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Freedom in the World 2009 - Armenia

Capital: Yerevan

Population: 3,100,000

Political Rights Score: 6

Civil Liberties Score: 4

Status: Partly Free

Explanatory Note

The numerical ratings and status listed above do not reflect conditions in Nagorno-Karabakh, which is examined in a separate report.

Ratings Change

Armenia's political rights rating declined from 5 to 6 due to the inability of the opposition to successfully compete for political power in the 2008 presidential election, as well as the violent dispersal of opposition protesters and continued detention of more than 100 people arrested in the aftermath of the voting.

Overview

Prime Minister Serzh Sarkisian was credited with 53 percent of the vote in the February 2008 presidential election, prompting backers of the opposition candidate, former president Levon Ter-Petrosian, to protest the official results in early March. In the ensuing violent crackdown by the authorities, 10 people were killed, including a policeman, and more than 200 others suffered injuries. International human rights monitors cited numerous irregularities in the election process, which exposed deep flaws, unresolved political grievances, and entrenched corruption within the Armenian political system.

After a short period of independence amid the turmoil at the end of World War I, the predominantly Christian Transcaucasus republic of Armenia was divided between Turkey and the Soviet Union by 1922. Most of the Armenian population in the Turkish portion was killed or driven abroad during the war and its aftermath, but those in the east survived Soviet rule. The Soviet republic of Armenia declared its independence in 1991, propelled by a nationalist movement that had gained strength after the reformist Mikhail Gorbachev became the Soviet leader in the 1980s. The movement had initially focused on demands to transfer the substantially ethnic Armenian region of Nagorno-Karabakh from Azerbaijan to Armenia; Nagorno-Karabakh was recognized internationally

as part of Azerbaijan, but by the late 1990s, it was held by ethnic Armenian forces who claimed independence. Prime Minister Robert Kocharian, the former president of Nagorno-Karabakh, was elected president of Armenia in March 1998.

Parliamentary elections in May 1999 resulted in victory for the Unity bloc, a new alliance of Defense Minister Vazgen Sarkisian's Republican Party and former Soviet Armenian leader Karen Demirchian's People's Party, which campaigned on a platform of greater state involvement in the economy and increased social spending. In June, Sarkisian was named prime minister and Demirchian became speaker of the National Assembly.

The country was thrust into a political crisis on October 27, 1999, when five gunmen stormed into the National Assembly and assassinated Sarkisian, Demirchian, and several other senior government officials. The leader of the gunmen, Nairi Hunanian, maintained that he and the other assailants had acted alone in an attempt to incite a popular revolt against the government. Allegations that Kocharian or members of his inner circle had orchestrated the shootings prompted opposition calls for the president to resign. Due to a stated lack of evidence, however, prosecutors did not press charges against Kocharian, who gradually consolidated his power during the following year.

Kocharian was reelected in 2003 through a presidential vote that was widely regarded as flawed. He defeated Stepan Demirchian, son of the late Karen Demirchian, in a March runoff with 67 percent of the vote. The Organization for Security and Cooperation in Europe (OSCE) described the elections as falling short of international standards and alleged widespread ballot-box stuffing. During the runoff, authorities placed more than 200 opposition supporters in administrative detention for over 15 days; the detainees were sentenced on charges of hooliganism and participation in unsanctioned demonstrations. The Constitutional Court rejected appeals by opposition leaders to invalidate the election results, although it did propose holding a "referendum of confidence" on Kocharian within the next year to allay widespread doubts about the validity of the election returns; Kocharian rejected the proposal. In response to the problems associated with the election, opposition parties boycotted sessions of the National Assembly. Protest rallies were mounted from April to June 2004 over the government's failure to redress the flawed 2003 presidential vote, but police violently dispersed them with water cannons, batons, and stun grenades.

A constitutional referendum held in November 2005 was designed to reduce presidential power and clarify the separation of powers between the judicial, executive, and legislative branches. Official results showed that 94 percent of participating voters endorsed the proposed changes, with a turnout of 64 percent. However, opposition parties, which advocated more drastic reforms, and a small contingent of monitors from the Parliamentary Assembly of the Council of Europe (PACE), questioned the veracity of those figures, citing evidence of sparse voter turnout, forged voter lists, and ballot-box stuffing.

The Republican Party, led by Prime Minister Serzh Sarkisian – a close ally of President Kocharian – took the largest portion of the vote in the May 2007 parliamentary elections, winning control of 65 seats in the 131-seat National Assembly. Two other major pro-presidential parties took 41 seats, giving the government a clear majority. Opposition parties confronted disadvantages regarding media coverage and the abuse of state administrative resources ahead of the vote.

The results of the parliamentary elections set the stage for the presidential vote on February 19, 2008. Five days after the balloting, the Central Election Commission announced results showing Sarkisian with 52.8 percent and the main opposition candidate, former president Levon Ter-Petrosian, with 21.5 percent. The opposition disputed the results, which gave Sarkisian the majority he needed to avoid a runoff vote. Peaceful opposition demonstrations that began on February 21 turned violent a week later when the police engaged the protesters. According to the OSCE, 10 people were killed and more than 200 were injured during the clashes. Outgoing president Kocharian declared a 20-day state of emergency, and more than 100 people were arrested in the wake of the upheaval, many of whom remained in detention at year's

end. The final observation report of the OSCE election observer mission stated that Armenia's election code "provides a sound basis to conduct democratic elections," and that "deficiencies in implementation resulted primarily from a lack of sufficient will to implement legal provisions effectively and impartially."

While meetings were held under the aegis of the OSCE's Minsk Group, the long-running diplomatic effort to resolve the Nagorno-Karabakh conflict was not successful in 2008. In a promising symbolic step for the improvement of Turkish-Armenian relations, Turkey's president, Abdullah Gul, was invited by President Sarkisian to Armenia in September 2008; the Armenian president used the occasion of a soccer match between the two countries' national teams as the impetus for this invitation.

Political Rights and Civil Liberties

Armenia is not an electoral democracy. The unicameral National Assembly is elected for four-year terms, with 90 seats chosen by proportional representation and 41 through races in single-member districts. Before electoral reforms in 2005, there had been 56 proportional-representation seats and 75 single-mandate seats. The president is elected by popular vote for up to two five-year terms.

Elections since the 1990s have been marred by serious irregularities. At the exhortation of the Council of Europe, the government adopted modifications to the election code in 2005 and 2006. The amended code provided for a more balanced composition of election commissions, though concerns remained about the potential for fair administration of the election process. For example, the OSCE cited the abolition of the quorum for election commissions to make decisions as a potential concern.

The May 2007 parliamentary vote was described by the OSCE as an improvement over previous polls, albeit with shortcomings. The OSCE's final report noted that the campaign of the Republican Party, which took the largest portion of the vote, overlapped with a longer-running Defense Ministry celebration of the Armenian army's 15th anniversary, helping to blur the lines between the party and the state; Serzh Sarkisian, the head of the Republican Party, was also the minister of defense. The marginal improvements cited in 2007 were not sustained in 2008, as the vote count, media environment, and reliance on administrative resources in the presidential election campaign offered the candidacy of Prime Minister Sarkisian an overwhelming advantage.

Bribery and nepotism are reported to be common among government bureaucrats, and government officials are rarely prosecuted or removed for abuse of office. Corruption is also believed to be a serious problem in law enforcement. In July 2008, the government announced a new five-year initiative to combat graft, though previous campaigns have not made meaningful headway against the country's deeply entrenched culture of corruption. Armenia was ranked 109 out of 180 countries surveyed in Transparency International's 2008 Corruption Perceptions Index.

There are limits on press freedom in Armenia. The authorities use informal pressure to maintain control over broadcast media – the chief source of news for most Armenians – including state-run Armenian Public Television (H1) and most private channels, whose owners are loyal to the president. The independent television station A1+ was shuttered by a government licensing decision in 2002, and it appealed its case to the European Court of Human Rights in Strasbourg. The court ruled in June 2008 that the National Council on Television and Radio's consistent rejection of the station's applications for a new frequency ran counter to the European Convention on Human Rights. It fined the Armenian government 30,000 euros but stopped short of requiring the authorities to grant A1+ access to the airwaves. The slanted media environment afforded Sarkisian, the chosen successor of outgoing president Robert Kocharian, a dominant position in communicating with the public during and after the 2008 presidential election campaign. In its final observation report on the election, the OSCE noted that "the CEC and the National Council for Television and Radio (NCTR) did not ensure that media met its obligations, and media bias was evident." The criminal code still includes libel as a

criminal offense, and violence against journalists is a problem. In August 2008, Hrach Melkumian, acting head of Radio Free Europe/Radio Liberty's Yerevan bureau, was brutally attacked and injured by an unknown assailant. The authorities do not interfere with internet access.

Freedom of religion is generally respected, and most registered religious groups reported no serious legal impediments to their activities. The Armenian Apostolic Church, to which 90 percent of Armenians formally belong, enjoys some privileges that are not afforded to other faiths. As of mid-2008, 78 Jehovah's Witnesses were serving prison terms for refusing military service.

The government generally does not restrict academic freedom. In 2002, the Ministry of Education ordered the compulsory display of portraits of the president and the head of the Armenian Apostolic Church in secondary schools. The history of the Apostolic Church is a required school subject.

Open and free private discussion could be affected by a controversial law, passed in October 2007, that allows law enforcement officials to eavesdrop on telephone conversations without a warrant. Opponents of the law fear it will enable government surveillance of the political opposition, journalists, and others.

The authorities' violent response to election-related protests in 2003 and 2004 represented a low point for freedom of assembly in Armenia. The PACE in 2005 condemned the government's use of violence and administrative detention against protesters. In response to such criticism, the government in October 2005 revised the law on organizing meetings, assemblies, rallies, and demonstrations, taking into account most of the recommendations of the OSCE Venice Commission. However, in the aftermath of the March 2008 clashes, the government reimposed restrictions on freedom of assembly. As of October 2008, at least 70 people remained in jail, including a number of high-profile opposition members. Shortly after taking office as president, Sarkisian fired the head of the State Protection Service, Grigory Sarkisian (no relation), and national police chief Lieutenant General Hayk Harutiunian. This may have been an effort by the new president to distance himself from officials who played a significant part in the postelection crackdown. President Sarkisian also commissioned a five-member group of experts to conduct a fact-finding probe into the violence.

Registration requirements for nongovernmental organizations (NGOs) are cumbersome and time-consuming. Some 3,000 NGOs are registered with the Ministry of Justice, although many of them are not active in a meaningful way. While the constitution provides for the right to form and join trade unions, labor organizations are weak and relatively inactive in practice.

The judicial branch is subject to political pressure from the executive branch and suffers from considerable corruption. Police make arbitrary arrests without warrants, beat detainees during arrest and interrogation, and use torture to extract confessions. Cases of abuse go unreported out of fear of retribution. Prison conditions in Armenia are poor, and threats to prisoner health are significant.

Although members of the country's tiny ethnic minority population rarely report cases of overt discrimination, they have complained about difficulties in receiving education in their native languages. Members of the Yezidi community have sometimes reported discrimination by police and local authorities.

Citizens have the right to own private property and establish businesses, but an inefficient and often corrupt court system and unfair business competition hinder such activities. Key industries remain in the hands of so-called oligarchs and influential cliques who received preferential treatment in the early stages of privatization.

According to the current election code, women must comprise 15 percent of a party's list for the proportional representation seats and hold every 10th position on party lists, an improvement over the rules for the 2003 parliamentary elections. Domestic violence

and trafficking in women and girls for the purpose of prostitution are believed to be serious problems.

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