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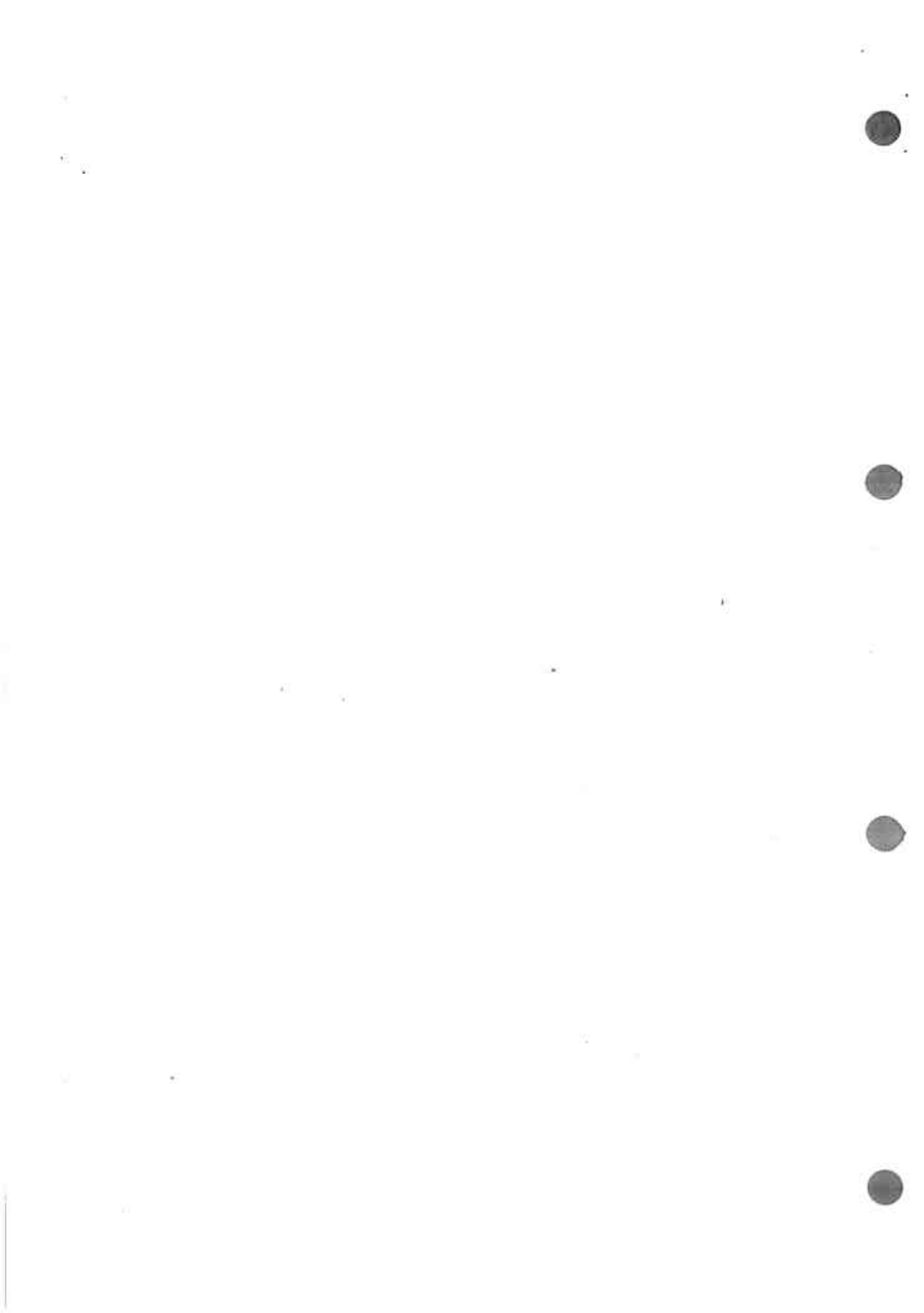
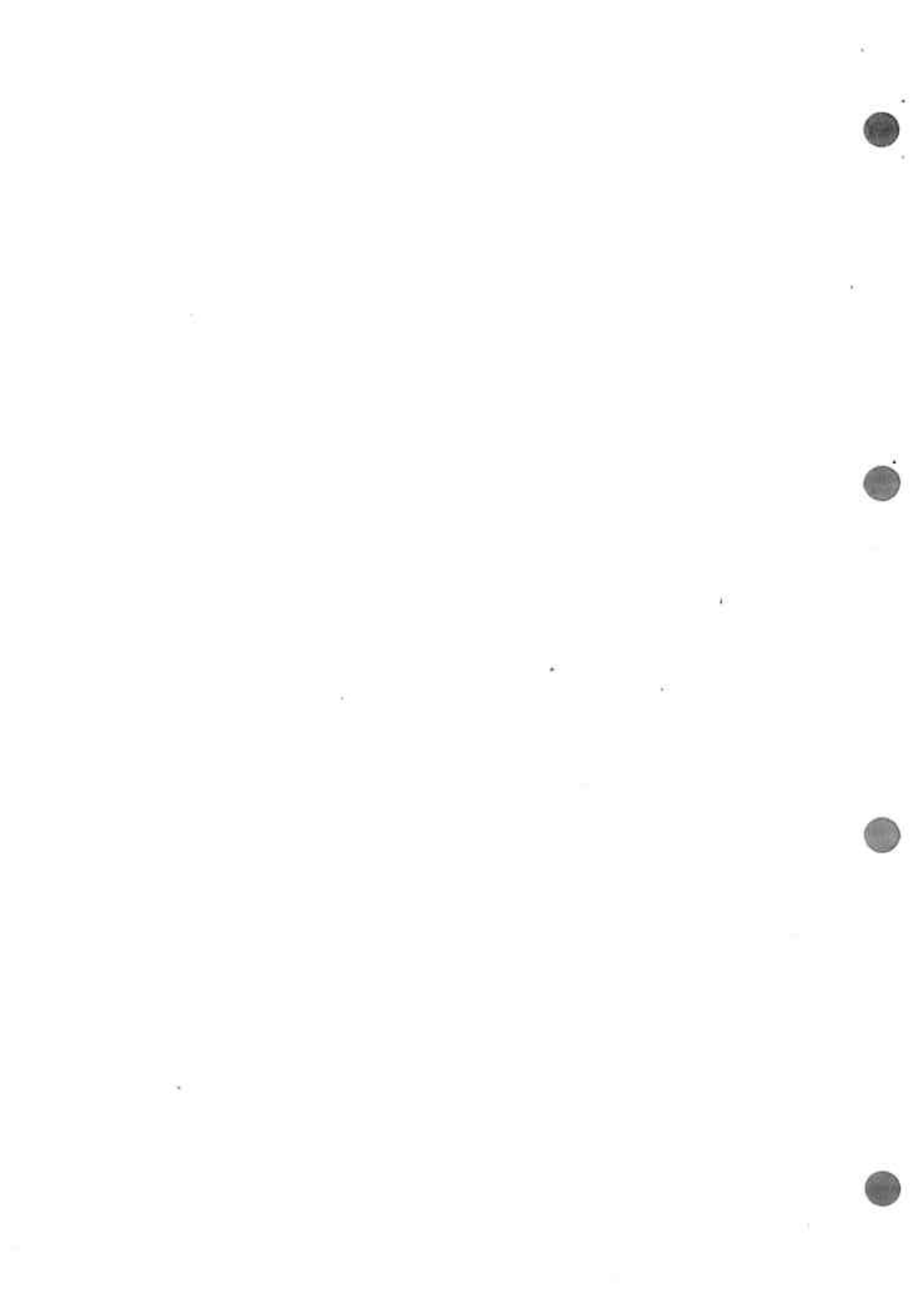


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1. Introduction¹

Situated in southwest Transcaucasia, the Republic of Armenia shares its northeastern border with Turkey, its southern frontier with Iran, while Georgia and Azerbaijan are located on its northern and eastern sides. Armenia's current population is estimated at almost 3.8 million, although the last census was carried out in 1989 and had registered 3,283,000, of whom 93% were Armenians, 2.6% Azeris, 1.7% Kurds and 1.5% Russians.² It is estimated that 1,254,400 live in the capital Yerevan.³ Emigration is considered to be a persisting problem. About one and half million Armenians are estimated to live in other republics of the former Soviet Union, mainly in Russia, while another 2.5 million reside in the United States, France and the Middle East.⁴ Russian is widely spoken but Armenian remains the official language.

Since its first legislative elections in July 1995, Armenia's political landscape has been marked by two presidential and parliamentary elections. Local elections are anticipated on 24 October 1999. Recent parliamentary elections in May 1999 announced changes in Armenia's political structure.⁵ President Robert Kocharyan subsequently disbanded the Constitutional Commission, while winners of the election have promised to establish a similar commission under parliamentary control.⁶

Political changes have had an effect on the unresolved conflict of Nagorno-Karabakh. Conflicting claims over Nagorno-Karabakh that generated significant external and internal population displacement in Armenia continue to be the underlying cause of the conflict between Armenia and Azerbaijan. Despite a cease-fire put into effect in 1994, to date, neither troop dis-engagement nor a political settlement has been proclaimed.⁷ Setbacks to the Nagorno-Karabakh dispute were a recurrent occurrence during the period 1996 to 1998, even though negotiation efforts were regularly held under the auspices of the Organization for Security and Co-operation in Europe (OSCE). Four recent meetings between the presidents of Armenia and Azerbaijan during the months of July, August, September and October 1999, have opened the door to negotiations and given grounds for new optimism for a peace settlement in the dispute over Nagorno-Karabakh.

At the height of the Nagorno-Karabakh conflict during 1988-1992, over 300,000 ethnic-Armenian refugees arrived in Armenia.⁸ The ethnic Armenian refugees were registered as *prima facie* refugees by the Armenian government. The majority of the refugees are of urban background, but an estimated 70% of them were settled in rural areas and face the

¹ This paper is an update to the Background Paper on Armenia prepared by CDR in August 1995, thus focuses on events since 1996.

² Economist Intelligence Unit (EIU), Country Profile 1999-2000, Georgia and Armenia, 48

³ Regional Surveys of the World, Eastern Europe and the CIS 1999, 131

⁴ EIU Country Profile 1999-2000, Armenia, 48

⁵ Economist Intelligence Unit (EIU), Country Report 3rd Quarter 1999, Georgia and Armenia, 19

⁶ *Ibid.*, 19

⁷ European Platform for Conflict Prevention and Transformation, Nagorno-Karabakh - Pawn in the major power game, 1999, 1, Internet: 08/06/99, 11h59

⁸ The World, Armenia, September 1999, <http://www.unhcr.ch>

challenges of a rural lifestyle. Since 1993, UNHCR has focused its programme on the integration of the refugees and promoting self-reliance, while working towards building local capacity to deal with the refugee issues. In October 1995, the Armenian National Assembly passed a law on citizenship designed to permit ethnic Armenian refugees to acquire citizenship. Since 1998 UNHCR and the Government of Armenia have closely co-operated in promoting acquisition of citizenship by these refugees, and, to date some 10,000 have obtained citizenship.⁹ Slow economic development, high unemployment, low salaries, acute housing shortage, and conscription into the Armenian armed forces are some of the obstacles that deter refugees from seeking citizenship.¹⁰ To date, prospects for repatriation remain non-existent.

Since its independence in 1991, Armenia has become a state party to a number of international instruments in the field of human rights and has taken steps towards building a democratic and civil society. Nonetheless, concerns remain that some of the guarantees and laws adopted to protect human rights have yet to be fully implemented or observed, particularly in complying with the International Covenant on Civil and Political Rights.¹¹ Recurrent changes in the political environment have significantly raised concerns about the government's human rights record, and has thus impeded consideration for the review of Armenia's 1996 application for full membership in the Council of Europe. The May 1999 parliamentary elections however, observed to have demonstrated a freer and more conducive climate for democratic development, Armenia's application for full membership in the Council of Europe is currently being reviewed.¹² Delays in reviewing the application for membership had occurred in 1998 also due to Armenia's failure to resolve the dispute with Azerbaijan over Nagorno-Karabakh.¹³

The recent economic crisis in Russia has had a negative effect on Armenia's economy, although some improvements on the macro-economic level are currently evident, while a large trade deficit and dependence on external transfers and funding persist. The UN-sponsored National Report on Consumption in Armenia for 1999 estimated that currently some 55% of the population is living in poverty while only 20% are well provided for.¹⁴

2. Brief Historical Background

Armenia formed an independent state between 1918 and 1921, and was incorporated into the Soviet Union by 1921. The country obtained full independence in September 1991 following a referendum.¹⁵ A new constitution was later adopted in July 1995.¹⁶ The Republic of Armenia is generally considered a remnant of a much larger area of Armenian

⁹ The World, Armenia, September 1999, <http://www.unhcr.ch>.

¹⁰ United States Committee for Refugees (USCR), Country Report 1999, Armenia, 2 Internet:

¹¹ Amnesty International Report - EUR 54/05/98, September 1998, 1

¹² EIU Country Report 3rd quarter 1999, Georgia and Armenia, 21

¹³ Human Rights Watch World Report 1999, 241

¹⁴ EIU Country Profile 1999-2000, Georgia and Armenia, 48

¹⁵ EIU Country Report, Georgia and Armenia, 2nd Quarter 1999, 16

¹⁶ Ibid., 16

settlements dating back to before World War I including parts of eastern Turkey and other regions in the Caucasus.

Nagorno-Karabakh (known to Armenians as *Artsakh*) is an enclave located to the southwest of the capital of Azerbaijan, Baku whose population in the late 1980s was three-quarters Armenian.¹⁷ It was linked administratively with Baku in the early 19th century when Russia took control of the area from Iran. When borders with the Soviet republics were drawn in the 1920s and 1930s, Nagorno-Karabakh was made into an oblast within Azerbaijan.¹⁸ Conflict over the status of the enclave began in 1989. The Shusha region was captured by the Nagorno-Karabakh self-defence forces in May 1992, and by mid-1993 ethnic Armenian militia controlled Nagorno-Karabakh as well as the Lachin region opening a corridor inside Azerbaijan linking Nagorno-Karabakh with Armenia.¹⁹

Ethnic minorities in both Armenia and Azerbaijan were subject to discrimination and intimidation during the conflict 1988 -1992, often accompanied by violence intended to force them out of the country.²⁰ The US Department of State also states that some 185,000 ethnic Azeris living in Armenia in 1988 fled to Azerbaijan, while out of 400,000 ethnic Armenians living in Azerbaijan, some 330,000 sought refuge in Armenia, and a significant number fled to Russia. A small number remains in Azerbaijan. Pogroms occurred against Armenians in the Sumgait and other Azeri cities at the height of the conflict.²¹ In 1988, a strong earthquake occurred in northern Armenia that destroyed the town of Spitak and damaged the country's second largest city, Leninakan (Gyumri). It is estimated that more than 25,000 people died and some 500,000 were made homeless.²²

On 24 March 1992, the Organization of Security and Cooperation for Europe (OSCE) became involved in the Nagorno-Karabakh conflict. At a meeting in Helsinki, Finland, the Ministerial Council decided to hold a conference to provide an ongoing forum for the negotiation of a peaceful settlement of the armed conflict in Nagorno-Karabakh.²³ A conference was scheduled to take place in Minsk, Belarus that was to include as participants, Armenia, Azerbaijan, the Czech and Slovak Republics, Germany, Sweden, Belarus, and a limited number of interested States (France, Italy, Russian Federation, Turkey and the United States). Although the Minsk Conference did not take place, its designated participants began to meet as the Minsk Group (without Armenia and Azerbaijan) in an effort to achieve a political solution to the Nagorno-Karabakh conflict on the basis of UN Security Council resolutions 822, 853, 874 and 884 (1993).²⁴ Extensive violence caused by the Nagorno-Karabakh conflict came to an end when a cease-fire under the auspices of the OSCE was put into effect in May 1994.

¹⁷ Regional Surveys of the World, Eastern Europe and the CIS 1999, 131

¹⁸ Ibid., 256

¹⁹ The Europa World Year Book 1998-1999, 457

²⁰ United States Department of State (USDOS) Country Report on Human Rights Practices for 1998, Armenia, February 1999, 10

²¹ World Directory of Minorities 1997, 268

²² Regional Surveys of the World, Eastern Europe and the CIS 1999, 135

²³ OSCE - The Conflict Dealt with by the Minsk Conference (Nagorno-Karabakh), 1999, 1, internet

²⁴ OSCE - The Conflict Dealt with by the Minsk Conference (Nagorno-Karabakh), 1999, 1, internet

During the same year, UNHCR organized a regional conference on the problem of forced displacement, together with the International Organization for Migration (IOM) and the Organization for Security and Cooperation in Europe (OSCE), upon the request of some Commonwealth Independent States (CIS) countries. The purpose of the conference was threefold: to provide a neutral and non-political forum for the CIS and neighbouring countries to address refugee and migration issues; to establish a better knowledge of the scale and scope of population displacements in the region; and to design a comprehensive strategy at the national, regional and international levels to cope with this problem.²⁵

Armenia's first post-Soviet legislative elections took place in July 1995, permitting 13 parties and organizations to contest for 190 seats of the new National Assembly under a mixed system of voting (150 seats to be filled by majority vote and 40 by proportional representation on the basis of party lists).²⁶ The Republican bloc constituting an alliance of six groups led by the Pan-Armenian National Movement (PNM) won a majority of 119 seats in the Assembly. The elections were monitored by 185 international observers including a delegation from the OSCE. Some irregularities were reported by the OSCE delegation, and the outcome of the overall election results was vehemently contested by the opposition parties.²⁷

Simultaneously, with the legislative elections, a referendum on a new Constitution was held and adopted in July 1995, that extended strong powers to the president.²⁸ These powers included the right to dismiss parliament and the national Assembly; to call new elections, to appoint key executive and judicial officials without parliamentary approval, and the right to appoint his own prime minister.²⁹ The latter right was exercised by the President on five occasions between 1991 and 1998.³⁰

3. Developments since 1996

Since the cease-fire to the conflict of Nagorno-Karabakh was promulgated in May 1994, and presidential elections were held in September 1996 and again in March 1998, the period under-review, although considered relatively calm, was marked by recurrent skirmishes and shelling at the border areas with Azerbaijan. The constant turn over in government offices has considerably shifted the political landscape and has had an effect on efforts to resolve the Nagorno-Karabakh conflict.

On 22 September 1996 presidential elections took place, with President Ter-Petrosian as the candidate of the Republican bloc, while five opposition parties united to support the

²⁵ UNHCR State of the World's Refugees 1997, The CIS Conference: objectives and achievements, REFWORLD on CD-ROM, January 1999 edition

²⁶ The Europa World Year Book 1999, Armenia, 456

²⁷ Ibid., 457

²⁸ EIU, Country Profile, 1998 - 1999, Georgia and Armenia, 38

²⁹ Ibid., 38

³⁰ Ibid., 38

Chairman of the National Democratic Union (NDU), Vazgen Manukian. Albeit preliminary and later on final results indicated that President Ter-Petrosian had been re-elected with 51.8% of votes cast, the opposition alleged widespread electoral malpractice had been perpetrated.³¹ These accusations were followed by several thousand opposition supporters staging protest rallies in the capital Yerevan, demanding the President's resignation.³² Further doubt by the opposition groups intensified when international observers reported irregularities in the electoral proceedings, and by 25 September 1996, supporters of Vazgen Manukian stormed the National Assembly building, injuring, among others, the Chairman and his deputy.³³ A temporary ban on rallies was imposed, and a large number of opposition supporters, including parliamentary deputies, were reportedly arrested.

By October 1996, Vazgen Manukian, together with another unsuccessful presidential candidate submitted an appeal to the Constitutional Court contending that the election results were invalid, calling for new elections to be held.³⁴ The opposition groups maintained that new elections take place, even after a decision in November 1996 by the Court rejected the appeal. The opposition groups later in the same month also boycotted the elections for the local government. By end November 1996, the Prime Minister, Hrant Bagratian, resigned allegedly as a result of opposition to his programme of economic reform.³⁵ Some sources suggest that the President requested Prime Minister Bagratian to step down.³⁶

During the period end of 1996 to early 1998, Armenia experienced extensive government reorganization, a succession of prime ministers, and divisions within the government over the settlement of Nagorno-Karabakh conflict. By March 1997, the newly appointed Prime Minister, Armen Sarkisian, resigned on grounds of ill health, and was replaced by Robert Kocharyan, the former president of Nagorno-Karabakh. In the months that followed, tensions within the republic rose, while opposition parties formed an alliance, the Union of National Accord. The alliance including the National Democratic Union (NDU) and the Armenian Revolutionary Federation (ARF), continued to campaign for new presidential and legislative elections, leading to protest rallies.³⁷

By mid-1997, disagreements within the ruling PNM became more apparent, when in June the National Assembly approved a draft legislation on the compulsory conscription into military service of all men between the ages of 18 and 27.³⁸ The Chairman of the legislature, Babken Araktsian, resigned in opposition to the legislation on the grounds that the Ministry of Defence had unduly influenced the Assembly.³⁹ However, at the

³¹ The Europa World Year 1998-1999, Armenia, 457

³² The Europa World Year 1998-1999, Armenia, 457

³³ Ibid., 457

³⁴ Ibid., 457

³⁵ Ibid., 457

³⁶ EIU, Country Profile 1998 - 1999, Georgia and Armenia, 37

³⁷ The Europa World Year Book 1999, Armenia, 457

³⁸ Ibid., 457

³⁹ Ibid., 457

intervention of President Ter-Petrosian to postpone the passing of the legislation till later in the year, Babken Araktsian resumed his position.

By January 1998 divisions within the government further widened when President Ter-Petrosian supported the OSCE plan for a peaceful, step-by-step settlement in Nagorno-Karabakh conflict. This approach encountered opposition as powerful elements in the government of Armenia, notably, the Prime Minister, Robert Kocharyan, and Defence Minister, Vazgen, denounced the plan as a more compromising line on the settlement for Nagorno-Karabakh. The OSCE plan for a settlement of the Nagorno-Karabakh conflict was also unpopular among the Armenian population in the country as well as in the diaspora.⁴⁰ In early February 1998, President Ter-Petrosian resigned, followed by the parliament speaker, Babken Araktsian, as well as two of his deputies.⁴¹ The parliament and the presidency elected since 1995 were dominated by the Pan-Armenian National Movement (APNM), but suffered defections and eventual defeat when President Ter-Petrosian was ousted from office in February 1998 by forces that objected to his willingness to compromise over a settlement to the Nagorno-Karabakh conflict.⁴² Prime Minister Kocharian, thus became acting president.

In March 1998, presidential elections were held in two rounds, whereby Robert Kocharyan won in the second round with 59.5% of votes, and his party achieved a majority in the National Assembly.⁴³ A coalition, the Justice and Unity Alliance, supported Robert Kocharian's candidature.⁴⁴ The March 1998 presidential elections brought about a political realignment in Armenia. A month later, President Kocharian re-legalized the ARF (Armenian Revolutionary Federation or Dashnaktsutyun). The Self-Determination Union led by former dissident and Karabakh Committee member Paruyr Hairikian, and the Democratic Party of Armenia supported the new President.

A new Electoral Law was adopted by the Armenian parliament on 5 February 1999 that permits 131 Members of Parliaments, out of which 56 are elected through proportional representation system. The new law abolishes the addition of complementary voting coupons to the ballot paper, one of most disputed practices in Armenia's previous elections.⁴⁵

In the 1999 parliamentary elections, 21 parties contested, compared to eight parties in 1995. The Unity Alliance (the *Miasnutium*) won the parliamentary elections with 64 seats in the new 131-seat legislature, while the Communist Party of Armenia as the main opposition party won 10 seats.⁴⁶ The Unity Alliance is a merger between the People's Party led by Karen Demirjian, the new speaker of parliament, and the Republican Party of Vazgen

⁴⁰ EIU Country Profile 1998-1999, Georgia and Armenia, 37

⁴¹ Ibid., 37

⁴² British Helsinki Human Rights Group (BHHRG), Background to the 1999 Election, 1

⁴³ Ibid., 38

⁴⁴ EIU Country Profile 1998-1999 Georgia and Armenia, 34

⁴⁵ BHHRG, The Election Law, 1999, 1

⁴⁶ EIU Country Report 3rd quarter 1999, Georgia and Armenia, 21

Sarkissian, the Prime Minister.⁴⁷ Many leading members of the Unity Alliance are reported to be veterans of the Karabakh war. The Law and Unity Party, a group with strong connections to the Karabakh Defence Minister, Samvel Babayan, won seven seats predominantly in the capital Yerevan.⁴⁸ The remainder of the composition of the new parliament include Independents with 27 seats, Dashnakutisiun (7 seats), National Democratic Union (6 seats), Law Governed Country (6 seats), Armenian National Movement and Mission obtained one seat each, with two seats remaining vacant.⁴⁹

On 29 June 1999, the head of the Armenian Apostolic Church, Garegin I, died. The Armenian Apostolic Church has considerable political and social significance, particularly on the issue of the Nagorno-Karabakh dispute as well as the relationship between Armenia and the diaspora. A new head of the Church is to be nominated by end of the year.

3.1 The Nagorno-Karabakh Conflict and Peace Initiatives

Little progress was made during the period 1996–1998 despite negotiations held at regular intervals under the aegis of the Minsk Group of the OSCE. Moreover, relations deteriorated between Azerbaijan and Armenia.

In early September 1994 President Ter-Petrosian held talks with President Heydar Aliyev of Azerbaijan in Moscow. The parties agreed on some key provisions of a future peace treaty and President Aliyev reportedly asserted that his willingness to negotiate depended on the unconditional withdrawal of Armenian military forces from occupied territory in Azerbaijan.⁵⁰ The end of armed hostilities encouraged participating States of the OSCE to begin exploring the possibility of organizing a peacekeeping force within the framework of Chapter III of the Helsinki Document of 1992, which provided a general mandate for CSCE peacekeeping operations.⁵¹

Throughout 1995 negotiations continued under the aegis of the Minsk Group of the OSCE, but little progress was accomplished in reaching a political agreement. Azerbaijan reportedly requested the return of Lachin and Shusha regions, and failed to recognize the Nagorno-Karabakh leadership as an equal party in the negotiations.⁵² By then Robert Kocharian had been elected as president of Nagorno-Karabakh with some 86% of the vote, and had appointed Leonard Petrossian as his Prime Minister. Nonetheless, the cease-fire was maintained, with few skirmishes at the border, and in May 1995 an exchange of prisoners took place.

In April 1996 at a meeting in Luxembourg, Armenia, along with Georgia and Azerbaijan, signed a partnership and co-operation agreement (PCA) with the European Union, and

⁴⁷ BHHRG, Parties and Candidates, 1999, 2

⁴⁸ Ibid., 3

⁴⁹ EIU Country Report, 3rd quarter 1999, 21

⁵⁰ The Europa World Year Book 1998-999, 458

⁵¹ OSCE, The Conflict Dealt with by the Minsk Conference (Nagorno-Karabakh), 1, Internet

⁵² The Europa World Year Book 1998-1999, 458

affirmed their commitments to the 1994 cease-fire.⁵³ By December 1996 negotiations resumed when the two Presidents met at the Lisbon Summit. At this summit, the Chairman of the Minsk Conference issued a statement that recommended three principles that would form the basis for a settlement of the Nagorno-Karabakh conflict.⁵⁴ The principles included, "the territorial integrity of the Republic of Armenia and the Azerbaijan Republic; the definition of the legal status of Nagorno-Karabakh in an agreement based on self-determination and conferring on Nagorno-Karabakh the highest degree of self-rule within Azerbaijan; and guaranteed security for Nagorno-Karabakh and its entire population, including mutual obligations to ensure compliance by all Parties with the provisions of the settlement."⁵⁵ Armenia rejected the terms of the statement.⁵⁶

By early 1997 relations between the two countries had deteriorated, and threatened more setbacks in the peace negotiations. Mutual accusations were reported on the issue of stockpiling of weapons in preparations for a renewed military confrontation over the enclave of Nagorno-Karabakh.⁵⁷ By April 1997, Armenia withdrew from the direct negotiations that were carried out under the auspices of the OSCE, and clashes were reported at the Armenian-Azerbaijan border that killed and wounded a significant number of people.⁵⁸ Despite the renewed fighting, the OSCE (who by then had enlarged its Co-Chairmanship composition to include three representatives, France, the Russian Federation and the United States) continued the negotiation efforts. By May 1997, a new peace initiative elaborating a two-stage approach was put forth by the group. The first stage included the demilitarization of the line of contact and the return of the refugees.⁵⁹ Demilitarization entailed the withdrawal from six districts by the Armenian forces around Nagorno-Karabakh, while the second stage consisted of the status of Nagorno-Karabakh.⁶⁰ The plan also provided for the return of occupied territory in Azerbaijan, the Shusha and Lachin corridors, prior to any agreement on Nagorno-Karabakh's status.

However, the peace initiative failed to find a consensus among all the parties. When presidential elections took place in Nagorno-Karabakh in September 1997, resulting in a victory for Arkadyi Gukasian with 90% of the votes, President Gukasian denounced the OSCE's proposal on the basis that it presupposed Azerbaijan's sovereignty over that of Nagorno-Karabakh.⁶¹ On the other hand, President Ter-Petrossian of Armenia did not denounce the OSCE plan for a stage-by-stage settlement, despite condemnation by opposition parties in Armenia. In January 1998, President Ter-Petrossian accepted the Minsk Group's phased plan. Moreover, further setbacks for the peace efforts followed divisions within the Armenian government, which eventually led to the resignation of President Ter-Petrossian in February 1998.

⁵³ EIU Country Profile 1998-1999, Georgia and Armenia 39

⁵⁴ OSCE, 2, Internet

⁵⁵ OSCE, 2

⁵⁶ The Europa World Year Book 1998-1999, 458

⁵⁷ Ibid., 458

⁵⁸ Ibid., 458

⁵⁹ OSCE, 3

⁶⁰ The Europa World Year Book 1998-1999, 458

⁶¹ Ibid., 458

Armenia resumed the negotiating process during the period mid-1998 to mid-1999. In March 1999 changes in the conditions for a political settlement to the Nagorno-Karabakh conflict appeared to emerge. The Minsk Group proposed the creation of a 'common state' comprising two equal entities - Azerbaijan and Karabakh.⁶² However, Azerbaijan denounced this proposal. It was the first time since the Lisbon Summit in 1996 that the OSCE's Minsk Group deterred from the condition that Azeri sovereignty should be preserved. Negotiation resumed again after fighting broke out between the forces of the break-away republic of Nagorno-Karabakh and Azerbaijan on 14 June 1999, whereby at least two people were reportedly killed and several wounded.⁶³ Tensions further rose after each of the contending parties accused the other of provoking the attack.⁶⁴

In July 1999 at a meeting between the Presidents of Armenia and Azerbaijan in Geneva provided grounds for new optimism for possible positive developments in the search for a political solution to the Nagorno-Karabakh conflict. Details of the discussions were withheld. On 22 August 1999, Presidents Kocharian and Aliyev met for a second time in Geneva. Again, details of the discussions were scarce, although observers reported that "reticence stemmed from a mutual desire to preserve and build on an atmosphere of incipient trust, rather than to conceal the magnitude of the differences between the two sides."⁶⁵ The two presidents stated that the meeting was useful and constructive and appeared to promise mutual political compromise. It was reported that the defence ministers of Armenia and Azerbaijan would meet in the near future to discuss prevention of further clashes in an effort to uphold the 1994 cease-fire. The issue of the Nagorno-Karabakh's future status vis-à-vis the government of Azerbaijani was also discussed. Further emphasis included the need to resume negotiations and activate the stalled OSCE Minsk Group peace process, with the full participation of Karabakh officials. Opposition parties in Armenia strongly argued that President Kocharian had no right to 'engage in secret talks' and withhold detailed information from parliament. Armenian officials are reported to have conveyed that negotiations have so far focused on the removal of obstacles to the resumption of negotiations under the auspices of the OSCE.⁶⁶

3.2 Regional Implications

The inability to resolve the dispute over Nagorno-Karabakh has affected Armenia economically, disrupting trade and excluding it from direct participation in the oil boom that has been unfolding in the Caspian Sea region.⁶⁷ In September 1998, Prime Minister Darbinian attended a summit in Baku, Azerbaijan in which Armenia as well as 11 nations of Central Asia, the Caucasus and the Black Sea region signed an agreement to recreate the

⁶² British Helsinki Human Rights Group (BHHRG), Armenia and Karabakh, 1999, 1, Internet

⁶³ Ibid., 2

⁶⁴ Radio Free Europe (RFE)/Radio Liberty (RL), 16 June 1999, 1, Internet

⁶⁵ RFE/RL Caucasus Report, 26 August 1999, Vol. 2, No. 34, Internet

⁶⁶ RFE/RL Armenia Report, 11 October 1999, 1, internet

⁶⁷ EIU Country Report 4th quarter 1998, Armenia, 26

'Silk Road' trade route to Europe.⁶⁸ This was the first high-level visit between Armenia and Azerbaijan since 1994.

Economic and social challenges persist. Armenia's economic blockade imposed during the Nagorno-Karabakh conflict by neighbouring Azerbaijan and Turkey has re-orientated the country's trade towards the West. With sanctions imposed on Iran by the United States of America, trade with Iran is of limited scope, while the Abkhazian section of the standard trans-Georgian route from Armenia to Russia has been blockaded by the Commonwealth of Independent States (CIS). The principal route for Armenian trade, therefore, is across Georgia to the Black Sea ports.⁶⁹ Relations with Georgia deteriorated in October 1998, when Armenia suspended electricity to Georgia.

Armenian-Russian relations remain strong, as both countries have an interest in security and military co-operation.⁷⁰ In 1994 and 1995 a series of agreements were signed that allowed Russia a 25-year lease on military bases in Armenia. However, Armenia, in 1994 joined the NATO (North Atlantic Treaty Organization) Peace programme of military co-operation with the European Union (EU), and in 1997 both President Ter-Petrosian and Prime Minister Kocharian declined to join the Russian-Belarus Union.⁷¹

Turkey has recognized Armenia but is reportedly reluctant to set up an Embassy in Yerevan.⁷² Turkey has closed its land border with Armenia, but opened an air corridor in 1995.⁷³ Relations with Iran and Turkmenistan are reported to be good, as trade, electricity and gas links continue to be maintained.⁷⁴

4. Review of the General Human Rights Situation in Armenia

According to human rights observers, the period 1996 to mid-1998 has been one of concern although late 1998 to mid-1999, some steps were taken by the Government towards its obligation to implement international instruments. The issues of focus by the human rights observers have been elections, ill treatment by law enforcement officials and in the army, protection of refugees and immigrants, religious intolerance, limited freedom of expression and the media, ill-treatment of homosexuals, and the death penalty. Human Rights Watch reported widespread pattern of violations, combined with a climate of impunity for the perpetrators were indicative of the government's lack of commitment to the rule of law in 1998.⁷⁵

The U.S. Department of State Armenia Country Report for 1998 asserts that the presidential elections in 1996 were flawed by numerous irregularities. Breaches of the

⁶⁸ Regional Surveys of the World, Eastern Europe and the CIS 1999, 133

⁶⁹ EIU Country Report 3rd quarter 1999, Georgia and Armenia, 56

⁷⁰ Regional Surveys of the World, Eastern Europe and the CIS 1999, 137

⁷¹ *Ibid.*, 137

⁷² EIU Country Profile 1998-1999, Armenia, 39

⁷³ *Ibid.*, 39

⁷⁴ EIU Country Profile 1998-1999, Armenia, 39

⁷⁵ International Helsinki Federation for Human Rights Annual Report (IHFHR) 1999, Armenia, 1

election law and numerous irregularities in the 1995 parliamentary elections, and the 1996 and 1998 presidential elections created a lack of public confidence in the integrity of the electoral process.⁷⁶ Other sources contend that the government of Armenia's human rights record during 1998 was marred by its failure, *inter alia*, to prosecute election-related violence, physical abuse of conscripts in the army and in pre-trial detention.⁷⁷

Armenia is a State party to the 1961 Convention on the Reduction of Statelessness, and the Law on Citizenship permits ethnic Armenian refugees to acquire Armenian citizenship.⁷⁸ To date, some 10,000 refugees have acquired citizenship. In March 1999, Armenia, which is also a Party to the 1951 Convention on Refugees, adopted a new Law on Refugees.⁷⁹

Armenia has acceded to a number of international instruments. The status of accession by Armenia as a state party to the international conventions is as follows:

Convention	Date of Accession
International Covenant on Economic, Social and Cultural Rights (1966)	23 June 1993
Optional Protocols to the International Covenant on Civil and Political Rights (1966)	23 June 1993
International Convention on the Suppression and the Punishment of the Crime of Apartheid (1973)	23 June 1993
Convention on the Prevention and the Punishment of the Crime of Genocide (1948)	23 June 1993
Convention on the Rights of The Child (1990)	23 June 1993
Convention on the non-applicability of Statutory Limitations to War Crimes and Crimes against Humanity (1968)	23 June 1993
International Convention on the Elimination of all forms of Racial Discrimination (1965)	23 June 1993
Convention relating to the Status of Refugees (1951)	6 July 1993
Protocol to the 1951 Convention relating to the Status of Refugees (1967)	6 July 1993
International Covenant on Civil and Political Rights (1966)	13 September 1993
Convention on the Elimination of All forms of Discrimination against Women (1979)	13 September 1993
Convention against torture and other cruel, inhuman or degrading treatment or punishment (1984)	13 September 1993
Convention on the Reduction of Statelessness (1961)	18 May 1994
Convention relating to the Status of Stateless Persons (1954)	18 May 1994

Source: UNHCR Refworld, Legal Databases, July 1999

Armenia is not a state party to, *inter alia*:

⁷⁶ USDOS Country Report on Human Rights Practices for 1998, Armenia, February 1999, 10

⁷⁷ Human Rights Watch World Report 1999, Armenia, 239

⁷⁸ <http://www.unhcr.ch>, The World, Armenia, September 1999

⁷⁹ Ibid.

- the 1952 Convention on the Political Rights of Women
- the European Convention for the Protection of Human Rights and Fundamental Freedoms

Source: UNHCR Refworld, Legal Databases, July 1999

4.1 The National Context

Groups at Risk

Without considering the list below as exhaustive, the following groups may, depending on the circumstances, be considered as groups at risks in Armenia:

- Members of the Azeri minority and persons of mixed Armenian/Azeri origin
- Followers of the non-apostolic religious groups: Hare Krishna, the Seventh Day Adventists, the Bahai, the Pentecostal Church, the Evangelical Baptist Church, Moonies and Jehovah's Witnesses
- Homosexuals, in particular in the army or in detention
- Draft evaders or deserters, in particular conscientious objectors

Ethnic minorities

The Constitution provides the right for national minorities to preserve their cultural traditions and language. Prior to 1988, Azeris were the largest ethnic minority in Armenia. According to a 1979 census, Azeris constituted 5.3% of the population of Armenia.⁸⁰ After the Nagorno-Karabakh conflict erupted, Azeri and Armenian minorities in both countries were subject to mistreatment, discrimination and intimidation.⁸¹ Some 185,000 Azeris are reported to have fled Armenia, while 330,000 ethnic Armenians living in Azerbaijan sought refuge in Armenia.⁸² Some few hundred Azeris or persons of mixed Azeri heritage are believed to have remained in Armenia and continue to live there. Some have reportedly changed their names to conceal their identity or to maintain a low profile.⁸³

Currently, the government of Armenia does not discriminate officially against the remaining ethnic Azeris. At his inaugural speech in March 1998, President Kocharian referred to the rights of the country's national minorities.⁸⁴ The economic and social situation of the small national communities has deteriorated since independence in 1991.⁸⁵ It is a common pattern that Azeris locally face difficulty in obtaining access to social and medical services and to

⁸⁰ Ethno-demographic Directory for the World Population 1986

⁸¹ USDOS Country Report on Human Rights Practices for 1998, Armenia, February 1999, 10

⁸² World Directory of Minorities 1998, 268

⁸³ USDOS Country Report on Human Rights Practices for 1998, Armenia, February 1999, 14

⁸⁴ Ibid., 14

⁸⁵ Ibid., 4

labour market. Furthermore, ethnic Azeris have been victims of harassment and acts of violence by the local population. In such cases, local authorities have not provided effective protection. In particular, there are reports that Azeri-Armenian couples and people of mixed origin have been victims of harassment and were unable to obtain protection. However, such incidents have now become rare as the people who have experienced problems generally have left the country.

Religious minorities

The Law of the Republic of Armenia on Freedom of Religion and Religious Organizations was adopted on 7 June 1991.⁸⁶ It provides for the freedom of conscience and the right to profess one's faith, and establishes the separation between the Church and the State. The Law recognizes the Armenian Apostolic Church as the dominant religious denomination and precludes proselytizing by other religions.⁸⁷ Over 90 per cent of the Armenian population belong to the Armenian Apostolic Church.

Moreover, restrictions have been introduced through the 1993 Presidential Decree, which entitles the State Council on Religious Affairs to evaluate the religious nature of activities carried out by religious groups and to ban missionaries who were engaged in activities contrary to their religious mandate.⁸⁸ Amendments to the law were adopted by Parliament in September 1997, further restricting the activities of smaller religious groups. Religious groups cannot register with the State Council of Religious Affairs if they are below 200 adult members.⁸⁹ External funding from churches based in foreign countries is prohibited under the new regulations, although this restriction seems not to be enforced.

There are at present more than 40 registered religious groups in Armenia. Registered denominations are recognized by the Armenian authorities as legal entities with, *inter alia*, the right to own property, publish newspapers, sponsor TV or radio broadcasts and to officially invite visitors to Armenia.⁹⁰ Furthermore, registered religious groups may perform religious functions in public and address their activities to non-members once permission is obtained from the State Council on Religious Affairs, which is normally granted. Jehovah's Witnesses continue to be refused registration allegedly on the grounds of illegal proselytism. This group is also experiencing problems based on the fact that they do not permit military service.⁹¹

In practice, the freedom to perform religious rites and the free profession of faith only applies fully to traditional denominations. Religious freedom has proved to be limited when

⁸⁶ Human Rights Watch World Report 1999, 239

⁸⁷ *Ibid.*, 239

⁸⁸ USDOS Country Report on Human Rights Practices for 1998, Armenia, February 1999, 9

⁸⁹ International Helsinki Federation for Human Rights (IHFHR), Annual Report 1998, 4, internet

⁹⁰ USDOS 1998, 6, REFWORLD on CD-ROM January 1999 edition

⁹¹ Amnesty International Report - EUR 54/05/98 September 1998, 10, internet

it comes to new non-traditional religious groups⁹². During 1993 several members of the Hare Krishna community became victims of physical violence and did not receive effective protection from the authorities. In April 1995 members belonging to seven sects (Hare Krishna, the 7th Day Adventists, the Bahai, the Pentecostal Church, the Charismatic Church, the Evangelical Baptist Church and Jehovah's Witnesses) were attacked by the local population and members of a paramilitary group. The acts included physical violence, destruction of objects of worship, robbing of personal belongings, and looting of temples/churches and private homes. Members of these groups have also reported that on several occasions the authorities have confiscated and destroyed printed materials.

Members of the religious groups did not receive any protection from the authorities in connection with these events.⁹³ During interviews several government officials made statements directed against these groups, giving the impression that these actions were tolerated by the authorities. Subsequent statements by the government asserted, however, that these actions were not in line with government policy.

According to the Law on the Liberty of Conscience and Religious Organizations, registered religious denominations have the possibility to perform military service in un-armed units, upon the request of the State Council on Religious Affairs.⁹⁴ However, Armenian law does not allow for conscientious objection to military service and does not provide for an alternative service. It appears that in practice, this possibility offered by the Law on the Liberty of Conscience and Religious Organizations is rarely granted to conscientious objectors. Some denominations, in particular the Jehovah's Witnesses, which is moreover not a registered religious denomination, may fear disproportionate punishment and harassment for draft evasion/desertion and discriminatory treatment in the army for being a member of a non-traditional religious group.⁹⁵ Consequently, mistreatment of members of religious minorities in the army and penal institutions has been reported.⁹⁶

No violent acts towards religious minorities have been reported over the last few years, and apparently no religious literature was confiscated in 1998. However, it should be noted that this development could be mainly due to the emigration of members of the most visible sects, rather than to more religious tolerance in Armenia towards non-traditional denominations.

Homosexuals

⁹² Non traditional denominations in Armenia are: Hare Krishna, the Seventh Day Adventists, the Bahai, the Pentecostal Church, the Charismatic Church, the Evangelical Baptist Church, Moonies and Jehovah's Witnesses. With the exception of the Jehovah's witnesses, all the listed denominations are registered.

⁹³ USDOS Country Report on Human Rights Practices for 1994 and 1995, Armenia, 1

⁹⁴ Article 19 of the Law states that "All civil duties provided by the acting legislation apply also on the members of the religious organizations in the same manner as to other citizens. In certain cases of contradiction between civil duties and religious convictions, civil duties can be performed on the basis of the alternative principle and its procedure stipulated by law (...)"

⁹⁵ USDOS Report 1997, 6, REFWORLD on CD-ROM January 1999 edition

⁹⁶ Amnesty International Report - EUR 54/05/98 September 1998, 4, internet

Under Article 116 of the Armenian Criminal Code, sex between consenting adult males is considered a crime and is sanctioned with up to five years of imprisonment.⁹⁷ Homosexuality is not recognized within Armenian society, and homosexuals in the country conceal their sexual orientation. Due to social pressures and repressive law, homosexuals are reportedly victims of discrimination, harassment and subject to maltreatment, and do not enjoy full protection from the authorities. In the last three years, at least ten persons were condemned under this article.⁹⁸ In prison and in the army they are reportedly often subjected to particularly inhuman or degrading treatment. A new Criminal Code abolishing criminalization of homosexuality is expected to be adopted in 1999.

Draft evaders/deserters

According to Article 1 of the 1991 Law on Military Service of the Republic of Armenia, every male citizen of Armenia is obliged to perform regular military service. Young men can be recruited up to the age of 27 years and serve for a period of two years.

In the course of 1994, the Armenian authorities resorted to irregular recruitment methods.⁹⁹ Men of draft age were seized in public places and brought before the recruitment commissioner. Similarly, recruitment personnel visited private houses where men of draft age were reported to live and often threatened or detained the residents. Those who did not hold an exemption certificate or could not pay bribes, were transferred to military locations. Since then enrollment practices have improved, although instances of harassment by military commissioners and their staff are still being reported.

Draft evasion and desertion are widespread phenomena, mostly motivated by the wretched conditions and harassment prevailing in the Armenian armed forces, as well as by the fear of being deployed to the front line. In addition, Armenian legislation does not allow for conscientious objection to military service and does not provide an alternative service. Corruption is widespread within the Armenian army, and is allegedly pervasive also at the top level.¹⁰⁰

The authorities claim that improvements are being made, highlighting investigations and prosecutions of individuals involved in violations, facilitation of NGOs and families' visits to military units, and practical measures to improve conditions for the conscripts.¹⁰¹ Also the Armenian Human Rights Commission has made inquiries regarding the situation in military units.

Draft evasion sanctions for violations of Article 75 (draft evasion) in the Armenian Criminal Code are: imprisonment from 1 to 3 years or up to 5 years if there are aggravating

⁹⁷ Amnesty International Report - EUR 54/05/98 September 1998, 8

⁹⁸ Amnesty International Report - EUR 54/05/98 September 1998, 9

⁹⁹ USDOS Country Report on Human Rights Practices for 1994 and 1995, Armenia, 1

¹⁰⁰ USDOS Country Report on Human Rights Practices for 1998, Armenia, February 1999, 1

¹⁰¹ Response by the Office of the President of the Republic of Armenia to Human Rights Watch Report, 15 January 1999

circumstances. According to the Ministry of Defence, in cases of draft evasion, criminal proceedings are normally not initiated towards persons who did not sign or receive call-up papers, and who present themselves to the military authorities and accept to serve in the army. However, contradictory statements have been made by other government officials, and it is unclear what the actual practice is in these cases.

For deserters, criminal proceedings are frequent. Sanctions for violations of Article 255 (desertion) in the Armenian Criminal Code are: imprisonment from 3 to 7 years if committed by regular servicemen, 5 to 10 years imprisonment or the death penalty if there are aggravating circumstances; and imprisonment from 5 to 7 years if committed by officers; and imprisonment from 7 to 10 years or the death penalty if there are aggravating circumstances.

There have been reports of isolated cases of acts of harassment towards families and relatives of Armenian soldiers who have evaded the draft or deserted their army units. In these cases persecution instigated by the authorities has been reported to include threats directed at relatives and the detention of family members.

According to the Armenian Military Prosecutor's Office, deserters may be sentenced to serve in special Disciplinary Units within the army, where conditions are reportedly even worse than in regular prisons.

There are allegations from reliable sources that Armenian conscripts have been and are deployed without consent on Azerbaijan's territory in and around the enclave of Nagorno-Karabakh. With regard to recruits who have previously deserted or evaded the draft, one cannot exclude such deployment.

On several occasions, the United Nations Security Council has condemned the military conflict in Nagorno-Karabakh and the occupation of parts of Azerbaijan's territory¹⁰². Violations of international humanitarian law, such as hostage taking and execution of prisoners, have been reported throughout the conflict. A no-war no-peace situation has been prevailing since the 1994 cease-fire agreement. Although skirmishes occur, both sides have regularly expressed their commitment to the truce.

Freedom of Movement

The Constitution provides for freedom of movement within the country, foreign travel, emigration, and repatriation. However, the Government may deny passports to persons possessing state secrets, to those subject to military service, and to those whose relatives have made financial claims against them.¹⁰³ Even though the Government does not restrict internal movement, and citizens practice the right to change freely their residence or

¹⁰² Resolution 822 (1993) adopted by the Security Council on 30 April 1993; Resolution 853 (1993) adopted by the Security Council on 29 July 1993; Resolution 874 (1993) adopted by the Security Council on 14 October 1993; Resolution 884 (1993) adopted by the Security Council on 12 November 1993.

¹⁰³ USDOS Country Report on Human Rights Practices for 1998, Armenia, February 1999, 9

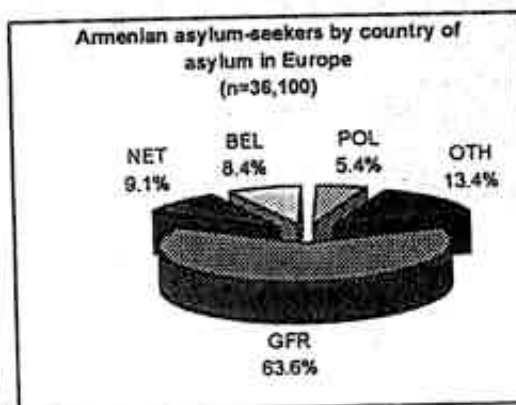
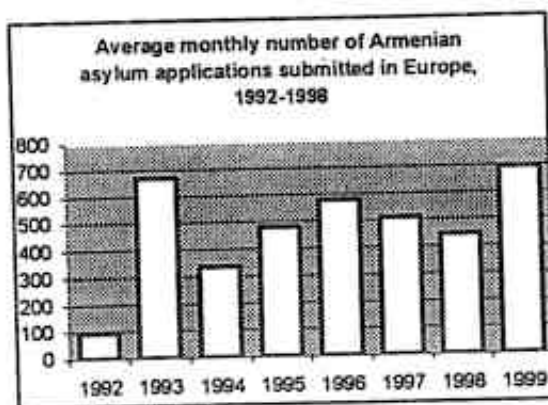
workplace, negotiations with a corrupt and inefficient bureaucracy to register these changes is a frequent occurrence.¹⁰⁴

The National Assembly passed a law on citizenship in 1996 that provides for ethnic Armenian refugees to obtain citizenship, on the condition that they are stateless and have lived in the country for the past three years.¹⁰⁵ It is estimated that some 50,000 refugees or more currently in Armenia may be unable to naturalize because proving "permanent residence" is difficult as they lack residence permits (*propiskas*).¹⁰⁶ However, the Government of Armenia has reinforced regulations for the law and encourages refugees to seek citizenship, but many refugees remain reluctant to do so, primarily for fear of the loss of benefits currently extended to them, such as housing and military exemptions.¹⁰⁷

5. Armenian Refugees and Asylum Seekers – Global Trends

Asylum applications, 1992-1999

During the period 1992-1998, Armenian asylum-seekers lodged some 36,100 asylum claims in the European countries listed in Table 1. Germany received some 64 per cent of these applications, followed by the Netherlands (9 per cent) and Belgium (8 per cent) (see also graph below). Whereas the number of Armenian asylum applications submitted in Europe declined in 1997 and 1998, it rose again during the first nine months of 1999. During January-September 1999, the average monthly number of Armenian asylum applications was 693, some 57 per cent higher than the 1998 figure (see graph below).



During the first nine months of 1999, the distribution of Armenian asylum claims within Europe was quite different from the period 1992-1998. During January to September 1999, Germany received 34 per cent of all Armenian applications submitted in Europe, followed by the Netherlands (16 per cent), Belgium (15 per cent), Poland (12 per cent) and Spain (8 per cent) (see Table 3).

¹⁰⁴ Ibid., 10

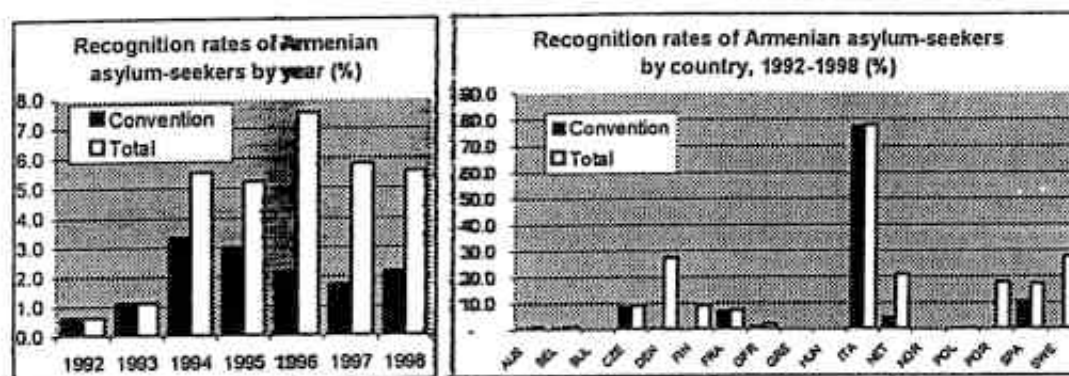
¹⁰⁵ Ibid., 10

¹⁰⁶ US Committee for Refugees (USCR) Country Report 1999, Armenia, 2 internet

¹⁰⁷ Ibid.

Convention refugee status and Convention recognition rates

During 1992-1998, some 770 Armenian asylum-seekers were granted Convention refugee status. Of these, 38 per cent (295) were granted refugee status in Germany, 20 per cent (160) in the Netherlands, 13 per cent in the Czech Republic (100) and 12 per cent in Spain (90). Only 2.1 per cent of all Armenians who applied for asylum during 1992-1998 were recognized as refugees under the 1951 Convention.



Humanitarian status and total recognition rates

Some 1,020 Armenian asylum-seekers were granted humanitarian status during 1992-1998 in Europe, 52 per cent (530) of who were allowed to remain in the Netherlands. The total recognition rate, that is, including both Convention and humanitarian status recognition, of Armenian asylum-seekers in Europe amounted to some 5.6 per cent. In Poland, this rate amounted to 0.4 per cent, in Belgium to 1 per cent, in Germany to 2 per cent and in the Netherlands to 21 per cent. The total recognition rate for Armenian asylum-seekers reached a peak in 1996 (7.5 per cent), whereas it reached 5.6 per cent in 1998.

Geographical distribution of Armenian asylum-seekers in 1998

During 1998, Armenian citizens lodged some 5,900 asylum applications in 32 countries world-wide. In total, some 6,650 refugee status determination decisions were taken, 350 (5.2%) of which resulted in refugee status, whereas another 179 Armenians were granted humanitarian status. In total, almost 8 per cent of all decisions taken during 1998 were positive (see Table 4).

Table 1. Asylum applications submitted									Origin: Armenia
Country	1992	1993	1994	1995	1996	1997	1998	Total	Total (%)
Austria	-	-	-	-	-	11	76	87	0.2
Belgium	21	114	160	479	991	604	697	3,045	8.4
Bulgaria	-	-	-	-	-	-	19	19	0.1
Czech Rep.	163	733	161	60	55	42	77	1,128	3.1
Denmark	-	-	215	78	141	139	108	681	1.9
Finland	-	-	-	11	4	-	7	22	0.1
France	-	254	140	36	58	137	170	795	2.2
Germany	909	6,469	2,127	4,323	4,598	3,800	1,655	22,972	63.6
Greece	-	-	-	-	-	2	1	3	0.0
Hungary	-	-	-	-	10	8	51	69	0.2
Italy	-	-	-	-	-	6	12	18	0.0
Netherlands	40	352	1,082	358	364	432	711	3,299	9.1
Norway	-	3	6	4	-	2	31	46	0.1
Poland	-	-	-	151	350	464	978	1,943	5.4
Portugal	-	1	-	6	20	1	-	28	0.1
Spain	-	14	149	122	222	177	178	862	2.4
Sweden	-	30	-	118	77	91	40	356	1.0
Switzerland	2	27	-	-	57	163	481	728	2.0
United Kingdom	-	-	-	-	-	-	-	-	-
Total	1,135	7,997	4,040	5,746	6,947	6,079	5,292	36,101	100.0
- of which: EU	972	7,260	3,873	5,525	6,512	5,562	4,136	32,868	91.0

Table 2. Asylum-seekers granted Convention and humanitarian status									Origin: Armenia
Country	1992	1993	1994	1995	1996	1997	1998	Total	Total (%)
Austria	-	-	-	-	-	1	-	1	0.1
Belgium	-	-	3	-	10	2	19	34	1.9
Bulgaria	-	-	-	-	-	-	-	-	-
Czech Rep.	7	32	37	8	22	4	-	103	5.8
Denmark	-	-	10	34	136	6	2	188	10.5
Finland	-	-	-	-	-	2	-	2	0.1
France	-	20	7	8	6	6	11	58	3.3
Germany	-	30	44	160	46	77	79	436	24.4
Greece	-	-	-	-	-	-	-	-	-
Hungary	-	-	-	-	-	-	-	-	-
Italy	-	-	4	-	-	-	10	14	0.8
Netherlands	-	-	30	54	269	215	121	689	38.6
Norway	-	-	-	-	-	-	-	-	-
Poland	-	-	-	-	4	3	-	7	0.4
Portugal	-	-	-	-	3	2	-	5	0.3
Spain	-	6	32	34	26	31	19	148	8.3
Sweden	-	-	56	3	1	5	34	99	5.5
Switzerland	-	-	-	-	-	-	-	-	-
United Kingdom	-	-	-	-	-	-	-	-	-
Total	7	88	223	301	523	354	295	1,784	100.0
- of which: EU	-	56	186	293	494	345	295	1,669	93.6

Table 3. Asylum applications submitted, 1999

Origin: Armenia

	Jan.	Feb.	Mar.	Apr.	May	Jun	Jul.	Aug.	Sep.	Total	Total (%)
Austria	16	21	6	5	7	32	35	12	12	146	2.3
Belgium	71	80	94	48	54	76	91	200	207	921	14.8
Bulgaria	1	1	3	7	4	4	5	47	20	92	1.5
Czech Rep.	2	1	1	4	1	1	0	1	7	18	0.3
Denmark	5	8	15	12	14	2	15	22	5	98	1.6
France	16	23	16	17	6	15	19	22	0	134	2.1
Germany	333	281	161	62	150	253	403	241	199	2,083	33.4
Ireland	0	1	0	0	0	0	4	4	1	10	0.2
Luxembourg	0	0	0	0	2	0	1	0	0	3	0.0
Netherlands	135	102	68	48	81	94	138	191	129	986	15.8
Norway	6	0	15	8	10	3	4	15	10	71	1.1
Poland	113	85	88	89	102	59	67	73	50	726	11.6
Romania	0	0	0	0	0	1	0	1	0	2	0.0
Slovenia	0	0	1	0	1	0	0	0	0	2	0.0
Spain	38	18	51	27	91	52	74	52	92	495	7.9
Sweden	4	7	5	2	4	2	54	22	0	100	1.6
Switzerland	38	37	15	13	26	30	45	48	77	329	5.3
United Kingdom	*	*	*	5	5	5	5	0	0	20	0.3
Total	778	665	539	347	558	629	960	951	809	6,236	100.0

Table 4. Asylum applications and refugee status determination, 1998								Origin: Armenia
Country of asylum	Pending cases begin year	Applied during year	Decisions during year					Pending cases end of year
			Refugee status	Other	Rejected	Otherw. closed	Total	
Austria	-	76	-	-	10	19	29	0
Belgium	-	697	19	-	361	19	399	0
Belarus	-	32	-	-	-	-	-	0
Bulgaria	78	19	-	-	12	-	12	85
Canada	30	24	7	-	15	5	27	27
Czech Rep.	18	77	-	-	23	40	63	32
Denmark	-	108	1	1	190	-	192	0
Estonia	1	-	-	-	1	-	1	0
Finland	-	7	-	-	1	5	6	4
France	-	170	11	-	158	-	169	0
Georgia	-	1	-	-	1	-	1	0
Germany	536	1,655	32	47	2,560	63	2,702	731
Greece	-	1	-	-	3	-	3	0
Hungary	-	51	-	-	31	3	34	17
Ireland	-	13	-	-	-	-	-	0
Italy	-	12	10	-	3	1	14	0
Lithuania	-	1	-	-	1	-	1	0
Luxembourg	-	1	-	-	-	-	-	0
Latvia	-	12	-	-	12	-	12	0
Rep. of Moldova	-	4	-	-	4	-	4	0
Netherlands	-	711	31	90	165	348	634	0
Norway	-	31	-	-	31	-	31	0
Poland	249	978	-	-	586	110	696	531
Russian Federation	678	24	-	-	27	674	701	1
Spain	-	178	12	7	166	-	185	0
Slovakia	-	20	-	-	-	-	-	6
Slovenia	-	6	-	-	-	-	-	0
Sweden	-	40	-	34	76	1	110	0
Switzerland	114	481	-	-	103	199	302	303
Ukraine	0	10	5	0	5	0	10	0
United States	360	446	220	-	26	57	303	264
FR Yugoslavia	0	4	0	0	4	0	4	0
Total	2,064	5,890	348	179	4,575	1,544	6,645	2,001

6. UNHCR Operations 1998 -1999¹⁰⁸

The primary objectives of UNHCR in Armenia are: to support the local integration and naturalisation of some 310,000 ethnic Armenian refugees; to provide protection and legal assistance to non-Armenian asylum seekers and refugees, as well as promote the implementation of the national Refugee Law and refugee status determination procedures; and strengthen capacity building of local institutions to effectively deal with refugee issues.

Ethnic Armenian Refugees

Since 1993, UNHCR focuses its programme on capacity building while promoting the integration and self-reliance of the refugees. During the period 1997-1998, a joint survey by

¹⁰⁸ UNHCR Global Mid-year Report 1999 and Global Appeal 1998

UNHCR and the Government estimated that there are 310,000 refugees in Armenia out of which 64,000 are temporarily out of the country.

UNHCR works closely with the Armenian government and supports central and local authorities through training, technical assistance and joint activities. Cooperation is reinforced through a Memorandum of Understanding signed by UNHCR and the Ministry of Social Welfare in March 1999, whereby responsibilities and activities of the parties involved are defined. UNHCR activities are executed through local NGOs, while extending a capacity building programme. Recently, UNHCR has redirected funds through the Armenian Social Investment (an agency funded by the World Bank and the Government) to cater to 15 refugee-populated areas. The activities include construction work in four villages, providing water facilities to 30,000 refugees and the local population in the area. UNHCR is also campaigning for the privatisation of public buildings for refugee shelter. The Government has granted UNHCR public buildings for rehabilitation into permanent housing for some 600-refugee families in 1999. In the meantime, the Government of Armenia has allocated its own funds for rehabilitation and privatization of communal centres for permanent residence for refugees.

UNHCR is also closely collaborating with other agencies in the process of integration of the refugees. UNHCR has signed a Memorandum of Understanding with the United Nations Development Programme (UNDP) for a joint planning and co-funding of the rehabilitation of schools and medical centres in remote villages as well as to extend micro-credit loans and capacity building to the local government. UNHCR co-operates with the World Food Programme (WFP) in co-funding a Food for Work programme to initiate community participation in ameliorating the environment and basic infrastructure around refugee populated areas. By June 1999, this joint effort had initiated 209 sites benefiting some 15,000 persons.

On the other hand, through its NGO partners, UNHCR has executed primary education and health care projects for refugees in remote areas. Out of 30 villages, eight villages will benefit from better access to primary and reproductive health services in 1999. Moreover, some 20 schools located in the Armenia-Azerbaijan border areas with are being rehabilitated. In conjunction with international NGOs, self-reliance activities currently target 5,000 beneficiaries through micro-credit and income generation projects. To date, over 1,000 loans have been extended.

As prospects for repatriation continue to remain non-existent, naturalisation of the integrated ethnic Armenian refugee population is a primary objective for UNHCR. Since the Citizenship Law was passed in 1996, UNHCR has been actively involved in an information campaign in collaboration with the government and NGOs, and has assisted the government in implementing legal and practical measures to better facilitate the naturalisation process. To date, there are over 10,000 who refugees have applied for citizenship. However, economic difficulties, fear of losing benefits extended to refugees, such as housing and military exemption, discourage the refugees from seeking citizenship.

Asylum-Seekers/Refugees

UNHCR has contributed significantly in developing the National Refugee Law that was adopted in March 1999. With a number of non-CIS asylum seekers in Armenia that lack access to regular status determination procedures, UNHCR focuses on increasing awareness and understanding of refugee protection and the implementation of the law in accordance with the principles of the 1951 Convention. To date, training modules were developed for relevant agencies and the head of the government refugee agency was sponsored by UNHCR and the Government of Germany to participate in a one-month comprehensive training by immigration officers in Germany. UNHCR also held workshops for parliamentarians, NGOs and the media in an effort to increase public awareness.

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