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2014 Scores

Status: Partly Free

Freedom Rating (1 = best, 7 = worst): 4.5

Civil Liberties (1 = best, 7 = worst): 4

Political Rights (1 = best, 7 = worst): 5

Explanatory Note:

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

OVERVIEW

Armenia held presidential elections in February. International observers noted that the vote was well-administered and that authorities had demonstrated a general respect for freedom of assembly and expression. There were no debates between the candidates, but the media provided campaign coverage of all candidates as required by law. However, pressure on voters, abuse of administrative resources, and interference in the voting process remained concerns. As in previous elections, observers noted procedural violations and irregularities in the tabulation of votes. Grave violations were observed on election day, particularly regarding the interference of proxies from the ruling party.

The incumbent, President Serzh Sarkisian of the governing Republican Party of Armenia (HHK), won a second five-year term with 59 percent of the vote. His closest challenger, Raffi Hovannisian of the Heritage party, received a remarkably high 36.7 percent. Hovannisian's popularity was largely a result of his active campaigning, characterized by direct American-style voter outreach considered unusual in Armenian politics. Despite his unexpectedly strong showing on election day, Hovannisian rejected the results, triggering a six-week standoff during which he made various inconsistent political demands and organized several protests calling for the election's annulment. Authorities responded with restraint and upheld the public's right to peacefully assemble. While Sarkisian assumed his post, his administration offered to engage in negotiations that could allow the opposition to play a greater role in the political process. Hovannisian rejected the offer.

Hovannisian's inconsistent demands and unwillingness to engage in negotiations cost him public support, as demonstrated by his poor performance in mayoral elections held in Yerevan in May.

Over the last two years, Armenia had been in negotiations with the European Union (EU) on forging an association agreement. However, Sarkisian indicated in September that Armenia would instead join a Russian-led customs union. Following the decision, which was unpopular with the public, Russia reduced planned increases in gas prices to Armenia.

In November, Turkey announced that it would consider opening its land border with Armenia as an incentive to move forward with peace negotiations over Nagorno-Karabakh, an ethnic Armenian enclave within Azerbaijan's borders that split from Azerbaijan amid a war following the collapse of the Soviet Union. After three years of deadlock, Armenian and Azerbaijani leaders agreed to renew peace talks that month. Although no substantial progress was made to resolving the territorial dispute by year's end, both sides vowed to continue the dialogue in 2014. The Nagorno-Karabakh border remains heavily militarized.

POLITICAL RIGHTS AND CIVIL LIBERTIES

Political Rights: 14 / 40 (+1)

A. Electoral Process: 5 / 12

Armenia is not an electoral democracy. The unicameral National Assembly is elected for five-year terms, with 90 seats chosen by proportional representation and 41 through races in single-member districts. The president is elected by popular vote for up to two five-year terms. Elections since the 1990s have been marred by irregularities. International monitors reported issues with the 2013 presidential election and it was assessed as falling short of democratic standards.

In the 2012 parliamentary elections, the ruling HHK secured a majority with 69 seats. The HHK's former coalition partner, the Prosperous Armenia party (Bargavaj Hayastan Kusaktsutyun, or BHK), secured 37 seats, and the Armenian Revolutionary Federation (HHD) and Rule of Law party each took 6 seats. Historic representation was also granted to the Armenian National Congress (HAK), the formerly anti-institution opposition coalition led by former president Levon Ter-Petrosian, which won 7 seats. Many ministers retained their posts following the elections, including Prime Minister Tigran Sarkisyan of the HHK, though members of BHK in the outgoing cabinet were replaced by appointees from HHK.

The HAK, BHK, and HHD all declined to propose a candidate to challenge Sarkisian in the February 2013 presidential election. Hovannisian, the most serious challenger, vehemently rejected Sarkisian's victory. Hovannisian and his proxies filed a large number of complaints with the Central Elections Commission (CEC), requesting the invalidation of dozens of polling station results and a number of recounts, as well as the disqualification of the incumbent's candidacy based on allegations of campaign-spending violations. The CEC rejected all complaints challenging the legitimacy of Sarkisian's victory and declared him the official winner on February 25. The elections commission has a track record of unduly rejecting complaints based on formalities and court decisions on complaints cannot be appealed. According to the Organization for Security and Cooperation in Europe (OSCE), redress for electoral complaints is inadequate, failing to meet

standards described in paragraph 5.10 of the 1990 OSCE Copenhagen Document. President Sarkisian was sworn in to his second five-year term in April.

B. Political Pluralism and Participation: 6 / 16 (+1)

People have the right to organize in different political parties in Armenia, but the ruling party's access to and abuse of administrative resources prevents the existence of a level political playing field. However, there was increased space for parties to campaign during the 2013 presidential election; contenders were allowed to operate fairly openly and candidates were more active in their voter outreach than in the past. Voters lack access to the information necessary to make informed choices and fear retribution for voting against the ruling party. There were no reports of physical attacks on candidates during the 2013 presidential election campaign. One minor challenger was shot and injured in late January, but no links between the shooting and the campaign were reported.

C. Functioning of Government: 3 / 12

Corruption is pervasive, and bribery and nepotism are reportedly common among government officials, who are rarely prosecuted or removed for abuse of office. Corruption is also believed to be a serious problem in law enforcement. A five-year initiative to combat graft, announced in 2008, has not made meaningful headway against the country's entrenched culture of corruption. In 2013, Armenia took steps to develop a strategy to improve control over public internal finances and improve competition in the public procurement of medicines. However, anticorruption measures remain largely ineffective due to a lack of successful implementation and enforcement.

Despite a 2003 law on freedom of information, government agencies have remained reluctant to disclose public information. In 2011, Armenia joined the Open Government Partnership initiative, a project dedicated to promoting government accountability that has several dozen nations as members. However, nongovernmental organizations (NGOs) monitoring progress on implementation claim that government bodies still do not adequately disclose public information as required by the project.

Civil Liberties: 29 / 60

D. Freedom of Expression and Belief: 8 / 16

There are limits on press freedom. The authorities use informal pressure to maintain control over broadcast outlets, the chief source of news for most Armenians. There are two public television networks, and dozens of private channels with varying degrees of national reach; the owners of most private channels have close ties to the government. A 2010 digital broadcasting law mandated a reduction in the maximum number of television stations in the capital and in nine other regions; the new law also obliged a number of stations to focus on content other than domestic news and political affairs. In 2011, the law led to the denial of a digital license to GALA TV, the sole remaining television station that regularly criticized the government; the station is almost certain to be forced from the airwaves when the country completes the switchover from analog to digital broadcasting in 2015. In 2013, the government continued to deny a license to the independent television station A1+ despite a 2008 ruling in the network's favor by the European Court of Human Rights. The station returned to the airwaves in 2012 with the help of the privately owned ArmNews TV, which granted A1+ a contract to broadcast a news bulletin over its frequency.

Although libel was decriminalized in 2010, journalists face high fines under the civil code for defamation and insult. In February 2013, a coalition of NGOs issued a statement emphasizing that civil suits against the media with high fines remain a serious problem; the NGOs also expressed concern that courts tend to grant motions aimed at preventing media outlets in such cases from accessing their property and assets. Violence against journalists remains a problem, particularly during election periods. The Committee to Protect Freedom of Expression, an Armenian NGO, reported an uptick in violence against and pressure on journalists in 2013. Eleven of the 56 incidents of pressure on journalists that it documented in 2013 were in connection with the Yerevan mayoral elections on May 5. In one such incident a journalist was verbally and physically assaulted when he refused to stop filming the incumbent mayor during his arrival at a lavish campaign event. The authorities do not interfere with internet access.

Freedom of religion is generally respected, though the dominant Armenian Apostolic Church enjoys certain exclusive privileges, and members of minority faiths sometimes face societal discrimination. In May 2013, the law governing obligatory military service was amended to conform to European standards, allowing civil service as an alternative for conscientious objectors. Since the adoption of the new law, Jehovah's Witnesses have not faced prosecution for refusing military service, which had previously been a problem in Armenia. By November, all of the members of the Armenian Jehovah's Witnesses community who had been imprisoned for their conscientious objection to military service were released. Armenia's Jehovah's Witnesses, however, complain that the government has failed to respond to applications by 41 conscientious objectors to the new civil service program, leading to criminal cases against 12 such applicants.

The government generally does not restrict academic freedom. Public schools are required to display portraits of the president and the head of the Armenian Apostolic Church and teach the church's history.

E. Associational and Organizational Rights: 6 / 12

In the aftermath of the 2008 post-election violence, the government imposed restrictions on freedom of assembly. Major opposition rallies in 2011 – combined with criticism from the Council of Europe – led the government to allow demonstrations in the capital's Freedom Square, the traditional venue for political gatherings since the late 1980s. However, authorities have been known to create artificial obstacles, such as setting up unexplained roadblocks, for people attempting to travel from the provinces to participate in such rallies. On several occasions, law enforcement and state-run media called the rallies following the February presidential election unauthorized and illegal, even though Hovannisian informed police of the demonstrations on a daily basis in accordance with the Law on Peaceful Assembly of the Republic of Armenia. Police reportedly blocked some protest routes without providing adequate explanation. Police did not interfere with most of the large antigovernment demonstrations that took place immediately after the election, but scuffles between protesters and law enforcement officers occurred in April when Sarkisian was inaugurated. Clashes between demonstrators and police took place on several other occasions during the year. A number of protesters were arrested at a rally in August against increases in public transportation costs; demonstrators were also arrested at a separate protest against Armenia's decision to join the customs union with Russia in September. A minor opposition figure attempted to stage an antigovernment revolution in November, but police and special forces officers responded with force, breaking up crowds and arresting scores of demonstrators.

Registration requirements for NGOs are cumbersome and time-consuming. More than 3,500 NGOs are registered with the Ministry of Justice, though many of these are not operational because of a lack of funding or capacity. The government provides financial assistance to certain organizations, but research conducted by the Yerevan Center for Freedom of Information, an NGO, suggests that some state-financed NGOs are completely inactive, raising the possibility that those groups' primary purpose is to launder money. While the constitution provides for the right to form and join trade unions, labor organizations are weak and relatively inactive in practice.

F. Rule of Law: 6 / 16

The judiciary is subject to political pressure from the executive branch and suffers from considerable corruption. Under a project implemented by the World Bank, the country in 2013 increased the speed of processing cases at first instance courts and made some improvements to judicial infrastructure, including the renovation of courthouses, new buildings for the Forensic Center and the Academy of Justice, and new information communications technologies. However, these changes did not improve public perceptions of the judiciary, which 75 percent of polled Armenians believe to be an extremely corrupt institution. Police make arbitrary arrests without warrants, beat detainees during arrest and interrogation, and use torture to extract confessions. Prison conditions in Armenia are poor, and threats to prisoner health are significant. In September, President Sarkisian issued an amnesty releasing several hundred prisoners, including HAK activist Tigran Arakelian, who was widely regarded as Armenia's "last political prisoner." In 2012, the government launched a four-year prison reform plan that will include the adoption of a new criminal code, inmate rehabilitation, and the practice of suspended sentences.

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.

Homosexuality was decriminalized in 2003, but the LGBT community still faces violence and persecution. In August 2013, law enforcement supported a bill that would ban all "nontraditional sexual relationships." The bill was withdrawn after human rights groups criticized the proposal, likening it to anti-LGBT laws that were recently passed in Russia. In May, PINK Armenia and Women's Resource Centre organized a diversity march in support of LGBT rights, which was met by four times as many counterdemonstrators. While police prevented the violence from escalating to a large scale, counterdemonstrators were permitted to get close to the LGBT rights marchers, attacking some of them.

G. Personal Autonomy and Individual Rights: 9 / 16

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 following the fall of the Soviet Union. Illegal expropriation of private property by the state remains problematic. Thousands of residents and business owners in central Yerevan were forced off their property, on the grounds of "prevailing public interest" during the wave of construction projects that began sweeping the capital about a decade ago, including the mostly vacant luxury apartments and shops on Northern Avenue.

According to the electoral code, women must occupy every sixth position – or 20 percent – on a party's candidate list for the parliament's proportional-representation seats. There were no female candidates in the presidential election in 2013. 14 out of the 131 seats in parliament are held by women. Domestic violence and trafficking in women and girls for the purpose of prostitution are believed to be serious problems.

Scoring Key: X / Y (Z)

X = Score Received

Y = Best Possible Score

Z = Change from Previous Year

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