

**CRIMINAL CODE
OF THE REPUBLIC OF ARMENIA**

**Adopted by the National Assembly
on 5 May 2021**

(...)

Article 121. Confiscation of property, income, other means of benefit of crime origin, tool, means and object of crime

1. Any property directly or indirectly generated or received as a result of a crime, income or other types of benefits received from the use of that property, tools and means used or intended to be used for the commission of crime, object of crime shall be subject to compulsory confiscation — uncompensated taking — except for cases envisaged by this Article.
2. Confiscation of property may apply both to natural and legal persons.
3. Termination of criminal prosecution by a court on non-rehabilitation grounds shall not be an obstacle to the confiscation of property, income or other benefits of a criminal origin, the tool, means or object of the crime provided for by this Article.
4. Where the property directly or indirectly generated as a result of the crime, the income or other types of benefits received from the use of that property is mixed with the legally acquired property, belongs to a conscientious third person, or it has not been found, the equivalent property shall be subject to confiscation.
5. The tools or means used for the commission of the crime or those removed from circulation, as well as the items, materials, documents, property, objects of the crime, shall be subject to compulsory confiscation, except for cases when their confiscation is obviously disproportionate, taking into account the nature and severity of the crime committed.
6. Property that is considered to be an object removed from circulation or poses a danger to individuals and society shall be subject to compulsory confiscation, regardless of who it belongs to.
7. Property necessary for the person having committed the criminal offence or for the person under his or her care shall not be subject to confiscation in accordance with the list stipulated by law; property belonging to a conscientious third person, property subject to return to the victim, as well as property necessary to compensate the damage caused to the victim by the crime shall not be subject to confiscation. Where the property subject to confiscation is burdened by the rights of conscientious third

persons, such rights shall be reserved after the confiscation.

8. Where there is a dispute on the property subject to confiscation between the victim and the conscientious third party, that property may be confiscated through civil procedure.

9. In case of application of plea bargaining and co-operation proceedings, the rules prescribed by this Article shall be applicable unless otherwise if provided for by the protocol on agreement or the agreement on pre-trial co-operation for the property subject to confiscation or its size, except for part 6 of this Article. The amount of property subject to confiscation agreed upon as a result of the negotiations may not be less than 75% of the total value of the property subject to confiscation.

10. Within the meaning of this Article, property, income or other types of benefits shall be deemed any kind of material benefits, movable and immovable objects of civil law, including financial (monetary) means, payment instruments, securities and property rights, documents certifying the property rights or interests or other means, interests received from the property or accrued thereto, dividends or other income, as well as related and patent rights.

11. Within the meaning of this Article, conscientious third person shall be deemed to be a person who has acquired a property of criminal origin or has burdened it with rights, but did not know and could not know that the given property was a property directly or indirectly generated as a result of the crime, income or other types of benefits received from the use of that property, tools and means used or intended to be used for the commission of crime or an object of crime. Conscientious third person shall also be deemed to be a person whose property has been taken out of his or her control by circumstances beyond his or her control, or who has transferred the property to another person where he or she did not know and could not know that the property would be used or was intended to be used for criminal purposes.

(...)

Article 153. Creating, providing, testing or applying weapons of mass destruction

1. Creation, production, development, acquisition, storage, accumulation, transportation or realization of a chemical, biological, nuclear or other weapon of mass destruction prohibited by an international agreement or any component thereof, or creation, production, development, acquisition, storage, accumulation, transportation or realization of any material in the composition thereof, or a special device or means for its distribution or transport for the purpose of its creation or the use of special means of transport of weapons of mass destruction prohibited by an international agreement —

shall be punished by imprisonment for a term of four to eight years.

2. Provision to another State, group of States, international or other organization or grouping or person weapons of mass destruction or other weapons, prohibited by the international agreement of the Republic of Armenia, or component necessary for the production thereof or the control over them —

shall be punished by imprisonment for a term of five to ten years.

3. Illegal testing of weapons of mass destruction or other weapons or means prohibited by international agreement —

shall be punished by imprisonment for a term of eight to fifteen years.

4. Applying of weapons of mass destruction or other weapons or means prohibited by international agreement —

shall be punished by imprisonment for a term of twelve to twenty years, or by life imprisonment.

(...)

Article 296. Money-laundering

1. Converting or transferring property derived from a criminal activity (where it is known that the property has derived from a criminal activity) which had its aim to conceal or disguise the criminal origin of this property or to aid any person to evade liability for a criminal offence committed by the latter, or concealing or distorting the true nature, origin, whereabouts, manner of disposition, movement, allocation, rights over or ownership of property (where it is known that the property has derived from a criminal activity), or acquiring or possessing or maintaining or using or disposing of the property (where it was known, at the time of receiving the property, that it had derived from criminal activity) —

shall be punished by imprisonment for a term of two to five years.

2. The act provided for by part 1 of this Article, which has been committed:

(1) by a group of persons acting in conspiracy, or

(2) on a large-scale —

shall be punished by imprisonment for a term of five to ten years.

3. The act provided for by part 1 or 2 of this Article, which has been committed:

(1) by a criminal organization;

(2) by use of authority-related or official powers or the influence deriving therefrom, or

(3) on a particularly large-scale —

shall be punished by imprisonment for a term of six to twelve years.

4. In this Article, large-scale shall mean the amount (value) not exceeding AMD 5 million, whereas particularly large-scale shall mean the amount (value) exceeding AMD 10 million.

5. Within the meaning of this Article, property derived from a crime shall be considered as the property provided for by part 10 of Article 121 of this Code, which was received or emerged directly or indirectly as a result of the commission of crimes provided for by this Code.

(...)

Article 308. Terrorism

1. Explosion or arson or commission of committal of other publicly dangerous actions or seizing or keeping under control premises, means of transport, means of communication or communication facilities, other communication channels combined with the risk of killing a civilian or a person not actively participating in military operations during an armed conflict, causing serious or moderate damage to health, causing large-scale property damage or causing other serious consequences the purpose of which is to terrorize the population or its separate group, to disrupt the activities of public authorities, forcing a representative of a public authority, state or public servant or representative of an international organization or a person serving in another organization to commit any act or to fulfill another demand of the offender, as well as any other acts considered terrorism by international treaties —

shall be punished by imprisonment for a term of eight to twelve years.

2. The act provided for by part 1 of this Article, which has been committed:

(1) by a criminal organization, or

(2) by attacking the object of atomic energy use or by using nuclear or radioactive material or other source of ionizing radiation or weapons of mass destruction, toxic, chemical or biological material —

shall be punished by imprisonment for a term of ten to fifteen years.

Article 309. Contributing to terrorist activities

1. Contributing to terrorist activities — recruiting persons or organizing a terrorist training camp for terrorists for committing the criminal offences provided for by Article 308, 311, 312, 315, 316 or 317 of this Code, teaching skills of committing the criminal offences provided for by Article 308, 311, 312, 315, 316 or 317 of this Code, or travelling for the purpose of committing the mentioned acts or the criminal offences provided for

by Article 308, 311, 312, 315, 316 or 317 of this Code or otherwise contributing thereto

—
shall be punished by imprisonment for a term of five to ten years.

2. The act provided for by part 1 of this Article, which has been committed:

(1) by a criminal organization, or

(2) by use of authority-related or official powers or the influence deriving therefrom —
shall be punished by imprisonment for a term of eight to twelve years.

3. A person having committed the act provided for by part 1 of 2 of this Article shall be released from criminal liability, if he or she has voluntarily informed the competent bodies about his or her contribution to terrorist activities, which made it possible to prevent the committal of the criminal offences provided for by Article 308, 310, 311, 312, 315, 316 or 317 of this Code. Where the act actually committed by the person contains other corpus delicti, he or she shall be subject to criminal liability for that crime.

Article 310. Financing of terrorist activities

1. Financing of terrorist activities — direct or indirect provision or collection of property, with the awareness that it will or may be completely or partially used by an individual terrorist or a terrorist organization or for committing the criminal offences provided for by Article 308, 309, 311, 315, 316 or 317 of this Code, or provision of a financial service, with the awareness that such service or the outcome thereof will be used by an individual terrorist or terrorist organization or is targeted or may be targeted at the committal of the criminal offences provided for by Article 308, 309, 311, 315, 316 or 317 of this Code —

shall be punished by imprisonment for a term of five to ten years.

2. The act provided for by part 1 of this Article, which has been committed:

(1) by a criminal organization, or

(2) by use of authority-related or official powers or the influence deriving therefrom —
shall be punished by imprisonment for a term of eight to twelve years.

3. Within the meaning of this Article, property shall be considered to be the property prescribed by part 10 of Article 121 of this Code.

(Article 310 supplemented by HO-240-N of 9 June 2022)

Article 311. Establishment or management of a terrorist organization

1. Establishment or management of a terrorist organization —

shall be punished by imprisonment for a term of ten to fifteen years.

2. An organization that has been established for committing the criminal offences provided for by Article 308, 309, 310, 315, 316 or 317 of this Code shall be deemed terrorist.

3. A person having committed the act provided for by part 1 of this Article which contributed to the disruption of the activities of the terrorist organization shall be released from the criminal liability provided for by this Article. Where the act actually committed by the person contains other *corpus delicti*, he or she shall be subject to criminal liability for that crime.

(...)

Article 315. Hostage-taking or detaining a person as a hostage

1. Taking or detaining a person as a hostage, which has been committed in order to compel a representative of a public authority, state or public servant or representative of an international organization or a person working in another organization to perform an act related to the official or service activities or to refrain from performing such an act as a condition for releasing the hostage —

shall be punished by imprisonment for a term of four to eight years.

2. The act provided for by part 1 of this Article, which has been committed:

(1) against a pregnant woman;

(2) against a person in a helpless situation;

(3) against a minor;

(4) by a group of persons acting in conspiracy, or

(5) by use of weapon or an object or device made or fitted in advance to cause bodily injury —

shall be punished by imprisonment for a term of five to ten years.

3. The act provided for by part 1 or 2 of this Article, which:

(1) has been committed by a criminal organization; or

(2) has negligently caused the death of a person or caused serious damage to health, complication or conflict in international relations, a large-scale property damage or other grave consequences —

shall be punished by imprisonment for a term of eight to twelve years.

4. A person who has waived his or her claims and has voluntarily released a hostage, shall be released from the criminal liability provided for by this Article, if he or she was

not previously released from criminal liability on the grounds provided by this Article or Article 316 of this Code. Where the act actually committed by the person contains other corpus delicti, he or she shall be subject to criminal liability for that crime.

Article 316. Seizing, keeping or hijacking an aircraft, vessel or railway rolling stock

1. Seizing, keeping or hijacking an aircraft, vessel or railway rolling stock — shall be punished by imprisonment for a term of five to ten years.

2. The act provided for by part 1 of this Article, which has been committed:

(1) by a group of persons acting in conspiracy, or

(2) by use of weapon or an object or device made or fitted in advance to cause bodily injury —

shall be punished by imprisonment for a term of six to twelve years.

3. The act provided for by part 1 or 2 of this Article, which:

(1) has been committed by a criminal organization; or

(2) has negligently caused the death of a person or caused serious damage to health, complication or conflict in international relations, a large-scale property damage or other grave consequences —

shall be punished by imprisonment for a term of eight to fifteen years.

4. A person who has voluntarily released what has been seized, shall be released from the criminal liability provided for by this Article, if he or she was not previously released from criminal liability on the grounds provided by this Article or Article 315 of this Code. Where the act actually committed by the person contains other corpus delicti, he or she shall be subject to criminal liability for that crime.

Article 317. Piracy and aircraft hijacking

1. Seizure of another ship or aircraft by a passenger or crew of a private ship or aircraft on the high seas or in neutral airspace or in a place outside the jurisdiction of the State, violence against the passengers or crew of the seized ship or aircraft, or illegal taking of the property of such persons by way of larceny or robbery —

shall be punished by imprisonment for a term of five to ten years.

2. Participation in the operation of a pirate ship or aircraft by a person who realized that the ship or aircraft is a pirate, as well as assisting in the committal of the act provided for by part 1 of this Article —

shall be punished by restriction of liberty for a term of one to three years, or by short-

term imprisonment for a term of one to two months, or by imprisonment for a term of one to four years.

3. The crew of the military ship, aircraft, state ship or aircraft, which has rioted and taken control of that ship or aircraft, as well as a passenger or a member of the crew of a military ship, aircraft, government ship or aircraft who has illegally seized and taken control of that ship or aircraft, shall be also subject to criminal liability for the act provided for by part 1 of this Article.

4. A ship or an aircraft shall be considered a pirate where it is intended by the persons exercising control over it to commit the act provided for by part 1 of this Article or has already been used for such purposes and is still under the control of the offenders.

(...)