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Freedom in the World 2010 - Nagorno-Karabakh [Armenia/Azerbaijan]

Capital: N/A

Population: 145,000

Political Rights Score: 5 *

Civil Liberties Score: 5 *

Status: Partly Free

Overview

In October 2009, Turkey and Armenia signed a historic agreement to establish diplomatic relations and reopen their mutual border, raising concerns in Azerbaijan and potentially affecting negotiations between Baku and Yerevan over a settlement of Nagorno-Karabakh's status. The presidents of Armenia and Azerbaijan met several times in 2009, and although the talks were hailed as a breakthrough by international negotiators, no concrete progress was reported by year's end.

Nagorno-Karabakh, populated largely by ethnic Armenians, was established as an autonomous region inside Soviet Azerbaijan in 1923. In February 1988, the regional legislature adopted a resolution calling for union with Armenia. The announcement led to warfare over the next several years between Armenian, Azerbaijani, and local Nagorno-Karabakh forces.

In 1992, Nagorno-Karabakh's new legislature adopted a declaration of independence, which was not recognized by the international community. By the time a Russian-brokered ceasefire was signed in May 1994, Karabakh Armenians, assisted by Armenia, had captured essentially the entire territory, as well as seven adjacent Azerbaijani districts. Virtually all ethnic Azeris had fled or been forced out of the enclave and its surrounding areas, and the fighting had resulted in thousands of deaths and created an estimated one million refugees and internally displaced persons (IDPs).

In December 1994, the head of Nagorno-Karabakh's state defense committee, Robert Kocharian, was selected by the territory's National Assembly for the newly established post of president. Parliamentary elections were held in 1995, and Kocharian defeated two other candidates in a popular vote for president the following year.

In September 1997, Foreign Minister Arkady Ghukassian was elected to replace Kocharian, who had been named prime minister of Armenia in March of that year. Kocharian was elected Armenia's president in 1998. In the territory's June 2000

parliamentary vote, the ruling Democratic Artsakh Union (ZhAM), which supported Ghukassian, won a slim victory, taking 13 seats.

Ghukassian won a second term as president in August 2002 with 89 percent of the vote. While a number of domestic and international nongovernmental organizations (NGOs) concluded that the elections marked a further step in Nagorno-Karabakh's democratization, they did note some flaws. An upsurge in shooting along the ceasefire line during the summer of 2003 fueled concerns of a more widespread escalation of violence.

Nagorno-Karabakh held parliamentary elections in June 2005, with the opposition accusing the authorities of misusing state resources to influence the outcome. According to official results, Ghukassian's renamed Democratic Party of Artsakh (AZHK) received 12 of the 33 seats, while opposition parties won only three.

In a December 2006, a reported 98 percent of voters supported a referendum calling for Nagorno-Karabakh's independence. The referendum was not recognized by the international community.

Nagorno-Karabakh security chief Bako Saakian reportedly took more than 85 percent of the vote in a July 2007 presidential election. His main opponent, Deputy Foreign Minister Masis Mailian, received 12 percent. The government subsequently absorbed or co-opted most political opposition. In September 2007, Saakian appointed as prime minister Arayik Harutyunian, one of Nagorno-Karabakh's wealthiest businessmen.

The OSCE's Minsk Group – established in the 1990s to facilitate negotiations on Nagorno-Karabakh's status – has organized a number of meetings between Armenian and Azerbaijani leaders in recent years, but hope for progress was shaken in 2008 by a series of external political developments. Kosovo's declaration of independence from Serbia, and Russia's subsequent recognition of the independence of the breakaway Georgian regions of Abkhazia and South Ossetia, raised delicate questions about Nagorno-Karabakh's status. Moreover, postelection violence in Armenia was followed by skirmishes along the ceasefire line that killed 16 soldiers on both sides, marking one of the worst violations of the ceasefire in years. On March 14, 2008, the UN General Assembly passed a resolution identifying Nagorno-Karabakh as part of Azerbaijan and calling on Armenia to withdraw its troops. The measure was supported by 39 member states and rejected by seven, including Russia, France, and the United States, the three co-chairs of the Minsk Group.

The presidents of Armenia and Azerbaijan met again on several occasions in 2009, and while the talks were hailed as a breakthrough by members of the Minsk Group, no immediate progress was reported by year's end. In September, Matthew Bryza, a U.S. deputy assistant secretary of state who had co-chaired the Minsk Group since 2006 and was frequently accused of taking a pro-Azerbaijan stance, was replaced as the U.S. representative by ambassador Robert Bradtke.

Separately, following a year of delicate negotiations, the governments of Turkey and Armenia in October signed a historic agreement to establish diplomatic relations and reopen their shared border, which Turkey had sealed in 1993 to show solidarity with Azerbaijan. To Baku's consternation, Turkey did not make resolution of Karabakh's status a precondition for the agreement, but international negotiators were closely watching for any effects the renewed Turkish-Armenian relations could have on talks between Baku and Yerevan.

Political Rights and Civil Liberties

Nagorno-Karabakh has enjoyed de facto independence from Azerbaijan since 1994 and retains close political, economic, and military ties with Armenia. While most previous elections were regarded as relatively free and fair, parliamentary and presidential votes held in 2005 and 2007 were criticized by the opposition for alleged fraud and other irregularities. All of these elections were considered invalid by the international

community, which does not recognize Nagorno-Karabakh's independence.

The president, who is directly elected for up to two five-year terms, appoints the prime minister. Of the unicameral National Assembly's 33 members, 22 are elected from single-mandate districts and 11 by party list, all for five-year terms. The main political parties in Nagorno-Karabakh are the AZhK, Free Motherland, Movement 88, and the Armenian Revolutionary Federation-Dashnaksutiun. The latter two ran as an opposition alliance in the 2005 elections, but most of the opposition groups have since been brought into the government. The authorities have actively discouraged political dissent in recent years, warning that disunity could be dangerous in light of the territory's unresolved status. This rhetorical pressure has led to the gradual silencing of opposition voices.

Nagorno-Karabakh continues to suffer from significant corruption, particularly in the construction industry, as well as favoritism in filling civil service positions. The territory was not listed separately in Transparency International's 2009 Corruption Perceptions Index.

The region officially remains under martial law, which imposes restrictions on civil liberties, including media censorship and the banning of public demonstrations. However, the authorities maintain that these provisions have not been enforced since 1995, a year after the ceasefire was signed.

The government controls many of the territory's media outlets, and most journalists practice self-censorship, particularly on subjects related to Azerbaijan and the peace process. The underfunded public television station Karabakh Television, which has a monopoly on electronic media, broadcasts only three hours a day. Internet access is limited. The popular independent newspaper *Demo* and Karabakh-Open.com, the territory's only independent news website, were both closed by their publishers in 2008.

Most residents of Nagorno-Karabakh belong to the Armenian Apostolic Church, and the religious freedom of other groups is limited. A new law that took effect in January 2009 reportedly made it more difficult for minority religious groups to register, and apparently banned religious activity by unregistered groups. The law also banned proselytism by minority faiths. Although at least three minority groups were registered during the year, a Protestant group and the Jehovah's Witnesses were reportedly denied registration. Jehovah's Witnesses have been jailed for refusing to serve in the Karabakh army.

Freedoms of assembly and association are limited, but trade unions are allowed to organize. The handful of NGOs that are active in the territory, virtually all of them progovernment, suffer from lack of funding and competition from government-organized NGOs, or GONGOs.

The judiciary, which is not independent in practice, is influenced by the executive branch as well as powerful political, economic, and criminal groups.

The majority of Azeris who fled the territory during the separatist conflict continue to live in poor conditions in IDP camps in Azerbaijan. Land-mine explosions cause deaths and injuries each year. According to the International Committee of the Red Cross, at least 50,000 antipersonnel mines were laid during the war, but in many cases, records of minefield locations were never created or were lost.

The continued control of major economic activity by powerful elites limits opportunities for most residents, though the government has instituted a number of economic rehabilitation projects in the past year.

**Countries are ranked on a scale of 1-7, with 1 representing the highest level of freedom and 7 representing the lowest level of freedom.*

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