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Freedom in the World 2014 - Nagorno-Karabakh

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2014 Scores

Status: Partly Free

Freedom Rating (1 = best, 7 = worst): 5.0

Civil Liberties (1 = best, 7 = worst): 5

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

OVERVIEW

While there was no major escalation of violence along the cease-fire line in 2013, international observers expressed concern about the possibility of renewed fighting between Karabakh and Azerbaijani forces.

Peace talks on a final status for Nagorno-Karabakh remained at a standstill during the year, after highly anticipated Russian-brokered negotiations between the presidents of Armenia and Azerbaijan in 2011 ended in deadlock. Baku's rapid military buildup, with a defense budget that reached \$3.7 billion in 2013, further escalated tensions. The Azerbaijani government has openly threatened to consider a military solution to the conflict.

Regional relations were also strained during the year by renewed discussion of plans to reopen Stepanakert's airport, which was closed during the separatist conflict in 1991 but appeared to be ready for normal operations by 2013. The revival of the facility had been delayed in 2012 amid threats from Baku.

In October, two students from Nagorno-Karabakh were sentenced to 10 and 11 years in prison, respectively, on counts of high treason and espionage after being charged with passing state secrets via the internet to a foreign intelligence agent living in Istanbul.

POLITICAL RIGHTS AND CIVIL LIBERTIES

Political Rights: 12 / 40

A. Electoral Process: 4 / 12

Nagorno-Karabakh has enjoyed de facto independence from Azerbaijan since 1994 and retains close political, economic, and military ties with Armenia. All Karabakh elections are considered invalid by the international community, which does not recognize the territory's independence.

The president is directly elected for up to two five-year terms and appoints the prime minister. Of the unicameral National Assembly's 33 members, 17 are elected by party list and 16 from single-mandate districts, all for five-year terms.

Several 2009 amendments to the election code reduced the vote threshold for representation from 10 percent to 6 percent and changed the proportion of party-list and single-mandate constituency seats. The previous legislature had been composed of 22 party-list and 11 single-mandate seats.

President Bako Saakian, the incumbent since 2007, was reelected in July 2012 with 66.7 percent of the vote. His main opponent, former deputy defense minister Vitaly Balasanian, received 32.5 percent. The two main candidates had nearly identical foreign-policy goals – achieving international recognition of Nagorno-Karabakh's independence – though Balasanian also called for social justice and accused the government of allowing corruption and fiscal mismanagement. Balasanian claimed that administrative resources were misused to aid Saakian during the campaign.

The presidential contest was considered an improvement over the 2010 parliamentary elections, in which no genuine opposition candidates participated. Administrative resources were used to support the progovernment candidates, and the election commission was uniformly composed of progovernment officials. The balloting was swept by the three parties of the ruling coalition. Azat Hayrenik (Free Fatherland), the party of Prime Minister Ara Harutiunian, won 14 of the 33 seats, followed by the Democratic Party of Artsakh (AZhK) with 10 and the Armenian Revolutionary Federation-Dashnaksutun party with 6. The remaining seats were captured by Hayrenik loyalists with no formal party affiliation. Parliament speaker Ashot Ghulian was reelected to his post.

B. Political Pluralism and Participation: 5 / 16

The three main political parties are Azat Hayrenik, the AZhK, and the Armenian Revolutionary Federation-Dashnaksutun, all of which currently support the government. Given the territory's uncertain status, dissent – including political opposition – is generally regarded as a sign of disloyalty and a security risk. As a consequence, opposition groups have either disappeared or been brought into the government over the past several years. Balasanian, the defeated challenger in the 2012 presidential election, announced in August of that year that he was forming a new opposition group.

C. Functioning of Government: 3 / 12

The ability of Karabakh officials to set and implement government policies is limited in practice by security threats along the cease-fire line, warnings from Baku, and the dominant role played by the Armenian government.

Nagorno-Karabakh continues to suffer from significant corruption, particularly in the construction industry, as well as favoritism in filling civil service positions.

Civil Liberties: 19 / 60

D. Freedom of Expression and Belief: 6 / 16

The territory officially remains under martial law, which imposes restrictions on civil liberties, including media censorship. However, the authorities maintain that these provisions have not been enforced since 1995, a year after the cease-fire was signed.

The government controls many of Nagorno-Karabakh's media outlets, and the public television station has no local competition. Most journalists practice self-censorship, particularly on subjects related to the peace process. The popular independent newspaper *Demo* and Karabakh-Open.com, the territory's only independent news website, were both closed by their publishers in 2008. The internet penetration rate is low but expanding. During the 2012 presidential election, the opposition campaigned heavily via social media.

In March 2013, an Armenian-sponsored radio station began broadcasting in Talysh, an Iranian language, from Nagorno-Karabakh into southeastern Azerbaijan, home to the country's minority Talysh population. Iran denied involvement with the broadcasts, which some Azerbaijani officials called a "provocation" meant to promote anti-Azerbaijani sentiments. The station broadcasts three hours a day in both Talysh and Azeri.

Most residents belong to the Armenian Apostolic Church, and the religious freedom of other groups is limited. A 2009 law banned religious activity by unregistered groups and proselytism by minority faiths, and made it more difficult for minority groups to register. Although at least three were subsequently registered, a Protestant group and the Jehovah's Witnesses were reportedly denied registration. Unregistered groups have been fined for their religious activities, and conscientious objectors have been jailed for refusing to serve in the Karabakh army.

E. Associational and Organizational Rights: 3 / 12

Freedom of assembly is formally restricted under martial law provisions. Freedom of association is also limited, but trade unions are allowed to organize. The handful of nongovernmental organizations (NGOs) that are active in the territory are virtually all progovernment, and they suffer from lack of funding and competition from government-organized groups.

F. Rule of Law: 5 / 12

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

In March 2013, two students from Nagorno-Karabakh were arrested on counts of high treason and espionage after allegedly passing state secrets via the internet to a foreign intelligence agent living in Istanbul. Both admitted to sharing sensitive information but claimed that they did not know the recipient was an intelligence officer. In July, the two men, both in their early twenties, were found guilty and sentenced to 10 and 11 years in prison, respectively. The verdict was appealed in August, with the defendants' attorney submitting a complaint listing almost 20 violations committed by the prosecution during the trial. In October, a higher court ruled to dismiss the appeal, upholding the original sentences, and Karabakh's Supreme Court followed suit in December.

A 2011 amnesty law released or commuted the sentences of up to 20 percent of the prison population. The law applied to inmates who had fought in the 1991-94 war or had family killed in the conflict. The amnesty also stipulated the closure of at least 60 percent of pending criminal cases and the release of suspects from pretrial detention.

The security of the population is affected by regular incidents of violence along the cease-fire line. Hundreds or thousands of cease-fire violations are reported each month, and soldiers on both sides are killed or injured each year. A spike in violence in June 2012 resulted in the death of a dozen soldiers on both sides.

G. Personal Autonomy and Individual Rights: 5 / 16

The majority of Azeris who fled the territory during the separatist conflict continue to live in poor conditions in Azerbaijan, despite Baku's increased efforts to provide new housing in recent years. Land-mine explosions and other dangers in the conflict zone cause deaths and injuries each year and limit freedom of movement. According to the International Committee of the Red Cross, at least 50,000 antipersonnel mines were laid during the war. In many cases, records of minefield locations were lost or never created.

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 recent years.

Men and women have equal legal status, though women are underrepresented in government and the private sector. Women are not subject to military conscription. The government administers a "birth-encouragement program" with the goal of repopulating the territory. Couples receive several hundred dollars when they marry and additional money for the birth of each child.

Scoring Key: X / Y (Z)

X = Score Received

Y = Best Possible Score

Z = Change from Previous Year

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