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Freedom in the World 2012 - Nagorno-Karabakh

2012 Scores

Status: Not Free
Freedom Rating: 5.5
Civil Liberties: 5
Political Rights: 6

Overview

In June 2011, Russian-brokered negotiations on Nagorno-Karabakh between the presidents of Armenia and Azerbaijan ended in deadlock after the latter refused the terms of a proposed agreement, raising the possibility of renewed violence. Nagorno-Karabakh's sole airport, closed in 1991, was set to reopen in May, but the event was delayed indefinitely following threats from Baku. In September, a drone aircraft was shot down by Karabakh forces near the de facto border with Azerbaijan.

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 and seven adjacent Azerbaijani districts. Virtually all ethnic Azeris had fled or been forced out of the region. The fighting 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 as president by the territory's National Assembly. He won a popular vote for the presidency in 1996, but became prime minister of Armenia in March 1997. Foreign Minister Arkady Ghukassian was elected to replace him that September, and Kocharian went on to become Armenia's president in 1998.

Nagorno-Karabakh has enjoyed de facto independence from Azerbaijan since 1994 and retains close political, economic, and military ties with Armenia. Parliamentary and presidential votes held in 2005 and 2007 were criticized by the opposition for alleged fraud and other

irregularities, and were seen as less free and fair than previous polls. In the 2010 parliamentary elections, there were no opposition candidates, administrative resources were used to support progovernment candidates, and the election commission was entirely composed of progovernment officials. All Karabakh elections are considered invalid by the international community, which does not recognize the territory'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, 17 are elected by party list and 16 from single-mandate districts, all for five-year terms. The main political parties in Nagorno-Karabakh are Azat Hayrenik, the AZhK, and the Armenian Revolutionary Federation-Dashnaktsutiun, 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.

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

The territory 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 Nagorno-Karabakh's media outlets, and most journalists practice self-censorship, particularly on subjects related to the peace process. The territory's public television station, which has no local competition, 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 Karabakh 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 religious groups to register. Although at least three minority groups 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 Baptists and 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 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.

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

In August 2011, to mark the 20th anniversary of the creation of the Nagorno-Karabakh Republic, the parliament approved a general amnesty law that allowed the release of up to 20 percent of the prison population, mainly inmates convicted of minor crimes, and the commutation of sentences of other prisoners on the condition that they took part in the 1991-94 war or had family members 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.

In June, a Karabakh soldier was tried in Armenian criminal court for the murder of four soldiers in his unit and was found guilty, receiving life imprisonment. The Karabakh army suffered from a series of noncombat deaths in 2011, including two shooting sprees that left 10 soldiers dead,

and a number of Karabakh soldiers faced criminal charges.

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 in the conflict zone 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. 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 conscripted. The government administers a "birth-encouragement program" with the goal of repopulating the territory. Couples receive roughly \$780 when they marry and additional money for the birth of each child.

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