

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	159
Land:	Armenien
Kilde:	Freedom House
Titel:	"Freedom in the World - Armenia (2008)"
Udgivet:	1. juli 2008
Optaget på baggrundsmaterialet:	12. september 2008



Freedom in the World - Armenia (2008)

Capital:
Yerevan

Population:
3,000,000

Political Rights Score: 5
Civil Liberties Score: 4
Status: Partly Free

Overview

Parliamentary elections in May 2007, in which the Republican Party of Armenia took the largest portion of the vote, served as a precursor to presidential elections scheduled for February 2008. President Robert Kocharian, who first took office in 1998, is constitutionally barred from serving another five-year term. Also in 2007, a controversial proposal to restrict foreign broadcast media elicited sharp criticism from the Organization for Security and Cooperation in Europe and other international human rights monitors.

After a short period of independence amid the turmoil at the end of World War I, the predominantly Christian Transcaucasus republic of Armenia had been 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 September 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 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 political 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 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 an apparent lack of evidence, however, prosecutors did not press charges against Kocharian, who gradually consolidated his power during the following year.

In 2003, Kocharian was reelected in 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 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 stuffing. The Republican Party, led by Prime Minister Serzh Sarkisian, took the largest portion of the vote in the May 2007 parliamentary elections, winning control of 65 seats in the 131-seat National Assembly. The two other major propresidential parties won control of a total of 41 seats, giving the government a clear majority. Opposition parties confronted relative disadvantages regarding media coverage and the use of state administrative resources ahead of the vote. The OSCE's final report on the balloting said that election officials had "acted to address a number of previous shortcomings," for example, "during the pre-election period the Central Election Commission achieved notable improvements in its efficiency and transparency of performance."

At the same time, the report noted that "other issues are yet to be sufficiently addressed, notably related to campaign regulation and performance of election commissions particularly during the vote count and tabulation."

While meetings were held under the aegis of the OSCE's Minsk Group, the effort to resolve the Nagorno-Karabakh conflict did not bear fruit in 2007.

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. The next presidential election is scheduled for February 2008.

Elections since the 1990s have been marred by serious irregularities, but the May 2007 parliamentary vote was described by the OSCE as an improvement over previous polls, albeit with a number of shortcomings. The Republican Party of Armenia (RPA), which had led the previous government's three-party coalition,

took the largest portion of the vote. The OSCE's final report noted that the RPA's campaign 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.

At the exhortation of the Council of Europe, the Armenian government adopted modifications to the election code in 2005 and 2006. The amended code provides for a more balanced composition of election commissions, yet concerns remain 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. Another measure viewed as a step in the right direction is a new vote-tabulation process, involving direct online summarization of preliminary Precinct Election Commission results at the Territorial Election Commission level through a computer network connected to the Central Election Commission. The final report of the OSCE's election observation mission assessed the 2007 National Assembly elections as "largely in accordance with OSCE commitments and other international standards for democratic elections."

In the aftermath of the 2007 elections, the opposition claimed fraud, campaign finance violations, and widespread vote tampering. A number of street protests followed.

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. Armenia was ranked 99 out of 180 countries surveyed in Transparency International's 2007 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 has since appealed its case to the European Court of Human Rights.

A July 2006 OSCE report noted that "Armenia has made significant progress in improving media legislation, but media pluralism remains limited to the independent, but financially weak and less influential, print media." The criminal code still includes libel as a criminal offense.

In July 2007, the parliament sought to pass a law that would have banned broadcasts of foreign programming on state-run public television and radio; Radio Free Europe/Radio Liberty was the only foreign broadcaster on public airwaves. The bill would have also forced private broadcasters to pay a fee for the airing of foreign-produced material. The measure was defeated, due in part to considerable international and domestic opposition. Meanwhile, members of the press continued to face physical violence in 2007. In September, opposition journalist Havannes Galadjian, editor of the newspaper *Iskakan Iravunk*, was beaten by unknown assailants in his office in Yerevan. 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 not afforded to other faiths. As of the end of September 2007, 82 Jehovah's Witnesses were serving prison terms for evading military service.

The government generally does not restrict academic freedom. In September 2002, the Ministry of Education ordered the compulsory display of portraits of President Robert Kocharian 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, which allows law enforcement 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.

Opposition parties were able to organize several rallies in Yerevan in the week preceding the May 2007 election. Separately, on October 23, 2007, police in the capital detained more than 20 people who sought to persuade passersby to attend a rally planned for October 26 by former president Levon Ter Petrosian. Among those arrested were the leaders of a number of parties, including the chairmen of the Conservative Party and the Democratic Homeland Party, as well as the editors of the newspapers *Haykakan Zhamanak* and *Chorrort Ishkhanutiun*; the detainees were released a day later. Also in 2007, the European Court of Human Rights rendered its first-ever ruling against the Armenian government, reproaching it for arresting opposition politician Armen Mkrtchian during a street protest in 2002.

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. The Yezidi community has claimed that police and local authorities sometimes subject them to discrimination.

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.

Domestic violence and trafficking in women and girls for the purpose of prostitution are believed to be serious problems. According to the current election code, women must comprise 15 percent of a party's list for the proportional representation seats and hold every tenth position on party lists, an improvement over the rules for the 2003 parliamentary elections.