

**Flygtningenævnets baggrundsmateriale**

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FREEDOM IN THE WORLD 2023

## Nagorno-Karabakh\*

PARTLY FREE

**37**  
/100

|                         |               |
|-------------------------|---------------|
| <u>Political Rights</u> | <b>17</b> /40 |
| <u>Civil Liberties</u>  | <b>20</b> /60 |

LAST YEAR'S SCORE & STATUS

**36 /100**     **Partly Free**

Global freedom statuses are calculated on a weighted scale. See the methodology.

*\* Indicates a territory as opposed to an independent country.*



# Note

*Freedom in the World* reports assess the level of political rights and civil liberties in a given geographical area, regardless of whether they are affected by the state, nonstate actors, or foreign powers. Disputed territories are sometimes assessed separately if they meet certain criteria, including boundaries that are sufficiently stable to allow year-on-year comparisons. For more information, see the report **methodology** and **FAQ**.

## Overview

The Republic of Nagorno-Karabakh, which also calls itself the Republic of Artsakh, has enjoyed de facto independence from Azerbaijan since a 1994 cease-fire agreement that ended roughly two years of open warfare, though its independence is not recognized by any UN member states. The territory's population is mostly ethnic Armenians, and given its geographic and diplomatic isolation, it has been dependent on close political and economic ties with Armenia. A third of Nagorno-Karabakh and some adjacent land came under Azerbaijani control in 2020 under a cease-fire agreement that ended a weeks-long conflict that year. Recent years have seen increases in political and media pluralism, and frequent demonstrations. However, many civil liberties are still restricted, corruption is pervasive in the government and judiciary, and civilians at times face the risk of violence due to Azerbaijani military operations.

## Key Developments in 2022

- Authorities in Azerbaijan launched the first major military operations in Nagorno-Karabakh since 2020. Incursions in March and August ended with Azerbaijani troops taking control of territory in several mountainous areas, the displacement of local residents, and fears of renewed conflict.
- Local opposition activists harnessed increasing public concerns about insecurity, and began calling for regular street protests beginning in September. Authorities made no attempt to disrupt the rallies.
- Beginning in December, Nagorno-Karabakh remained under effective blockade after Azerbaijani activists caused the closure of the Lachin transit

corridor, the only road that connects the territory with Armenia and rest of the world. Residents experienced shortages in basic food products and medical supplies.

# Political Rights

## A. Electoral Process

**A1** 0-4 pts

**Was the current head of government or other chief national authority elected through free and fair elections?**

**2** / 4

The president is directly elected for up to two five-year terms and is both head of state and head of government, with authority to appoint and dismiss cabinet members. The most recent presidential election took place in March and April 2020, several months before Azerbaijani forces started a war that finished with Stepanakert losing control of significant areas of Nagorno-Karabakh.

The vote was widely acknowledged as the most competitive in the territory's recent history. An unprecedented 14 candidates engaged in an intense electoral campaign that featured extensive in-person and social media campaign activities. Weeks of televised presentations of candidates' programs culminated in Nagorno-Karabakh's first-ever televised debates. First-round turnout stood at 72 percent and second-round turnout stood at 45 percent. Arayik Harutyunyan, a former prime minister and local businessman, won a majority of votes in the second round.

Many foreign observers were unable to attend due to the COVID-19-related closure of international borders. Local observers, including those trained and supported by Armenia's leading nongovernmental organizations (NGOs), said the vote was free and fair despite reports of administrative irregularities and verbal clashes at some polling stations.

**A2** 0-4 pts

**Were the current national legislative representatives elected through free and fair elections?**

**3/4**

Of the unicameral National Assembly's 33 members, all are elected by party list. Elections took place in 2020 in parallel with the presidential race. Ten political parties—almost twice more than in the 2015 elections—participated, organizing into two blocs. Parties campaigned freely in towns and villages and engaged in televised presentations and debates.

The Harutyunyan-founded Azat Hayrenik (Free Motherland) party maintained its dominant legislative position, winning 16 seats. The newly formed opposition Miasnakan Hayrenik (United Motherland) party won nine. The remaining seats went to three other parties—the Armenian Revolutionary Federation–Dashnaktsutyun, which won three seats; Ardarutyun (Justice), which also won three; and Artsakhi Zhoghovrdarakan Kusaktsutyun (Democratic Party of Artsakh), which won two; these were generally associated with politicians from past ruling coalitions.

**A3** 0-4 pts

**Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies?**

**2/4**

Several amendments to electoral laws since 2014 were regarded as improvements that allowed for broader political participation. The 2020 presidential and parliamentary votes were not marred by significant criticism of electoral administration, in contrast with past polls.

## **B. Political Pluralism and Participation**

**B1** 0-4 pts

**Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system**

**3/4**

|                                                                                              |  |
|----------------------------------------------------------------------------------------------|--|
| <b>free of undue obstacles to the rise and fall of these competing parties or groupings?</b> |  |
|----------------------------------------------------------------------------------------------|--|

There are few formal restrictions on political-party formation and membership, but the political landscape in past years has been constrained in practice due to the territory's contested status and increased feeling of insecurity, especially since September 2022 when Azerbaijani forces intensified military attacks against different parts of the territory.

Nagorno-Karabakh has seen greater political activity since the 2018 revolution in Armenia. The 2020 electoral campaign featured open and vigorous competition between existing and newly formed political parties. Politicians freely discussed domestic issues, and some presented detailed plans to improve transparency, implement anticorruption reforms, and improve diversity in government. There were no reports of serious, undue pressure or attacks against candidates during the campaign.

In 2022, many opposition politicians and activists participated in street protests against the local government, the Armenian government, and the presence of Russian peacekeepers. In September, Ruben Vardanyan—a prominent businessman of ethnic Armenian origin, who had recently renounced his Russian citizenship and became an Armenian citizen—said he was founding a new public movement aimed at “salvation” of the ethnic Armenian population in Nagorno-Karabakh. In November, Vardanyan was appointed the state minister in charge of most governmental bodies in the territory.

**B2** 0-4 pts

|                                                                                                                     |              |
|---------------------------------------------------------------------------------------------------------------------|--------------|
| <b>Is there a realistic opportunity for the opposition to increase its support or gain power through elections?</b> | <b>2 / 4</b> |
|---------------------------------------------------------------------------------------------------------------------|--------------|

Opposition politicians and parties have enjoyed greater opportunity in recent years. A number of prominent politicians refrained from forming coalitions with the ruling elites ahead of the 2020 elections, and instead campaigned independently. The more democratic campaign followed a 2018 political opening in Armenia, and represented a break from the previous political climate characterized by broad coalitions and more frequent co-optation of rivals.

**Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means?**

**2 / 4**

Politics in Nagorno-Karabakh are heavily influenced by the threat of military aggression, which has traditionally kept the territory politically and financially dependent on Armenia. For decades this dependence had provided leverage for interference by Yerevan in Nagorno-Karabakh's domestic political affairs. However, this situation started to change following the 2020 war. In accordance with the cease-fire agreement, Armenia withdrew its troops from the conflict zone and ceased military support to Nagorno-Karabakh, while only keeping financial support programs and subsidies to the local population. After the close of hostilities in 2020, a number of Armenian and Nagorno-Karabakh officials complained about poor relations between Yerevan and Stepanakert, which they claimed was a key reason for the defeat in fighting with Azerbaijan. Soon after the cease-fire, President Harutyunyan returned several controversial politicians who had left due to conflicts with Armenian prime minister Nikol Pashinyan to senior posts.

In contrast to past years, few senior Armenian officials traveled to Nagorno-Karabakh in 2022, allegedly to avoid provoking their local critics or creating possible problems with the Azerbaijani government. Tensions reached a peak during the year after Pashinyan suggested making concessions on the status of territory, which he said were needed to stop a possible Azerbaijani military takeover of Nagorno-Karabakh. The comments provoked street rallies in Nagorno-Karabakh beginning in September, led by opposition activists and attended by many senior officials and representatives of the local political elite. Since September, the local leadership organized large rallies attended by tens of thousands of people, demanding recognition of the rights of local Armenians to continue living in Nagorno-Karabakh.

Following the 2020 war Russian peacekeepers have played a significant security role in Nagorno-Karabakh, but have not interfered in local political life.

*Score Change: The score improved from 1 to 2 because political influence from Yerevan has receded.*

**B4** 0-4 pts

**Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities?**

**1** / 4

Opportunities for members of various minority groups to represent their interests in politics are limited. Formally, women have equal political rights, but social constraints and a prevailing sense of militarization in local life limit their participation in practice, and they are poorly represented in leadership positions.

## C. Functioning of Government

**C1** 0-4 pts

**Do the freely elected head of government and national legislative representatives determine the policies of the government?**

**1** / 4

The ability of locally elected officials to set and implement government policies is limited in practice by security threats along the line of contact between Nagorno-Karabakh and Azerbaijani forces and warnings from Baku. Although the constitution calls for close cooperation with Armenia on political, economic, and military policy, since the 2020 war the Armenian state's influence in local politics has sharply decreased.

**C2** 0-4 pts

**Are safeguards against official corruption strong and effective?**

**1** / 4

Nagorno-Karabakh's institutions continue to suffer from significant corruption.

**C3** 0-4 pts

**Does the government operate with openness and transparency?**

**1** / 4

The government operates with limited transparency in practice, particularly regarding anything related to security risks.

After the 2020 elections, President Harutyunyan invited his main opponents to take key government positions, suggesting this could result in more transparency for decision-making processes. Harutyunyan made a similar offer after the 2020 war, which resulted in the co-optation of many local opposition activists into the daily work of the government.

### Add Q

**Is the government or occupying power deliberately changing the ethnic composition of a country or territory so as to destroy a culture or tip the political balance in favor of another group?**

**-1**

Military attacks and psychological pressure in 2022 led to a new displacement wave—in addition to the one prompted by the 2020 war, which included atrocities against civilians—and an increased feelings of insecurity in the local population.

In 2022, Azerbaijani troops launched intensified attacks on different parts of Nagorno-Karabakh. Following two military operations, Azerbaijan took control of several mountainous heights that provide a strategic position over areas deep into the region, leading to increased fears of a new war. Azerbaijani troops organized psychological campaigns against people living near the front lines by using loudspeakers to amplify threats and Islamic music. In March, during a particularly severe winter, the region was left with no gas supply following an apparent attack on the main pipeline by Azerbaijani soldiers.

## Civil Liberties

### D. Freedom of Expression and Belief

**D1** 0-4 pts

**Are there free and independent media?****2/4**

The most popular local television station is the government-run Artsakh TV. The station's editorial policy has changed significantly since the political opening in Armenia in 2018, and it has in recent years hosted a greater plurality of opinion. Following the 2020 war, local media outlets continued to produce vibrant output, covering opposition rallies and government critics.

In April 2022, following the first major Azerbaijani military attack on Nagorno-Karabakh since 2020, President Harutyunyan signed a decree implementing martial law, citing a need to stop the spread of "fake news" in social media about events at the front lines. Similar restrictions were introduced in December, when Azerbaijani activists blocked the road at the Lachin transit corridor, the only road that connects Nagorno-Karabakh with Armenia and rest of the world.

Nevertheless, these special measures did not affect the work of local journalists, who continued inviting Armenian and foreign experts for critical interviews about recent developments. Social media platforms are increasingly used by the public and government officials for the dissemination and discussion of news.

Nevertheless, many domestic journalists continue to practice self-censorship, primarily on subjects related to security and the peace process.

The internet penetration rate remains low.

Access to Nagorno-Karabakh for foreign journalists was restricted after Russian peacekeepers took control over the Lachin transit corridor that connects Nagorno-Karabakh to Armenia. In August 2022, authorities suspended the issuing of visas to enter Nagorno-Karabakh.

**D2** 0-4 pts**Are individuals free to practice and express their religious faith or nonbelief in public and private?****1/4**

The constitution guarantees religious freedom but allows for restrictions in the name of security, public order, and other state interests. The charter also recognizes the Armenian Apostolic Church as the "national church" of the

Armenian people. The religious freedom of other groups is limited in practice. A 2009 law banned religious activity by unregistered groups and proselytism by minority faiths and made it more difficult for minority groups to register.

Since 2020, the Azerbaijani army fully or partially destroyed a number of Armenian religious structures. Russian peacekeepers have taken control of several Armenian monasteries near or within Azerbaijani-controlled territory as a result of the cease-fire agreement, and since 2021, only occasional tours of small pilgrimage groups escorted by peacekeepers have been allowed to visit.

**D3** 0-4 pts

**Is there academic freedom, and is the educational system free from extensive political indoctrination?**

**1/4**

Schools and universities practice increasing self-censorship on sensitive topics, particularly those related to the territory's status and security.

**D4** 0-4 pts

**Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution?**

**3/4**

Private discussion is generally open and free, though expression of dissent may be inhibited somewhat by the prevailing nationalist sentiment in politics and society. Since the 2020 war, locals have speculated about possible penetration of the local government and army by spies cooperating with Azerbaijani intelligence. In 2022, the local security service announced details of several investigations against officials and military representatives who admitted reporting sensitive information to the Azerbaijani side. The reports have farther solidified fears of possible Azerbaijani campaigns in the public life of the territory.

## **E. Associational and Organizational Rights**

**E1** 0-4 pts

|                                      |            |
|--------------------------------------|------------|
| <b>Is there freedom of assembly?</b> | <b>3/4</b> |
|--------------------------------------|------------|

While Nagorno-Karabakh authorities have disrupted rallies in the past, freedom of assembly has been recently respected, and rallies held without interruption from the authorities.

Since the 2020 war, Nagorno-Karabakh has seen regular protest activity. Beginning in early August 2022, opposition activists organized daily rallies in Stepanakert. Despite occasional reports of ministries calling on their staff to avoid the rallies, many joined nevertheless, as did a number of senior officials. The protests grew to attract crowds unprecedented since the early 1990s when Nagorno-Karabakh started the movement for independence. Two rallies in Stepanakert in October and December organized by the local political leadership each brought together an estimated 40,000 people.

**E2** 0-4 pts

|                                                                                                                                              |            |
|----------------------------------------------------------------------------------------------------------------------------------------------|------------|
| <b>Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work?</b> | <b>2/4</b> |
|----------------------------------------------------------------------------------------------------------------------------------------------|------------|

More than 250 nongovernmental organizations (NGOs) are registered in Nagorno-Karabakh, but most are inactive. Many groups struggle to secure sustainable funding, in part because partnerships with foreign or international NGOs are complicated by Nagorno-Karabakh's disputed status. Civil society groups also face competition from government-organized entities.

**E3** 0-4 pts

|                                                                                           |            |
|-------------------------------------------------------------------------------------------|------------|
| <b>Is there freedom for trade unions and similar professional or labor organizations?</b> | <b>1/4</b> |
|-------------------------------------------------------------------------------------------|------------|

Trade unions are allowed to organize, but in practice they are weak and relatively inactive, with little practical ability to assert workers' interests. Many labor disputes are resolved through personal connections and family links before they reach local courts.

## F. Rule of Law

**F1** 0-4 pts

|                                    |     |
|------------------------------------|-----|
| Is there an independent judiciary? | 1/4 |
|------------------------------------|-----|

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

**F2** 0-4 pts

|                                                         |     |
|---------------------------------------------------------|-----|
| Does due process prevail in civil and criminal matters? | 1/4 |
|---------------------------------------------------------|-----|

The constitution guarantees basic due process rights, but police and the courts do not always uphold them in practice. Outspoken political dissidents have been subject to harassment by the authorities.

**F3** 0-4 pts

|                                                                                                        |     |
|--------------------------------------------------------------------------------------------------------|-----|
| Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? | 0/4 |
|--------------------------------------------------------------------------------------------------------|-----|

The civilian population of Nagorno-Karabakh was subjected to indiscriminate violence and targeted atrocities by Azerbaijani forces during the 2020 war. Abuses included the use of cluster munitions, white phosphorous bombs, and other heavy weapons in attacks that failed to distinguish between military and civilian targets, including against residential areas in the main towns and villages. Rights groups and journalists reported instances of civilians facing physical attack, detention, torture, and degrading treatment by Azerbaijani forces. Nagorno-Karabakh's human rights ombudsman reported that 52 ethnic Armenian civilians were killed by Azerbaijani attacks on the territory in 2020.

Violence and insecurity has continued to affect life in Nagorno-Karabakh since the cease-fire took effect. Azerbaijan's intensified front line attacks began in September 2022. During the year, there were 9 deaths and 40 injuries among

civilians and 228 deaths and 604 injuries among combatants on both sides, according to figures compiled by the International Crisis Group (ICG).

**F4** 0-4 pts

**Do laws, policies, and practices guarantee equal treatment of various segments of the population?**

**1** / 4

The constitution bans discrimination based on gender, ethnicity, religion, and other categories. However, women are underrepresented in the public and private sectors and remain exposed to discrimination in practice. Before the 2020 war, to preserve the Armenian character of the territory, state policies promoted Armenian language and culture and had encouraged ethnic Armenians to migrate to Nagorno-Karabakh, partly through housing and other subsidies. However, this practice has been halted due to the increased demand for housing, prompted by the displacement of residents from Azerbaijani-controlled areas.

## **G. Personal Autonomy and Individual Rights**

**G1** 0-4 pts

**Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education?**

**0** / 4

Freedom of movement within Nagorno-Karabakh is hindered by its ambiguous legal and diplomatic status and the instability of the cease-fire.

Individuals who do not hold Armenian citizenship require a visa from the Nagorno-Karabakh government to travel in the territory as of February 2021. Russian peacekeepers share data of visa applications with the Azerbaijani authorities that can ban issuance of travel documents. This has prevented visits of diaspora representatives and foreign reporters since August 2022. During the year, Russian peacekeepers occasionally prevented Armenians from entering Nagorno-Karabakh. In April they prevented a group of Armenian opposition parliamentarians and politicians from entering the territory from Armenia. The

same happened in August to the Armenian opposition politician Raffi Hovhannisyan. The Armenian authorities alleged Azerbaijani pressure on the Russian peacekeepers in these cases.

In December 2022, anti-mining demonstrations by Azerbaijani environmental activists blocked the Lachin transit corridor, the only road that connects Nagorno-Karabakh with Armenia and rest of the world. The local Armenian population of Nagorno-Karabakh experienced shortages in basic food products and medical supplies. The International Committee of the Red Cross (ICRC) provided transportation to Armenia for several patients in need of urgent medical aid and delivered some humanitarian aid. The blockade was ongoing at year's end.

**G2** 0-4 pts

|                                                                                                                                                              |              |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|
| <b>Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors?</b> | <b>1 / 4</b> |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|

Most major economic activity is tightly controlled by the government or a small group of powerful elites with political connections. The property rights of Azerbaijanis displaced in the 1990s and Armenians after the 2020 war have yet to be adequately addressed.

**G3** 0-4 pts

|                                                                                                                                                                                |              |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|
| <b>Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance?</b> | <b>2 / 4</b> |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|

Men and women have equal legal rights with respect to marriage and divorce, though the constitution defines marriage as a union between a man and a woman, precluding same-sex marriage. The government offers material incentives to encourage couples to have children. Domestic violence is common and not effectively prosecuted.

**G4** 0-4 pts

|                                                                      |              |
|----------------------------------------------------------------------|--------------|
| <b>Do individuals enjoy equality of opportunity and freedom from</b> | <b>1 / 4</b> |
|----------------------------------------------------------------------|--------------|

economic exploitation?

Employment opportunities remain scarce and are mostly confined to the state sector or state-subsidized businesses.

### On Nagorno-Karabakh

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### Country Facts

Global Freedom Score

**37/100**    **Partly Free**

### Other Years

2022

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