract with a foreigner without passing through the necessary registrations to the unified electronic platform of the work permit for foreigners provided for by the 'Law on Foreigners', this may incur a fine up to 50,000 drams (except for when the foreigner has the right to work without residence status).

Law stated - 10 July 2023

Language requirements

Are there any minimum language requirements for migrants?

There are no minimum language requirements for migrants. However, in the case of citizenship, one of the three main requirements for eligibility is the ability of the migrant to express themselves in the Armenian language. This is verified by the migrant taking a test, which checks knowledge of the constitution and of the Armenian language. The minimum level to pass is 50 per cent and there is no maximum limit on the number of time that the test can be taken.

Law stated - 10 July 2023

Medical screening

Is medical screening required to obtain immigration permission?

According to decision No. 134-^Ն of the RA government dated 7 February 2018, a foreigner must submit a certificate on health status while applying for residence status. This certificate on health status is provided as a result of a medical screening.

Law stated - 10 July 2023

Secondment

Is there a specific procedure for employees on secondment to a client site in your jurisdiction?

No.

Law stated - 10 July 2023

UPDATE AND TRENDS

Key developments of the past year

Are there any emerging trends or hot topics in corporate immigration regulation in your jurisdiction?

Recently, there has been much discussion about a government draft proposal, known as Citizenship by Investment. It was published on the official website of the publication of drafts of legal acts (laws, government decisions) and has been criticised by many as it does not cover a number of key issues. It also includes a number of concepts which are unclear, in particular, regarding the calculation of deadlines, the procedure for calculating the investment amount from US dollars to drams. Furthermore, it is unclear whether a person is considered a significant contributor from the moment they make a contribution under a certain condition (or what the consequences are for violating this condition), or whether a person can still be considered a significant contributor if the deadline has expired.

For example, according to the draft proposal, the acquisition of real estate to the amount of at least US\$150,000 for a period of at least 10 years entitles the individual to apply for citizenship in a simplified manner; however, it does not explain if the individual may apply from the moment of their commitment or as soon as 10 years have passed, nor does it explain what the consequences are for selling real estate during the 10-year period.












All these points need clarification. Accordingly, the draft is currently under development.

Amongst the other investment routes proposed, the draft proposal establishes that where a foreigner contributes to the authorised capital (acquisition of shares) of a commercial organisation to the amount of at least US\$150,00 for a period of at least 10 years, they may apply for citizenship in a simplified manner.

The draft proposal also establishes that foreigners who have 10 years' scientific experience and have authored five articles in reputable academic journals can apply to become Armenian citizens.

Law stated - 10 July 2023

Jurisdictions

	Armenia	Concern Dialog Law Firm
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	Austria	Oberhammer Rechtsanwälte
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