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Freedom in the World 2011 - Nagorno-Karabakh

Capital: N/A

Population: 145,000

Political Rights Score: 6 *

Civil Liberties Score: 5 *

Status: Not Free

Status Change Explanation

Nagorno-Karabakh's political rights rating declined from 5 to 6 and its status from Partly Free to Not Free due to the complete absence of opposition candidates in the May 2010 parliamentary elections.

Overview

In April 2010, Armenia suspended the ratification of a historic agreement signed with Turkey in October 2009 that would have established diplomatic relations between the two countries and reopened their mutual border. Armenia cited Turkey's decision to link the agreement to a resolution of Nagorno-Karabakh's status, which Yerevan claimed was not part of the initial deal. In May, the territory held parliamentary elections, in which there were no opposition candidates. By October, negotiations between Yerevan and Baku over a resolution to the Karabakh dispute were effectively deadlocked.

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. Parliamentary elections were held in 1995, and Kocharian won a popular vote for president in 1996. In September 1997, Foreign Minister Arkady Ghukassian was elected to replace Kocharian, who had become Armenia's prime minister that March. Kocharian was elected as Armenia's president in 1998.

In a 2000 parliamentary vote, Ghukassian's ruling Democratic Artsakh Union (ZhAM) won a slim victory, taking 13 seats. Ghukassian won a second term as president in 2002, with 89 percent of the vote. His renamed Democratic Party of Artsakh (AZhK) led the 2005 parliamentary elections, while the opposition, which accused the authorities of misusing state resources to influence the outcome, captured only three seats.

In 2006, a reported 98 percent of voters supported a referendum calling for Nagorno-Karabakh's independence. The referendum was not recognized by the international community.

Nagorno-Karabakh security chief Bako Saakian reportedly took more than 85 percent of the vote in the 2007 presidential election. His main opponent, Deputy Foreign Minister Masis Mailian, received 12 percent. The government subsequently absorbed or co-opted most of the political opposition.

Hope for progress on a peace agreement was shaken in 2008 by a series of external political developments. On March 14, 2008, the UN General Assembly passed a resolution identifying Nagorno-Karabakh as part of Azerbaijan and calling on Armenia to withdraw its troops. The measure was supported by 39 member states and rejected by seven, including Russia, France, and the United States, the three co-chairs of the Minsk Group, a body established by the Organization for Security and Cooperation in Europe (OSCE) in the 1990s to facilitate negotiations on Nagorno-Karabakh's status. Also during the year, Kosovo declared independence from Serbia, and Russia recognized the independence of the breakaway Georgian regions of Abkhazia and South Ossetia, raising awkward questions about Nagorno-Karabakh's status. In addition, postelection violence in Armenia was followed by skirmishes along the ceasefire line that killed 16 soldiers on both sides, marking one of the worst violations of the ceasefire in years.

Following a year of negotiations, the governments of Turkey and Armenia in October 2009 signed a historic agreement to establish diplomatic relations and reopen their shared border, which Turkey had sealed in 1993 to show solidarity with Azerbaijan over Nagorno-Karabakh. However, the agreement had all but collapsed by April 2010, when Armenian president Serzh Sarkisian suspended its parliamentary ratification. He cited Turkey's decision to link the agreement to a resolution of Nagorno-Karabakh's status, which Yerevan claimed was not part of the initial deal.

Nagorno-Karabakh held parliamentary elections in May 2010. In contrast to the more competitive elections of previous years, no genuine opposition candidates participated, and the balloting was swept by the three parties of the ruling coalition. Azat Hayrenik (Free Fatherland), the party of Prime Minister Ara Harutiunian, won 14 of the 33 seats, followed by AZhK with 10 and the Armenian Revolutionary Federation-Dashnaktsutiun party with 6. The remaining seats were captured by Hayrenik loyalists with no formal party affiliation. Parliament speaker Ashot Ghulian was reelected to his post.

Negotiations between Yerevan and Baku over a Karabakh peace settlement stalled after a June 2010 skirmish along the ceasefire line that killed six soldiers on both sides. The breakdown represented a setback to tentative progress achieved during 2009, when the presidents of Armenia and Azerbaijan had met eight times to discuss the dispute. Both the Karabakh peace process and Armenia's rapprochement with Turkey remained deadlocked at year's end.

Political Rights and Civil Liberties

Nagorno-Karabakh has enjoyed de facto independence from Azerbaijan since 1994 and

retains close political, economic, and military ties with Armenia. Though earlier elections were regarded as relatively free and fair, parliamentary and presidential votes held in 2005 and 2007 were criticized by the opposition for alleged fraud and other irregularities. 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 Free Fatherland, the AZhK, and the Armenian Revolutionary Federation-Dashnaktsutjun, 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, but 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.

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 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.

** Countries are ranked on a scale of 1-7, with 1 representing the highest level of freedom and 7 representing the lowest level of freedom.*

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