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Freedom in the World 2012 - Armenia

2012 Scores

Status: Partly Free
Freedom Rating: 5.0
Civil Liberties: 4
Political Rights: 6

Overview

Under mounting pressure from Arab Spring-inspired protests and international organizations like the Council of Europe, the Armenian authorities released the last remaining political prisoners from a 2008 postelection crackdown on the opposition. The government also lifted a ban on rallies in the capital's Freedom Square, reopened an investigation into the 10 deaths that had accompanied the 2008 crackdown, and began a dialogue with the opposition; however, there was little progress on the last two efforts by year's end. Finally, the country adopted a new electoral code, which the Council of Europe regarded as an improvement, though it did not incorporate the opposition's suggestions.

Following a short period of independence amid the turmoil at the end of World War I, Armenia was divided between Turkey and the Soviet Union by 1922. Most Armenians in the Turkish portion were killed or driven abroad during the war and its aftermath, but those in the east survived Soviet rule. The Soviet republic of Armenia declared its independence in 1991, propelled by a nationalist movement that had initially focused on demands to transfer the substantially ethnic Armenian region of Nagorno-Karabakh from Azerbaijan to Armenia. Nagorno-Karabakh was recognized internationally as part of Azerbaijan, but by the late 1990s it was held by ethnic Armenian forces who claimed independence. Prime Minister Robert Kocharian, a former president of Nagorno-Karabakh, was elected president of Armenia in March 1998.

On October 27, 1999, five gunmen assassinated Prime Minister Vazgen Sarkisian, assembly speaker Karen Demirchian, and several other senior officials. Allegations that Kocharian or members of his inner circle had orchestrated the shootings prompted opposition calls for the president to resign. Citing a lack of evidence, however, prosecutors did not press charges against Kocharian, who gradually consolidated his

power during the following year.

In 2003, Kocharian was reelected in a presidential vote that was marred by fraud. During the runoff, authorities placed more than 200 opposition supporters in administrative detention for over 15 days; they were sentenced on charges of hooliganism and participation in unsanctioned demonstrations. The Constitutional Court upheld the election results, but it proposed holding a "referendum of confidence" on Kocharian within the next year; Kocharian rejected the proposal. Opposition parties boycotted subsequent sessions of the National Assembly, and police violently dispersed protests mounted in the spring of 2004 over the government's failure to redress the problems of the 2003 vote.

The Republican Party of Armenia (HHK) – the party of Prime Minister Serzh Sarkisian, a close Kocharian ally – won 65 of 131 seats in the May 2007 National Assembly elections. Two other major pro-presidential parties took a total of 41 seats, giving the government a dominant majority. Opposition parties suffered from disadvantages regarding media coverage and the abuse of state resources ahead of the vote.

The 2008 presidential election was held on February 19. Five days after the balloting, the Central Election Commission announced that Sarkisian had won with 52.8 percent, and the main opposition candidate, former president Levon Ter-Petrosian, had taken 21.5 percent. The results, which the opposition disputed, allowed Sarkisian to avoid a runoff vote. Peaceful opposition demonstrations that began on February 21 turned violent a week later when the police engaged the protesters. According to the Organization for Security and Cooperation in Europe (OSCE), 10 people were killed and more than 200 were injured during the clashes. Outgoing president Kocharian declared a 20-day state of emergency, and more than 100 people were arrested in the wake of the upheaval.

The HHK secured a majority in May 2009 municipal elections in Yerevan, but opposition parties rejected the results as fraudulent. Meanwhile, the authorities' inadequate steps to investigate police abuses during the 2008 violence were criticized by the Council of Europe, and although a June 2009 amnesty freed 30 protesters, about a dozen remained behind bars at the end of 2010.

In the spring of 2011, inspired by ongoing uprisings in Arab countries, tens of thousands of opposition protesters took to the streets. Combined with increased international pressure, the demonstrations convinced the Armenian authorities to release the last political prisoners from the 2008 crackdown, remove a ban on rallies in Yerevan's Freedom Square that also dated to 2008, reopen the investigation into the 10 deaths during the crackdown, and begin a dialogue with opposition parties. However, the dialogue was suspended in September 2011 without any tangible results, and the investigation into the 10 deaths made no headway by year's end.

Given the negative assessments of the 2008 and 2009 elections by international observers, the government adopted a new electoral code in 2011, which the Council of Europe regarded as an improvement over the previous code. However, it did not incorporate any of the suggestions made by opposition parties, and the year's concessions overall were made under intense pressure, raising questions as to the durability and authenticity of the government's new openness to reform.

Political Rights and Civil Liberties

Armenia is not an electoral democracy. The unicameral National Assembly is elected for five-year terms, with 90 seats chosen by proportional representation and 41 through races in single-member districts. The president is elected by popular vote for up to two five-year terms. However, elections since the 1990s have been marred by major irregularities. The 2008 presidential election was seriously undermined by problems with the vote count, a biased and restricted media environment, and the abuse of administrative resources in favor of ruling party candidate Serzh Sarkisian. The Yerevan municipal elections held in May 2009 also suffered from significant violations, though

international observers claimed that the fraud did not jeopardize the overall legitimacy of the results. In 2011, local elections were held in several districts, but the polls were boycotted by the opposition and not observed by international monitors.

Corruption is pervasive and systematic in Armenia. Bribery and nepotism are reportedly common among government officials, who are rarely prosecuted or removed for abuse of office. Corruption is also believed to be a serious problem in law enforcement. A five-year initiative to combat graft, announced in 2008, has not made meaningful headway against the country's entrenched culture of corruption.

There are limits on press freedom. The authorities use informal pressure to maintain control over broadcast outlets, the chief source of news for most Armenians. State-run Armenian Public Television is the only station with nationwide coverage, and the owners of most private channels have close government ties. In June 2010, the National Assembly enacted legislation that fixed the maximum number of television stations at 18 – down from at least 22 operating at the time – and obliged a number of the new total to focus on content other than domestic news and political affairs. The legislation contributed to the revocation in 2011 of the license of GALA TV, the sole remaining station that regularly criticized the government. The government also continued to deny a license to the independent television company A1+ despite a 2008 ruling in its favor by the European Court of Human Rights. A1+, which had been forced off the air by a government licensing decision in 2002, made a fresh bid for a license in October 2010, but it was rejected in December, 2010 on the grounds that A1+ had submitted fraudulent documents. The authorities do not interfere with internet access.

Libel remains a criminal offense, and violence against journalists is a problem. Nikol Pashinian, editor in chief of the independent daily *Haykakan Zhamanak*, was released from prison in 2011 as part of the amnesty for those arrested during the 2008 postelection crackdown. He had reportedly been beaten while in detention and was held in solitary confinement.

Freedom of religion is generally respected, though the dominant Armenian Apostolic Church enjoys certain exclusive privileges, and members of minority faiths sometimes face societal discrimination. Jehovah's Witnesses are forced to serve prison terms for refusing to participate in either military service or the military-administered alternative service for conscientious objectors.

The government generally does not restrict academic freedom. Public schools are required to display portraits of the president and the head of the Armenian Apostolic Church, and to teach the church's history.

In the aftermath of the 2008 postelection violence, the government imposed restrictions on freedom of assembly. Under pressure from major opposition rallies in the spring of 2011 as well as criticism from the Council of Europe, the authorities ended the practice of forbidding demonstrations in the capital's Freedom Square, the traditional venue for political gatherings since the late 1980s. However, they continued to create artificial obstacles for people attempting to travel from the provinces to participate in such rallies.

Registration requirements for nongovernmental organizations (NGOs) are cumbersome and time consuming. Some 3,000 NGOs are registered with the Ministry of Justice, though many are not active in a meaningful way. While the constitution provides for the right to form and join trade unions, labor organizations are weak and relatively inactive in practice.

The judiciary is subject to political pressure from the executive branch and suffers from considerable corruption. Police make arbitrary arrests without warrants, beat detainees during arrest and interrogation, and use torture to extract confessions. Prison conditions in Armenia are poor, and threats to prisoner health are significant.

Although members of the country's tiny ethnic minority population rarely report cases of

overt discrimination, they have complained about difficulties in receiving education in their native languages. Members of the Yezidi community have sometimes reported discrimination by police and local authorities.

Citizens have the right to own private property and establish businesses, but an inefficient and often corrupt court system and unfair business competition hinder such activities. Key industries remain in the hands of so-called oligarchs and influential cliques who received preferential treatment in the early stages of privatization.

According to the new election code, women must occupy every 6th position on a party's candidate list for the parliament's proportional-representation seats. Women took 12 of 131 seats in the National Assembly elected in 2007. Domestic violence and trafficking in women and girls for the purpose of prostitution are believed to be serious problems. Though homosexuality was decriminalized in 2003, homosexual individuals still face violence and persecution.

Explanatory Note:

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

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