

## DUAL CITIZENSHIP IN ARMENIA: NATURE OF THE DEBATE SINCE INDEPENDENCE

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*The November 27, 2005 referendum in Armenia lifted the legal ban on individuals holding dual-citizenship. Specifically, three issues: taxation, military service, and participation in elections that permeate socio-political and economic areas of the Armenian society must be resolved within Armenian context before a successful and efficient dual citizenship legal framework is invoked. This paper argues for clear identification of Armenia specific factors and realization of the fact that dual citizenship provision is only effective as a reciprocal process. With exception of few comprehensive proposals, constructive debate on the subject—although much needed and required—has by and large been missing in the times before and after the referendum in Armenia.*

### I. INTRODUCTION

A relatively new concept in modern international jurisprudence, dual citizenship is an intriguing subject. Formally, the main international document providing legal basis for this concept is the 1930 Hague Convention. Several governments around the world have adopted dual citizenship in principle, while developing dual citizenship-like arrangements to allow more flexibility in terms of the interaction between the home country and its diaspora. Not surprisingly, countries with large diasporas are the ones that have expressed more interest and have taken actions, passing relevant legislations, to help them utilize the skills and knowledge of their national abroad. This note attempts to provide a theoretical framework of the relevant social, political and economic issues pertaining to a similar model within the context of Armenia. For Armenia—a small country with a large Diaspora network—to integrate into the international community on social-economic and political levels, developing a pragmatic approach and setting up an effective a dual citizenship institution in cooperation with other states, is but natural.

The national referendum on constitutional amendments of November 27, 2005 in Armenia changed—among other things—the limitations put on dual citizenship. Adopting the new constitution lifted the legal ban on individuals holding dual-citizenship or for those planning on obtaining a second citizenship. With the legal battle half-way won, a lot remains to be observed in terms of the process institutionalization. Some of the issues include the way mechanisms are developed for Armenians and non-Armenians to obtain dual citizenship, the issue of protection of the rights of a dual citizen and most importantly the way all the actors involved—such as the various government agencies of the Republic of Armenia (RA), current Armenian citizens, the various factions in the

Armenian Diaspora, as well as ethnically non-Armenian foreign nationals—involved in devising these mechanisms will interact with each other.

To make this paper a manageable one, the debate on dual citizenship in Armenia is viewed in two phases: pre- and post-referendum. The distinction is necessary to account for changes in main players' positions and subsequent developments inspired by the adoption of the amendments. While there is an interest in developing a dual citizenship law acceptable to all—or at least most—parties concerned, the debate remains contentious, riddled with arguments primarily stemming from divergent political platforms, as well as the different historical and ideological divisions of the established interest groups. In some cases the Armenian media itself has aligned with specific political forces, thus presenting a more politicized—rather than an objective—view and discussion on the issue in the public realm. The fact remains that despite the few existing instances of comprehensive proposals a comprehensive and in-depth analysis is still lacking to identify all aspects of dual citizenship in Armenia. The need for such a proposal is to create a solid and well founded law addressing the main issues expressed by all groups concerned with the various aspects of a dual-citizenship law.

## II. CORE CONTROVERSIES

Dual citizenship is certainly not a panacea for all of Armenia's troubles; however, it may be a step further on the path of development. In the Armenian context, dual citizenship is bound to have strong implications on the idea of repatriation and return to Armenia of its main natural resource – its people that embody its much needed human capital.

Economic interconnectedness, aside from everything else, has brought an increased level of population (i.e. labor force) mobility worldwide. The nature of migratory processes has changed. Moves once considered as “permanent” immigration have become more temporary in nature as countries compete for skilled labor force and people follow their incomes. Faced with the prospect of becoming either “host” (receiving) or “home” (sending) economies, governments of a number of countries have been adopting relevant provisions to their immigration laws to accommodate the fact of multi-nationality.<sup>1</sup> The concept of dual citizenship—in one form or another—has become a reality for countries like Ireland, Canada, France, Italy, USA, Israel and many others.

The controversies around dual citizenship have been on the global debate agenda for quite some time. The symbolic value of “citizenship” in terms of its definition of a state and national identity often arises.<sup>2</sup> At the core of the controversy rests three major practical aspects: taxation, military service, and participation in elections. These three aspects deal with basic issues related to the operations of the state, raising questions such as: Should a person be taxed in his or her home and/or host country? In countries where

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<sup>1</sup> Incidentally, many countries that in the early decades of the 20<sup>th</sup> century were net exporters of labor have become net importers at the end of the century (e.g. Italy, Ireland, France and others).

<sup>2</sup> See Per Gustafson, “Globalization, Multiculturalism and Individualism: the Swedish Debate on Dual Citizenship,” *Journal of Ethnic and Migration Studies* 28, no. 3 (2002): 463-481.

there is military draft would a dual national be obliged to fulfill military service requirements in both countries or some sort of reciprocal agreement can be achieved, exempting the individual from double service? Finally, who can run for office? What happens in a situation when for example a high-ranking official in the country's government holds two passports? These are the three main issues that countries allowing dual citizenship try to deal with.

It is sufficient to say that countries with legal dual citizenship provisions operate according to sets of regulations that govern dual citizens' taxation, military service and electoral participation. In the European Union context, the problem received special attention in the mid-1980s.<sup>3</sup> It was then that Europe had to deal with the consequences of the 1950-1970s expansionary labor migration policies that resulted in a sizeable growth of work migrants caught in between two millstones: not granted host country citizenship, they possessed residence and work permits that were valid for extended periods of time.

The phenomenon has grown in its importance practically at the rate of the population growth of the foreign labor force with double loyalties. Increased economic and political interdependence has induced states to seek solutions regulating their population (or to be precise, labor force) flows. For either home or host country, at a bare minimum that has required some type of bilateral treaties and resolution of the three core controversies within the specific circumstances of each state, aside from some measures on aggregate level.<sup>4</sup> In many countries acceptance does not come immediately. Internationally it is those three controversies that are the most popular counter arguments against dual citizenship concept and Armenia is no exception to the general case. Indeed, the opposition to dual citizenship in Armenia is threefold and based on the above-mentioned issues of taxation, military service and political activity. In Armenia, however, relatively more weight is attributed to the issues of elections. Specifically, those who oppose the idea of dual citizenship draw the attention to the potential problems arising from outside interference in the internal politics by the Diaspora deputies, who may be aligned with interest groups in their host countries.

While a valid concern, this argument must be taken with a grain of salt in any analysis. Firstly, not all of the Diaspora Armenians, or people considering adopting Armenian citizenship, are interested in taking part in Armenian politics. For some dual citizenship is a question of personal convenience for a wide range of reasons. Secondly, even if there are a few people who would go into public service, given the reality and history of the Armenian politics in the Diaspora, it is safe to assume that these individuals will primarily be guided by their respective parties' (or interest groups') considerations in the decision making process. Thirdly, it is important to keep in mind the actual nature of the dual citizenship provision. A balanced approach can well be worked out geared specifically to

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<sup>3</sup> See Tomas Hammar, "Dual Citizenship and Political Integration," *International Migration Review* 19, no. 3, Special Issue: Civil Rights and the Sociopolitical Participation of Migrants (Autumn 1985): 438-450.

<sup>4</sup> See Peter J. Spiro "Embracing Dual Nationality," *Carnegie Endowment for International Peace*, Working Paper, for brief history of bilateral relations between US and some European countries. Available at <http://www.ceip.org/programs/migrat/migspiro.htm>.

the set of circumstances in Armenia, before anything is signed into law. Finally, viewed through the prism of cost-benefit analysis an argument can be made that benefits significantly outweigh potential costs in the case of Armenia that has consistently been losing its main resource, its people.

In the analysis of political economy aspects in Armenia it bears necessary to address the main factors shaping the context of the dual citizenship discussion.

### III. MAIN FACTORS IN THE ARMENIAN CONTEXT

Armenia is a small, land-locked country with limited natural resources and virtually untapped human capital potential. Since its independence in 1991, the country has dealt with devastating impacts of the 1988 earthquake; full fledged war with neighboring Azerbaijan; experienced effects of shock therapy economic policies in transition from the socialist economy to capitalism; and now operates under the conditions of two-sided blockade by Turkey and Azerbaijan. The early 1990s were the years of economic and humanitarian crises in Armenia. Nevertheless, on aggregate scale fiscal and monetary policies initiated in the mid 1990s have contributed to the current conditions of economic growth. This must be considered with a caveat. Growth has been conditioned by recent financial inflows of increasing monetary transfers (remittances) from Armenia's nationals living abroad and few large infrastructure projects funded by Diasporan organizations. There is a persistent lack of broad internal income-generating possibilities and strong income inequality at different society strata in Armenia.

Human capital, in terms of collective skills, knowledge, health, labor force and other aspects, is one of Armenia's main resources. As such, some of the most important factors that determine the urgency of the wide-ranging dual citizenship concept in Armenia are:

- Continuous population outflow
- Active Diaspora (that grows by absorbing still arriving new immigrants)
- Economic growth and country's relative world market position
- (At the time of this writing) discussion of adopted constitutional amendments

#### A. Labor Migration

Partly as a consequence of the socio-economic disruptions of the early 1990s, partly due to difficulties finding jobs, Armenia has been losing its population to other countries. Although some recent estimates have shown a reversal in the trend in emigration, Armenia still faces volatile migration trends.<sup>5</sup> Almost one million (of the one-time 3.8 million total) Armenians have left the country since independence.<sup>6</sup> The new immigrants join the established network-communities in the Diaspora across the world, in particular

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<sup>5</sup> Gagik Yeganyan–Head, Department of Migration and Refugees–Report to the RA President (as reported by A1plus News, March 23, 2005).

<sup>6</sup> See Armen Yeghiazarian, Vahram Avanesian and Nelson Shahnazaryan, “How to Reverse Emigration?” *Armenia 2020* <http://www.armenia2020.org/index.php/en/activities/researches/16>. (Henceforth Yeghiazarian et al.)

in Russia, Europe and the United States. Most of the outward migration is characterized as a temporary labor migration to more promising places in terms of earnings. Quite often labor migrants from Armenia go abroad for work with intention of returning after a certain period of time or once they have built up sufficient capital to go back to Armenia. However, sometimes there is no more permanent migration than temporary migration and that puts a severe drain on Armenia's capacity to growth and development.<sup>7</sup> Curiously, one could trace the patterns of migratory processes with the major distinction of them being either permanent or temporary.<sup>8</sup>

It is important to note in the discussion of dual citizenship that many recent immigrants retain close ties to their homeland and in many cases provide financial support—by way of remittances—to their families and friends in Armenia. A recent study estimated that remittances to Armenia amounted to around \$1 billion for the year of 2003.<sup>9</sup> Obviously, for a country with official GDP of close to \$4 billion, such financial inflows, if contained and properly institutionalized, can have a major economic impact.<sup>10</sup> Simply put, a country must be able to absorb these transfers and channel the funds to productive capacities. For many ethnic Armenian entrepreneurs abroad—including new and old Diaspora—Armenian citizenship reformed Armenian property and business laws, which are currently restrictive to non-citizens, hold the key to their more dynamic involvement in the economy. Until recently, lack of the dual citizenship provision acted to sever the ties of former Armenian nationals with the homeland. For example, those immigrating to countries like Russia or the US often have to choose between assuming citizenship of their new home country, to legalize their status there, and losing their Armenian citizenship. Both countries (albeit not as strict in the US as in Russia – home to the largest Armenian Diaspora) require formal renunciation of any other citizenship prior to accepting theirs. While precise statistical data on such instances is missing, at the very least, émigrés take up permanent residency, which eventually leads to foreign naturalization, often renouncing Armenian citizenship. Despite that, the representatives of the newly formed Diaspora groups take an active role in reconstruction of their ancestral homeland by active participation in socio-political and economic processes in the Diaspora. If properly regulated, labor migration could become an efficient tool contributing to Armenia's economic growth and development in the long run;<sup>11</sup> however,

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<sup>7</sup> See Aleksandr V. Gevorkyan, Arkady Gevorkyan and Karina Mashuryan, "Economics of Labor Migration From Armenia: A Conceptual Study," Paper Presented at the 4<sup>th</sup> Annual AIPRG conference, World Bank, Washington, DC, January 15, 2006. (Henceforth Gevorkyan et al.)

<sup>8</sup> While the Former Soviet Union absorbs temporary less skilled migrants, permanent moves of the more skilled and better educated are directed to the Western world. See Gevorkyan et al. (2006) for background and role of Armenian Diaspora network-communities.

<sup>9</sup> See Bryan W. Roberts and King Banaian, "Remittances in Armenia: Size, Impacts, and Measures to Enhance their Contribution to Development," Paper Presented at the 3<sup>rd</sup> Annual AIPRG conference, World Bank, Washington, DC, January 2005.

<sup>10</sup> International Financial Statistic, *IMF database* <http://ifs.apdi.net/imf/logon.aspx>, accessed September 24, 2005.

<sup>11</sup> More on this discussion see Gevorkyan et al., 2006.

that requires team-play of all actors, and the dual citizenship provision provides the necessary legal background for it.

## B. The Armenian Diaspora

The Armenian Diaspora is a product of Armenian history.<sup>12</sup> A historian's view might suggest several waves in the formation of the Diaspora across the world.<sup>13</sup> A large portion of ethnic Armenians, naturalized or born citizens of other countries, live abroad and have strong sentimental values as well as established organizational foundations (i.e. religious and/or political party) that support their ties with Armenia. Political divisions, however, have persisted in the Diaspora through the past several decades. Some, if not all, of the differences have affected the structure and operations of the Diasporan groups abroad and their activities in Armenia.<sup>14</sup>

Many in the Armenian Diaspora have strong desire to fully participate in the life of their historical homeland. Taken together, the economic, political and social potentials of the multifaceted Diaspora when applied efficiently and consistently can bring dramatic changes and help jumpstart Armenia's economy, transforming the society in the direction of stable growth and prosperity.<sup>15</sup> Yet, more formal participation of Diaspora representatives in the life of young Armenia has been limited. Since independence, Armenia has had very few top and mid-level executives in the government from the Diaspora.<sup>16</sup> Not as many Armenian professionals from the Diaspora have repatriated to Armenia over the course of the past decade as might have been expected.

It has been suggested by observers that lack of Diaspora's formal activity in the life of the young republic can be related to the overall disappointment with each other of the political elites in Armenia and Diaspora in the early years of independence. For example,

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<sup>12</sup> The Armenian Diaspora is a rather diverse entity made of numerous communities with major clusters in the Former Soviet Union (Russia), USA, Latin America, Europe, Middle East, and smaller groups elsewhere. The phenomenon of the Armenian Diaspora dates back centuries. Many groups, however, were formed after the Genocide in the early 20<sup>th</sup> century and have been, primarily, sustained by the mass exodus from Armenia as discussed earlier.

<sup>13</sup> Yeghiazaryan et al.

<sup>14</sup> Three historical political parties - Social Democratic Hunchakian party, the Armenian Revolutionary Federation (ARF) – Dashnaktsutun and the Armenian Democratic Liberal Party (also known as Ramgavar) - have had some difficult times in reconciling their agendas with each other. That has resulted in failure of coming up with unified representation of Armenian issues.

<sup>15</sup> See Aleksandr V. Gevorkyan and David A. Grigorian, "Armenia and Its Diaspora: Is There Scope for a Stronger Economic Link?" *Armenian Forum* 3, no. 2 (2003) and Gevorkyan et al., 2006.

<sup>16</sup> Most prominent individuals are: Raffi Hovannisian - the first Minister of Foreign Affairs of Armenia, who moved to Armenia from the USA in the early 1990s. Mr. Hovannisian lives in Armenia and remains politically active. While serving in the first Armenian government he retained his American citizenship (Renshon 2000); Gerard Libaridian - served as Senior Adviser to the former President of Armenia, Levon Ter-Petrossian, and as First Deputy Minister of Foreign Affairs (1993-1994). He currently teaches at the University of Michigan; the current Minister of Foreign Affairs, Vardan Oskanyan, and the current Chief Economic Adviser to the President of Armenia, Vahram Nercissiantz.

in the case of the Armenian-American Diaspora, taking a position of “wait and see” similar to the official position of Washington in the late 1980s, and in effect discouraging their compatriots in Armenia from secession from the USSR, the leaders of the Armenian American Diaspora groups lost, “their anticipated political role as the navigators of Armenian national life in the former Soviet Armenia.”<sup>17</sup> The author suggests that similar issues presented themselves at different times to other ethnic groups with strong (as Armenian) political lobby groups in the USA.

Further, at the dawn of Armenia’s independence the idea of dual citizenship—seen as the foundation for the “formal” Diaspora involvement—was ruled out by the first administration. The position was explained by Levon Ter-Petrosian, the first RA President, in a September 26, 1997 interview:

Now about dual citizenship I have already expressed my opinion in (sic) that issue. I think the Diaspora must be so generous as to understand why we have denied the double citizenship. I have tried to explain it. We have very serious problems. If we had adopted the double citizenship, today we would not have had an army. Would the Diaspora want Armenia not to have an army? Would the Diaspora want Karabakh to be defeated? It is a shame. A great many young Armenians ran away from Armenia together with their families not to serve in the army. If they had double citizenship, none of them would serve in our army.<sup>18</sup>

The above approach has been softened in the rhetoric of the current RA President, Robert Kocharyan, who ran his reelection campaign on a promise of tighter integration of the Diaspora in Armenia’s affairs. Due to various reasons the progress in the formal field has been slow. It is expected that legislative changes introducing dual citizenship or dual citizenship-like arrangements would fundamentally change the Armenia-Diaspora relationship, thus creating an incentive to establishment of new and more stable links between two entities.

### C. Economic Growth and International Integration

Human capital plays an integral role in the modern theory of economic growth. In the Armenian context, human capital comes not just in form of able-bodied, educated and large labor force, but in the form of specific project investment, i.e. that venture capital follows people in this case.

Supporters of the dual citizenship rightfully claim the Armenian Diaspora as the primary source for substantial and project-oriented investment, contributing to sustained growth

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<sup>17</sup> See Yossi Shain, “Ethnic Diasporas and U.S. foreign Policy,” *Political Science Quarterly* 109, no.5 (Winter, 1994-1995): 811-841.

<sup>18</sup> As quoted from Asbarez October 4, 1997 #4 in Stephan Astoorian, H., “From Ter-Petrosian to Kocharian: Leadership Change in Armenia,” *Berkeley Program in Soviet and Post-Soviet Studies*. (2001).

and economic development. It seems to be only natural for the patriotically inspired entrepreneurs to enter as the “first movers” the realm of Armenian economy.<sup>19</sup>

One of the vital components of stable economic development is a consistent flow of investment funds into real activity and technical innovation. Competing countries make extra steps to attract capital to fund various infrastructure and productive initiatives. Yet, aside from rare cases, Armenia is still perceived as an economy with little promise and little attractiveness for entrepreneurial capital compared to other countries of the Former Soviet Union. Landlocked and limited in natural resources, Armenia is drawn to unconventional assets—such as its largely affluent diaspora—in order to bring economy closer to its potential and remain competitive.<sup>20</sup>

Gevorkyan and Grigorian (2003) emphasize Armenia’s urgent need to break the low savings / low investment linkage that—as textbook economic theory holds—translates into low aggregate output. The low-income effect that results from that in turn amplifies even lower level of savings (as population struggles to fulfill its basic consumption needs) throwing economy further back into the spiral of the “vicious circle” of low income, poverty and underdevelopment. Suggesting various institutional arrangements that, if applied, can help break the two main links, the authors express strong support for Diasporan investment as crucial for pushing the Armenian economy in the right direction. The authors argue that the Diaspora investor is necessary to create an institutional track record for Armenia in the eyes of the global investment community.

Thus, in the Armenian context, even the economic issue of growth and its sustainability boils down to the Armenia-Diaspora relationship. In this context, well defined dual citizenship policy becomes increasingly acute, as a necessary condition for the educated, entrepreneurial and (relatively) affluent Armenian Diaspora to establish and maintain closer links with the homeland. The Armenia-Diaspora dialogue in fifteen years of independence has reached the point at which the gains from more extensive and intensive relationship need to be realized.

#### IV. REFERENDUM, HIGHLIGHTS OF THE PAST AND CURRENT DEBATES

It is now logical to summarize the perception of the dual citizenship concept in Armenia and in the Diaspora.<sup>21</sup> In a highly politicized spirit, the debate on dual citizenship has been a derivation of the debate on the amendments and has centered on either opposition to or alliance with the ruling coalition of Armenian government.

It is not an understatement to say that historically, especially at times leading to the November referendum, the discussion of dual citizenship issue has taken a rather sporadic nature. Being a

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<sup>19</sup> See Lev Freinkman, “Growth Challenges and Government Policies in Armenia,” *World Bank Country Study* No. 22854-AM, 2001.

<sup>20</sup> A number of published studies corroborate this idea see for instance Michael E. Porter, “Armenian Competitiveness: Towards a Strategy for Economic Development,” *Armenia 2020 Summit*, [http://www.isc.hbs.edu/pdf/Armenia\\_Competitiveness\\_2005.03.08.pdf](http://www.isc.hbs.edu/pdf/Armenia_Competitiveness_2005.03.08.pdf), accessed October 11, 2005.

<sup>21</sup> By assumption, the provision is expected to impact ethnic Armenians before other nationalities.

reaction of one political side to the statements of another, the debate climaxed around the periods of elections (e.g. early/late 1990s and 2003), or, as in the current case, at the time of introduction of the main law and now with recent announcements of various groups working on the dual citizenship law design. Usually, many other issues overshadow the dual citizenship “debate” at other times.<sup>22</sup> Finally, more often than not the phrase dual citizenship is usurped by the media to unleash criticism on specific political or interest groups, rather than being used in the context of constructive discussion on the subject.

As mentioned before, opposition to the dual citizenship in Armenia is based on three core controversies with more focus on the electoral issues. Interestingly, it is the opponents who are most vocal in the Armenian media. Although there is a host of opinions on the subject, we will refer here to those that can be counted as most representative of a political party or of an interest group position. We begin with discussion preceding the referendum.

At the level of principal government figures, both President Robert Kocharyan and Defense Minister Serge Sargsian have argued for introduction of dual citizenship in Armenia since their appearance on the Armenian political stage in 1998. In various interviews, and specifically addressing the Third Pan-Armenian Youth Forum, Minister Sargsian expressed the view that “the representatives of the Armenian Diaspora, who wish to have Armenian citizenship, should have the suffrage and serve in the Armenian army.”<sup>23</sup> Effectively, Minister Sargsian confirmed that if obligations are limited for dual citizens, then the rights should be limited as well. In the eyes of the ruling authorities, a fully fledged citizenship of Armenia is possible in case a potential candidate is ready to fulfill any formal duties had he or she been born Armenian citizen in the first place.

Discussing the constitutional amendments with students of the Yerevan State University on October 28, 2005, RA’s Minister of Foreign Affairs Vartan Oskanian was enthusiastic about introduction of the dual citizenship concept in the Armenian law. He specifically stated that the status and particular rights and obligations would be defined by a separate law, once the legal ban in principle is lifted. Minister Oskanian stressed the urgency for the provision in dealing with the “daily loss of Armenia’s citizens,” who renounce their Armenian citizenship in favor of another country’s.<sup>24</sup> In his more recent interview to the Turkish newspaper *Hurriyet* Minister Oskanian confirmed the above view, adding that Armenia’s internal political affairs, as in the case of all sovereign states, would be resolved by people residing in the country.<sup>25</sup> He emphasized the crucial role of the Diaspora in the process as the law gets worked out.

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<sup>22</sup> A careful review of Armenian media may attest to that.

<sup>23</sup> “Serge Sargsian: It’s Time For Dual Citizenship,” *PanArmenian.Net*, July 25, 2005. <http://www.panarmenian.net/news/eng/?nid=14285>, accessed May 20, 2006.

<sup>24</sup> See “H.E. Mr. V. Oskanian, Minister of Foreign Affairs of the Republic of Armenia, Addresses the Students of the International Affairs Departments of Yerevan State University,” *Ministry of Foreign Affairs*, October 28, 2005 [http://www.armeniaforeignministry.com/speeches/051104\\_vo\\_university.html](http://www.armeniaforeignministry.com/speeches/051104_vo_university.html) - accessed May 27, 2006.

<sup>25</sup> “Minister Oskanian’s Interview to the Turkish *Hurriyet* Daily,” *Hurriyet*, March 27, 2006, Transcript [http://www.armeniaforeignministry.com/news/q\\_a/index.html](http://www.armeniaforeignministry.com/news/q_a/index.html) - accessed June 2, 2006.

In sharp contrast to the above, at the height of the debate on the approaching referendum back in 2005 the “Aravot” newspaper adhered to the position of Armenian Pan-National Movement (APNM)—the former ruling party in Armenia—putting at the center of its criticism the internal struggles of high profile Diasporan politicians as the main threats to national security. However, little discussion, i.e. explanation, of this potentially viable argument has been offered so far, leading one to consider similar statements to be politically inspired and aimed at gaining immediate political capital, rather than offering an effort to study and discuss the issue.<sup>26</sup>

Similarly, according to Stepan Grigorian, spokesperson for *Armat*, “citizenship means having the right to vote and being elected and the danger of this, is that as a result, the government of Armenia could be influenced from abroad.”<sup>27</sup> Furthermore, he expressed a concern for ethnic Armenians living in the Diaspora, since their dual national loyalties might be misinterpreted by the authorities in host countries, suggesting that dual citizenship implementation must involve bilateral agreements. Finally, APNM deputy chairman, Aram Manukyan, calling for consideration of the already known three aspects of dual citizenship, has been adamant about his party’s opposition to the idea, claiming that the law would create problems in each of the major aspects. His concern, however, has mainly been with the possibility of Russian Armenian deputies forming a majority force in the governance process in Armenia.

In the months before the referendum an alternative draft of the RA Constitution had been presented by Grigor Ghonjeyan, a United Labor Party representative in the RA National Assembly. According to that document, dual nationals would have the right to run for local governments and take part in national referenda, but not elect or be elected to Parliament or the post of President. Furthermore, Mr. Ghonjeyan has asserted that dual nationals would be allowed to own property, but not land. His party foresees no tax concessions. Importantly, a view that was expressed by Mr. Ghonjeyan at a seminar organized by the Civic Debates Club in May 2005 was that the issue of dual citizenship should be completely covered in the constitution without anything being left over for any addendum and secondary laws.<sup>28</sup>

The role of the one of the leading parties in the Armenian government the Armenian Revolutionary Federation ARF-Dashnaksutun is pivotal in spearheading the dual citizenship debate. In the early discussions preceding the referendum vote the ARF had openly declared the matter to be “one of the most important issues today in the draft of constitutional changes.”<sup>29</sup> ARF leaders and commentators claimed (and continue to do so)

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<sup>26</sup> See “One Nation, One Authority?” Aravot.am, February 12, 2004, “No to the Constitutional Amendments,” Aravot.am, June 30, 2005 and “How I’d Change the Constitution,” Aravot.am, July 15, 2005.

<sup>27</sup> As quoted in Tigran Avetisian, “Armenia: Dual Citizenship Debate,” *Institute for War & Peace Reporting*, [http://iwpr.net/index.pl?archive/cau/cau\\_200410\\_257\\_2\\_eng.txt](http://iwpr.net/index.pl?archive/cau/cau_200410_257_2_eng.txt), accessed October 12, 2005.

<sup>28</sup> See “Dual Citizenship Should be Allowed but not Encouraged in Armenia,” *ARMINFO News Agency*, May 20, 2005 and “Dual Citizenship is Still Subject for Arguments,” *A1plus News Agency*, May 20, 2005, <http://www.a1plus.am/eng/?go=issue&id=28524> accessed May 31, 2006

<sup>29</sup> Ibid.

dual citizenship to be “for Diasporan Armenians a national right” that among other things would “also assume obligations.”<sup>30</sup> In support of his party’s platform, coalition government and RA National Assembly member, as well as an active member of the ARF in Armenia, Hrayr Karapetyan stated: “If Azerbaijan has oil, Georgia has sea, then Armenia has a powerful Diaspora.”<sup>31</sup> Raising the country’s importance, this runs parallel to the idea of Diaspora businessmen and professionals as the “first movers” in revitalizing the economy.

The ARF-Dashnaksutiun, however, did not simply endorse the amendments to the RA’s main law. On April 5, 2006 the party publicly announced its official vision for the dual citizenship “Concept,” to be submitted for consideration as a draft law to the National Assembly later the same year.<sup>32</sup> Under the new law, if adopted, anyone with dual citizenship, legally residing in Armenia for a set number of years would be granted the right to vote and run for office. Elections are to take place only inside Armenia, a certain number offices allowed to be occupied by dual-nationals to be established by the government. In addition dual-nationals would be eligible for the draft in addition to other requirements. The authors of the law contend that the best international practices have been studied and adjustments to Armenian context have been made in preparation of the law.<sup>33</sup> However, the stipulation of the vote taking place solely in Armenia, may deprive of the voting rights of those Armenian nationals who happen to be temporary abroad for various reasons. Further, it is apparent that the law does not set specific requirement on military service for dual nationals, while Armenia born male nationals being subject to draft. Still, the introduction of comprehensive provisions contributes significant constructiveness to the post referendum debate in Armenia on the subject of dual citizenship - something missing before.

Preceding the referendum Vardan Poghosyan, the deputy chair of the National Democratic Party, offered a somewhat more balanced approach. He proposed a flexible arrangement for dual citizenship under which residence in Armenia becomes the defining factor in electoral rights determination. Calling for greater attention to the public office appointments and political rights, in a commentary immediately following the ARF’s April 5<sup>th</sup> announcement, Mr. Poghosyan criticized the “Concept” as “raw” and incomplete in its provisions on all three core points: taxation, military service, and elections. It was not clear to him how the mechanism of required residence and

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<sup>30</sup> “The Goals and Values of Dashnaksutiun are Both Timely and Immediate,” *The Armenian Weekly Online*, March 2004 Editorial, [http://www.hairenik.com/armenianweekly/march\\_2004/politics003.html](http://www.hairenik.com/armenianweekly/march_2004/politics003.html), accessed May 30, 2006.

<sup>31</sup> “Adoption of law on Dual Citizenship to Raise greatly Armenia’s Influence in Region,” *ARMINFO News Agency*, June 4, 2005.

<sup>32</sup> “Concept: of the Republic of Armenia Law on Granting Dual Citizenship to Foreign Armenians [*Arterkeri bayerin Haiastani Hanrapetutiumum erkqghaqatsiutian kargavijak talu masin*]” available at <http://www.yerkir.am/arm/Hajecakarg.pdf> - accessed May 30, 2006.

<sup>33</sup> “Draft Bill on Dual Citizenship Introduced in RA Parliament,” *PanArmenian.Net*, April 6, 2006 <http://www.panarmenian.net/news/eng/?nid=17257> – accessed May 5, 2006.

contribution of certain amount of income would work. Importantly, however, Mr. Poghosyan mentioned the issue of reciprocity of the dual citizenship clause.<sup>34</sup>

Speaking at the Armenian National Academy of Sciences on September 28, 2005, Andranik Mihranyan, member of the Board of the World Armenian Congress and the Union of Armenian of Russia, stated that “the Armenian community of Russia favors the constitutional amendment lifting the ban on the dual citizenship.”<sup>35</sup> It is safe to assume that this is a representative view of many other Diasporan civil organizations at large. The idea has been subject of deliberations at every Armenia-Diaspora conferences held in Yerevan since 1999, in which delegates of all major Diasporan organizations have taken an active part.<sup>36</sup> The adopted constitutional amendments raise hopes for those for whom acquiring Armenian citizenship is a matter of personal values and for those for whom it is a necessity of conducting business or reestablishing ties with their homeland.

The issue of electoral rights as they relate to dual citizenship appears to be defining in the current debate on dual citizenship. One cannot fail to notice a clear separation in views between the political formations in Armenia on this subject. Hence, despite some reasonable arguments offered at various levels in the Armenian political structure, the debate on dual citizenship, unfortunately, is plainly a debate on authority and preservation of party status and ideological dogmas. It leads to a conclusion that a constructive debate on a larger scale of the Armenian society (i.e. outside politics) is yet to be seen.

On a practical side, the opponents seem to forget that dual citizenship works only in cases where two countries have adequate legislation, i.e. being a citizen of Armenia does not jeopardize the person’s citizenship elsewhere and vice versa. A set of comprehensive binding agreements would be required. For example, anyone accepting Russian citizenship must formally renounce another country’s citizenship. This puts the speculations of the opponents about “two million votes coming from Russia” in a different perspective. Still, introducing comprehensive dual citizenship law, Armenia would be making the first step in the negotiation process with potentially high positive outcomes for the national economy and country development.

The following survey stands out in this discussion and it is worth mentioning. In February 2005, *A1plus News Agency* conducted a survey among three groups of people in Armenia. Overall, ninety-nine people were surveyed. Of this sample sixty-seven offered their support to the idea of dual citizenship. Temporary migrants to Russia fancied the idea in general; however, they were unprepared to answer any specific questions pertaining to the taxation, draft and elections issues. University-level students in Armenia expressed reservations in terms of introducing a provision on certain obligations for dual

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<sup>34</sup> “Raw Conception,” Aravot.am, April 7, 2006, [http://www.aravot.am/2006/aravot\\_eng/April/7/st01.htm](http://www.aravot.am/2006/aravot_eng/April/7/st01.htm) - accessed May 31, 2006.

<sup>35</sup> “Armenian Community of Russia Supports Amendment to Armenian Constitution on Dual Citizenship,” *ARMINFO News Agency*, September 28, 2005.

<sup>36</sup> Information on annual Armenia Diaspora conferences, issues discussed, resolutions, participants and other is available at <http://www.armeniadiaspora.com>

citizens. Finally, social scientists and other intellectuals were slightly more cautious and suggested starting with the rights of permanent residence as a type of dual citizenship.<sup>37</sup>

Despite obvious sample limitations, and in the absence of larger scale similar efforts, the findings of the survey suggest a general approval of dual citizenship. In particular, the approval is coming from those who have experienced the limitations of not having dual citizenship like legal status in their practical life. That is a crucial insight that should be given its proper attention. The issues of political economy, i.e. the notorious core controversies of taxation, military service and elections, are recognized as important but are not the governing determinants in the overall concept of dual citizenship.

According to the some previous researches, people usually vote, pay taxes and serve in military in the countries of their habitual residence.<sup>38</sup> Therefore, such considerations (certainly with preceding attention from the authorities) become part of everyday life for a dual national and are worked out on the basis of their relevance.

## V. CONCLUSION

Whether Armenia is going to be successful in setting the foundations for future dual citizenship arrangements depends largely on the country's ability to adapt international legal base, learn from the practical experience of others and seriously consider the main socio-economic and political factors of the problem. The critics must remember that adopting a law on dual-citizenship in Armenia is only half the battle. It remains up to the governments (and the RA government diplomacy) to adopt similar clauses, for Armenians in other countries to fully enjoy the rights and bear obligations of dual citizenship. Until there is a bilateral or internationally accepted mechanism for allowing dual citizenship, the situation might not even arise. In fact, the number of Armenians from the Diaspora may not be as high as most optimistic estimates may predict, namely, because of the inexistence of such reciprocal legal basis.

Despite all this, adopting a law on dual citizenship would in effect be the required first step on the path of achieving Armenia's long-run prosperity and growth as well as the "oneness" of all Armenians. The necessary condition at this stage is proper understanding of all complexities of the process. The highly politicized debate on the issue of dual citizenship requires a constructive dialogue involving all stakeholders, including the public and civic groups. Deeper investigation of the existing international practice will bear benefits in the long run designing any future regulations.

Finally, the urgency of analysis applied within specific Armenian context of today should not be underestimated. Some of the ideas raised in this article serve as starting point for more informed discussion of the subject matter within the Armenian context. Overall, a closer examination is needed.

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<sup>37</sup> "Dual Citizenship Perceived as Privilege," *A1plus News Agency*, February 19, 2005, <http://www.a1plus.am/eng/?go=issue&cid=24973>, accessed May 15, 2006.

<sup>38</sup> See Hammar, 1985.

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