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Freedom in the World 2016 - Armenia

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Freedom Status: Partly Free

Aggregate Score: 46

Freedom Rating: 4.5

Political Rights: 5

Civil Liberties: 4

Explanatory Note:

The numerical ratings and status listed above do not reflect conditions in Nagorno-Karabakh, which is examined in a separate report.

Quick Facts

Capital: Yerevan

Population: 3,017,106

GDP/capita: \$3,619.80

Press Freedom Status: Not Free

Net Freedom Status: Free

OVERVIEW

Corruption, constitutional reform, and a troubled geopolitical environment continued to present challenges to Armenia in 2015. A planned increase in electricity prices spurred mass protests in Yerevan and other cities beginning in May. Police met the protests with violence on several occasions, injuring and detaining participants as well as journalists who were covering the events.

In August, President Sargsyan formally submitted a reform proposal to transform Armenia's semipresidential government into a parliamentary system with an empowered prime minister. Although the Council of Europe's Venice Commission approved a modified version of the reforms in October, critics maintained suspicions that the plan was tailored to extend the tenures of ruling elites. In December, voters approved the proposal in a referendum marred by allegations of fraud.

In January, Armenia became a member of the Eurasian Economic Union, a regional trade alliance with Russia, Belarus, Kazakhstan, and Kyrgyzstan, which joined later in the year.

The situation in Nagorno-Karabakh, an ethnic Armenian enclave that split from Azerbaijan following the collapse of the Soviet Union, remained tense in 2015 amid an escalation of violence that began in late 2014.

POLITICAL RIGHTS AND CIVIL LIBERTIES

Political Rights: 16 / 40

A. Electoral Process: 5 / 12

Armenia has a semipresidential system with a directly elected president who may serve two consecutive five-year terms. The prime minister, nominated by a parliamentary majority and appointed by the president, forms the government. The legislature, the unicameral National Assembly, is made up of 131 members serving five-year terms. Ninety seats are chosen by proportional representation, and 41 are decided through races in single-member districts.

International election monitors documented severe limitations on opposition candidates in the 2013 presidential election, in which incumbent Sargsyan of the Republican Party of Armenia (HHK) won reelection. Observers documented the use of administrative resources for campaign purposes, as well as suspiciously high turnouts associated with support for the incumbent. International observers reported generally favorably on the 2012 parliamentary elections, but noted government interference with the conduct of the vote and a poor procedure for appeals and complaints. The ruling HHK secured a majority with 69 seats, while its former coalition partner, the Prosperous Armenia Party (BHK), won 37 seats. The Armenian National Congress became the largest opposition party with 7 seats.

Controversial constitutional reforms, proposing a shift to parliamentarism and a fully proportional electoral system based on party lists, dominated political conversations in 2015. Critics claimed that the change would allow the term-limited president to obtain unfettered power as prime minister and solidify the HHK's electoral dominance due to the absence of a strong party system. Voter turnout in the December referendum was relatively low, and observers reported biased media coverage and problems with voter lists.

B. Political Pluralism and Participation: 7 / 16

People have the right to organize political parties in Armenia, but the ruling party's dominance and control of administrative resources prevents a level playing field. A total of six parties have representation in the current parliament, with the HHK holding 69 of 131 seats. The next largest party is BHK, followed by the ANC, led by former president Levon Ter-Petrosyan. Public funds for parties are minimal, and most funding is supplied by party leaders and oligarchs.

In 2014, four opposition parties banded together to challenge HHK initiatives, but their cooperation faltered in 2015 after a public dispute in February between the president and Gagik Tsarukyan, BHK leader and one of Armenia's wealthiest business magnates. During the month, Tsarukyan harshly criticized the proposed constitutional changes, organized meetings between BHK legislators and Russian officials, and encouraged Armenians to demand profound national reform. The president responded by accusing Tsarukyan of absenteeism from the parliament, launching an investigation into his commercial interests, and moving to strip him of his parliamentary mandate. Authorities subjected Tsarukyan and over a dozen associates to audits and raids on their homes and businesses. A number of BHK members left the party as a result of the harassment, while Tsarukyan escalated tensions by calling for demonstrations to demand the president's resignation. The conflict ended following a mediated meeting in late February, after which Tsarukyan called off planned demonstrations and announced his intention to leave politics. Naira Zohrabyan replaced him as head of BHK in March, and the party became more complacent

during the year. Critics, including the opposition members, saw the ordeal as a campaign by the executive to neutralize the country's most viable opposition figure.

The constitutional reform proposal initially included a provision that parliamentary elections must produce a clear party majority, requiring a runoff in the absence of a clear winner. This option would have severely limited the ability of opposition parties to obtain representation and maintain stable constituencies. Following objections by domestic actors and the Council of Europe, officials abandoned the provision.

Ethnic Armenians comprise the vast majority of the population, and representatives of minority groups – of which the largest, Yezidis, make up approximately 1 percent of the population – have only been elected to public office at the local level. The reforms approved in December 2015 included quotas to ensure ethnic minority representation in the parliament.

C. Functioning of the Government: 4 / 12

The HHK and Sargsyan dominate political decision-making. The National Assembly includes some of the country's wealthiest business leaders, who continue entrepreneurial activities despite conflicts of interest. Relationships between politicians and other oligarchs also influence policy and contribute to selective application of the law.

Corruption remains pervasive. Some senior officials faced judicial and disciplinary action for corruption-related offenses in 2015, and the government overhauled and renewed funding for the Anticorruption Council in February. However, watchdogs maintained low expectations of genuine change. Observers have noted that Prime Minister Hovik Abrahamyan, who has faced accusations of abuse of office and misuse of public funds, leads the Anticorruption Council. Transparency International's 2015 Corruption Perceptions Index ranked Armenia 95 out of 168 countries.

President Sargsyan conducted some dialogue with critics of the constitutional reform and leaders of the energy protests in 2015, indicating some willingness to cede to public opinion. However, in the absence of viable opposition, concessions do not indicate genuine accountability. Some challenges to accessing public information remain, although the parliament adopted regulations for the enforcement of Armenia's freedom of information law in October. High-ranking officials, including the prosecutor general and legislators, are required to file annual asset reports, but these declarations are rarely verified or investigated.

Civil Liberties: 30 / 60

D. Freedom of Expression and Belief: 9 / 16

There are several challenges to media freedom. Most print and broadcast outlets are affiliated with political or commercial interests, and journalists practice self-censorship to avoid harassment by government or business figures. Most independent and investigative outlets operate online. Several journalists reported being assaulted or having their equipment damaged by security forces during the energy protests in Yerevan in 2015, and a few reporters were temporarily detained. Police investigations into the incidents were ongoing at year's end. In October, the Constitutional Court issued a landmark decision in the case of Ilur.am editor Kristine Khanumyan, who had been ordered by a lower court to disclose her sources for a 2014 article about violence perpetrated by the Shirak province police chief. The Constitutional Court ruled that disclosure was not appropriate because the case did not involve a grave crime or the safety of an individual.

The constitution protects freedom of religion but grants the Armenian Apostolic Church – with which approximately 92 percent of Armenians identify – a special role in the "development of the national culture and preservation of the national identity." Religious minorities have reported

discrimination in the past, and some have faced difficulty obtaining permits to build houses of worship.

Although the Armenian constitution protects academic freedom, government officials hold several board positions at state universities, leaving administrative and accreditation processes open to political influence. There is some self-censorship among academics on politically sensitive subjects.

Private discussion is relatively free and vibrant. The law prohibits wiretapping or other electronic surveillance without judicial approval, but there have been reports of judges issuing warrants in cases lacking sufficient justification.

E. Associational and Organizational Rights: 6 / 12

Freedoms of assembly and association are legally guaranteed, though there are some restrictions. The civil society sector includes a few outspoken organizations and watchdog groups, mostly in Yerevan and in northern Armenia. Nongovernmental organizations (NGOs) lack local funding and largely rely on foreign donors.

In January 2015, crowds gathered in Gyumri, Armenia's second largest city, following the murder of a local family by a Russian soldier who had deserted from a nearby military base. The demonstrators expressed anger at plans for the soldier to be tried by Russian courts, noting that Armenia had jurisdiction in the case according to a bilateral agreement. Protesters clashed with police, and several were injured.

Individual civil society activists were instrumental in initiating a string of protests in May after the Russian-owned Electric Networks of Armenia announced a planned increase in electricity prices, which the public perceived as a symptom of corruption and weak accountability by Armenian officials. The protests gained momentum in several cities in June, and in the capital, participants in the "Electric Yerevan" campaign blocked the city's main thoroughfare. Police forcefully dispersed the blockade, detaining over 200 and injuring several, but protesters returned and were able to continue demonstrating in June and July. In response, the government promised to subsidize the price increase and ordered an audit of Electric Networks of Armenia.

The law protects the right of workers to form and join independent unions, strike, and engage in collective bargaining. However, unions have little stature, and many are inactive.

F. Rule of Law: 6 / 16

The judiciary suffers from corruption and systemic political pressure. A 2013 report from the ombudsman's office noted rumors of a price list for bribing judges to avoid particular charges. Judges reportedly feel pressure to work with prosecutors to convict, and acquittal rates are extremely low. A March 2015 report from the Council of Europe's Human Rights Commissioner found that the government used disciplinary hearings to pressure judges.

The rule of law does not usually prevail in civil or criminal cases, and authorities apply the law selectively. Police abuse of detainees and lengthy pretrial detentions remain a problem, and judges are generally reluctant to challenge arbitrary arrests.

The situation in Nagorno-Karabakh, which is the subject of mediation led by Russia, the United States, and France, continued to show signs of escalation. More people were killed in the conflict in 2015 than in any other year since a ceasefire was declared in 1994.

Yezidis are Armenia's most populous ethnic minority. In 2014, the Yezidi community successfully lobbied the government to help Yezidis fleeing from violence in Iraq to resettle in Armenia. In 2015, authorities continued efforts to house and help integrate ethnic Armenian asylum seekers from Syria. Human rights watchdogs have criticized the government for discriminating against asylum seekers who are not of ethnic Armenian origin.

LGBT (lesbian, gay, bisexual, and transgender) people continue to face violence and mistreatment at the hands of police and civilians. Although same-sex sexual activity was decriminalized in 2003, LGBT protections are not included in antidiscrimination laws.

G. Personal Autonomy and Individual Rights: 9 / 16

The law protects freedom of movement and the rights of individuals to choose their place of education, residence, and employment. In practice, access to higher education is somewhat hampered by a culture of bribery. Economic diversification and simpler regulations have increased the ease of doing business in recent years, but a lack of transparency and persistent cronyism continue to create unfair advantages for those with ties to public officials. Armenian law adequately protects property rights, though officials do not always uphold them.

Domestic violence is common and not adequately prosecuted. The Armenian electoral code includes quotas to ensure that political parties include women on candidate lists. Nevertheless, the political system remains patriarchal, and there are only 13 women in the 131-seat National Assembly.

Armenia is a source and, to a lesser extent, destination country for men, women, and children subjected to sex and labor trafficking. According to the U.S. State Department's 2015 *Trafficking in Persons Report*, the government complies with the minimum standards for the elimination of trafficking, and cooperates with antitrafficking NGOs.

Scoring Key: X / Y (Z)

X = Score Received

Y = Best Possible Score

Z = Change from Previous Year

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