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## Freedom in the World 2013 - Nagorno-Karabakh

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### 2013 Scores

Status: Partly Free  
Freedom Rating: 5.0  
Civil Liberties: 5  
Political Rights: 5

### Status Change Explanation

Nagorno-Karabakh's political rights rating improved from 6 to 5, and its status improved from Not Free to Partly Free, due to the participation of a genuine opposition in the July presidential election.

### Overview

**In July 2012, Bako Saakian was reelected president of Nagorno-Karabakh with 67 percent of the vote. Unlike the 2010 parliamentary elections, the presidential contest featured genuine competition, with opposition candidate Vitaly Balasanian receiving 32.5 percent of the ballots. An escalation in violence along the cease-fire line during the year peaked in June, killing about a dozen soldiers in total. Azerbaijan's August pardon of a man convicted of murdering an Armenian soldier further stymied progress on negotiations over Nagorno-Karabakh's status.**

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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 cease-fire 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.

Ghukassian easily secured a second term as president in 2002, and his ruling Democratic Party of Artsakh (AZhK) led the 2005 parliamentary elections, though the opposition accused the authorities of misusing state resources to influence the outcome. In 2006, a reported 98 percent of voters supported a referendum affirming 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 with conflicting implications for Nagorno-Karabakh. These included a UN General Assembly resolution identifying Nagorno-Karabakh as part of Azerbaijan and calling on Armenia to withdraw its troops; Kosovo's declaration of independence from Serbia, which was opposed by Russia and some European Union countries; and Russia's recognition of the independence of the breakaway Georgian regions of Abkhazia and South Ossetia. In addition, skirmishes along the cease-fire line killed 16 soldiers on both sides.

Nagorno-Karabakh held parliamentary elections in May 2010. In contrast to the more competitive legislative polls 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-Dashnaktsutun party with 6. The remaining seats were captured by Hayrenik loyalists with no formal party affiliation.

The presidents of Armenia and Azerbaijan met with Russian president Dmitry Medvedev in June 2011 for highly anticipated talks on a peace agreement, but the summit ended in disappointment when Baku refused to sign the proposed draft. With negotiations stalled and both sides engaged in a rapid military buildup, international observers expressed concerns about the threat of open warfare.

Fears of open conflict intensified in 2012 amid an escalation of violence along the cease-fire line, with about a dozen soldiers from the two sides killed in June.

Saakian was reelected president in July 2012 with 66.7 percent of the vote. He faced a legitimate challenge from his main opponent, former Karabakh deputy defense minister Vitaly Balasanian, who received 32.5 percent. Balasanian claimed that administrative resources were misused to aid the incumbent. The two main candidates had nearly identical foreign-policy goals – achieving international recognition of Nagorno-Karabakh's independence – though Balasanian also called for social justice and accused the government of allowing corruption and fiscal mismanagement.

Azerbaijan's August pardon of Ramil Safarov, an Azerbaijani military officer who had murdered an Armenian soldier while both were training in Hungary in 2004, further strained relations between Armenia and Azerbaijan, effectively thwarting any immediate prospects for progress on peace talks.

## **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. The opposition has criticized recent elections for alleged fraud and other irregularities, including abuse of administrative resources. No opposition candidates participated in the 2010 parliamentary elections, but the 2012 presidential contest featured more competition. 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-Dashnaktsutun, all of which currently support the government. Vitaly Balasanian, the defeated challenger in the 2012 presidential election, announced in August that he was forming a new opposition group.

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 cease-fire was signed.

The government controls many of Nagorno-Karabakh's media outlets, and the public television station has no local competition. The popular independent newspaper *Demo* and Karabakh-Open.com, the territory's only independent news website, were both closed by their publishers in 2008. The internet penetration rate is low but expanding. During the 2012 presidential election, the opposition campaigned heavily using social media.

Most 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 groups to register. Although at least three 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 conscientious objectors have been jailed for refusing to serve in the Karabakh army. In December 2011, a Jehovah's Witness received a 30-month jail term for refusing mandatory military service.

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, the legislature passed an amnesty law to release or commute the sentences of up to 20 percent of the prison population, on the condition that the inmates fought in the 1991-94 war or had family 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.

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 soldiers faced criminal charges. One soldier who was found guilty of the killings was sentenced to life in prison in August 2011.

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.

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 several hundred dollars when they marry and additional money for the birth of each child.

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