

Flygtningenævnets baggrundsmateriale

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Freedom in the World - Armenia (2007)

Population:
3,000,000

Capital:
Yerevan

Political Rights Score: 5
Civil Liberties Score: 4
Status: Partly Free

Overview

Over the course of 2006, the political landscape saw the dissolution of the governing three-party coalition after the resignation of then Speaker of the National Assembly, Artur Baghdasarian. His party, Orinats Yerkir (Rule of Law), then went into opposition. Several leading members of his party subsequently joined other parties and formed a new "Entrepreneur" deputy group in the National Assembly. The poor administration of the 2005 national referendum, coupled with previously poorly administered ballots, raised questions about the authorities' ability to conduct sound parliamentary elections, which are due to be held in May 2007.

After a brief period of independence from 1918 to 1920, a part of the predominantly Christian Transcaucasus republic of Armenia became a Soviet republic in 1922, while the western portion was ceded to Turkey. Armenia declared its independence from the Soviet Union in September 1991 following a nationalist movement for autonomy that had gained in strength when Mikhail Gorbachev was the Soviet president (1985–1991) and became stronger once it became apparent that the USSR would likely disintegrate.

The banning of nine political parties prior to the 1995 parliamentary elections ensured the dominance of President Levon Ter Petrosian's ruling Armenian National Movement (ANM) coalition. In February 1998, Petrosian stepped down following the resignation of key officials in protest of his gradualist approach to solving the conflict over Nagorno-Karabakh, the disputed enclave in Azerbaijan. Prime Minister Robert Kocharian, the former president of Nagorno-Karabakh, was elected president in March of that year with the support of the previously banned Armenian Revolutionary Federation–Dashnaktsutiun.

Parliamentary elections in May 1999 resulted in an overwhelming victory for the Unity bloc, a new alliance of Defense Minister Vazgen Sarkisian's Republican Party and former Soviet Armenian leader Karen Demirchian's People's Party, which campaigned on a political platform of greater state involvement in the economy and increased social spending. In June, Sarkisian was named prime minister and Demirchian became Speaker of the National Assembly.

The country was plunged into a political crisis on October 27, 1999, when five gunmen stormed the National Assembly and assassinated Sarkisian, Demirchian, and several other senior government officials. The leader of the gunmen, Nairi Hunanian, maintained that he and the other assailants had acted alone in an attempt to incite a popular revolt against the government. Meanwhile, allegations that Kocharian or members of his inner circle had orchestrated the shootings

prompted opposition calls for the president to resign. However, because of an apparent lack of evidence, prosecutors did not press charges against Kocharian, who gradually consolidated his power during the following year. In May 2000, Kocharian named Republican Party leader Andranik Markarian as prime minister, replacing Vazgen Sarkisian's younger brother, Aram, who had served in the position for only five months following the parliament shootings.

In 2003, Kocharian was reelected in a presidential vote that was widely regarded as flawed. He defeated Stepan Demirchian, son of the late Karen Demirchian, in a second round runoff with 67 percent of the vote. The Organization for Security and Cooperation in Europe (OSCE) described the elections as falling "short of international standards for democratic elections" and asserted that "voting, counting, and tabulation showed serious irregularities, including widespread ballot-box stuffing." During the runoff, which was held on March 5 of that year, authorities placed more than 200 opposition supporters under administrative detention for over 15 days; the detainees were sentenced on charges of hooliganism and participation in unsanctioned demonstrations. The Constitutional Court rejected appeals by opposition leaders to invalidate the election results, although it did propose holding a "referendum of confidence" on Kocharian within the next year to allay widespread doubts about the validity of the election returns; Kocharian indicated that he would not comply with the proposal. In response to the problems associated with the election, a standoff emerged between Kocharian and the political opposition, formed by two major groups—the Artarutiun (Justice bloc) and the National Unity Party—with opposition parties choosing not to attend sessions of the National Assembly.

Protest rallies were organized in Yerevan from April to June 2004 over the failure of the government to redress the 2003 presidential vote. The authorities responded with violence, using police to disperse demonstrators in Yerevan with water cannons, batons, and stun grenades. After the crackdown by the authorities in April, these demonstrations grew ever smaller. In October, the Parliamentary Assembly of the Council of Europe (PACE) adopted a resolution expressing concern about the lack of investigation into the flawed 2003 elections and calling for steps to end pretrial administrative detention, physical ill-treatment, and other abuses.

A national referendum held on November 27, 2005, was designed to bring about a clearer separation of powers among the judicial, executive, and legislative branches of government and to create a more even distribution of power between the executive and legislative branches by scaling back presidential powers. In spite of widespread apathy and a sense of disconnection from public affairs among average Armenians, the official results of the referendum showed 94 percent in favor of the referendum; turnout was reported to be 64 percent. The opposition, which believed that the proposed reforms did not go far enough, took issue with these figures, asserting that the authorities had inflated turnout figures.

There were few international observers for the referendum, although PACE sent 14 monitors, who voiced serious criticisms of the way the voting was conducted and suggested that the high turnout figure was questionable. While the monitors concluded that "the referendum generally reflected the free will of those who voted," they reported "serious abuse in several polling stations which cast a shadow over the credibility of the officially announced turnout." The monitors went on to say that "in a significant number of polling stations in Yerevan and other regions ... the extremely low voting activity did not correspond to the high figures

provided by the electoral commissions. There were also clear instances of forged additional signatures on the voters register and of ballot stuffing. The electoral regulations, requiring the stamping of the ballot after completion, created numerous situations where the secrecy of the vote was not respected." Questions about the administration of the referendum, as well as the poor experience in other recent elections, have placed a spotlight on the May 2007 parliamentary elections. Meanwhile, implementation of the provisions of the referendum in 2006 was slow, raising further questions about the government's capacity to implement key institutional reforms.

The year 2006 saw particularly active political jockeying in advance of the 2007 parliamentary elections. Artur Baghdasarian, Speaker of the National Assembly, was pressured to step down from the government in May 2006 following a row over his comments about Armenia's foreign policy orientation. Baghdasarian suggested that Armenia move toward the West and its key institutions, including NATO, a suggestion that touched a sensitive nerve within the country's leadership, which seeks to maintain a strong relationship with Moscow. Tigran Torosian, a member of the Republican Party of Armenia, was elected Speaker following Baghdasarian's resignation.

Efforts to address the conflict over the disputed territory of Nagorno-Karabakh did not move forward in 2006, although several high-level meetings were held. President Kocharian met with Azerbaijan's President Ilham Aliyev in February and June of 2006, and mediators acting under the aegis of the OSCE's Minsk Group undertook renewed efforts to advance a solution to the longstanding dispute but had not made meaningful progress by year's end. The region, which is formally part of Azerbaijan, is now predominantly ethnically Armenian and effectively under Armenian control.

Political Rights and Civil Liberties

Armenia is not an electoral democracy. The 1995 and 1999 parliamentary and 1996 presidential elections were marred by serious irregularities. The most recent presidential and parliamentary polls, in February-March and May 2003, respectively, were strongly criticized by international election monitors, who cited widespread fraud, particularly in the presidential vote. The 1995 constitution provides for a weak legislature (the National Assembly) and a strong executive, who appoints the prime minister. Electoral reforms enacted in 2005 increased the number of parliamentary seats allocated by proportional representation from 56 to 90 and reduced the number of single-mandate seats from 75 to 41. Ninety-six of the 131 seats in Parliament are occupied by progovernment parties or deputies that constitute the governing coalition. Armenia is scheduled to hold an election for the National Assembly in May 2007. The main contending parties in the parliamentary election are likely to be between the Republican Party of Armenia (RPA), the dominant party in the three-party coalition government, and Prosperous Armenia, which was established in early 2006 by Gagik Tsarukian, a parliamentary deputy, who is among Armenia's wealthiest businesspeople.

The president is elected by popular vote for a five-year term. The next presidential elections are scheduled for 2008.

At the exhortation of the Council of Europe, the Armenian government adopted modifications to the election code in 2005 and 2006. The amended code provides for a more balanced composition of election commissions, yet concerns remain

about the potential for fair administration of the election process. For example, the OSCE cited the abolition of the quorum for election commissions to make decisions as a potential concern. Another measure viewed as a step in the right direction is a new vote-tabulation process, involving direct online summarization of preliminary Precinct Election Commission results at the Territorial Election Commission level through a computer network connected to the Central Election Commission.

Opposition parties have pursued a policy of disengagement, including with respect to the 2005 constitutional referendum and the 2003 election, which the opposition has characterized as illegitimate. President Robert Kocharian, whose term expires in 2008, does not belong to any political party and relies on a three-party coalition to rule the country.

Bribery and nepotism are reported to be common among government bureaucrats, and government officials are rarely prosecuted or otherwise removed for abuse of office. Corruption is also believed to be a serious problem in law enforcement. Armenia was ranked 93 out of 163 countries surveyed in Transparency International's 2006 Corruption Perceptions Index.

There are considerable limits on press freedom in Armenia. The authorities maintain extensive control over broadcast media—which is the chief source of news for most Armenians—including state-run Armenian Public Television (H1) and most private channels, whose owners are loyal to the president and therefore not apt to offer critical comment. A report issued in July 2006 by the OSCE's Representative on Freedom of the Media, Miklos Haraszti, observed that Armenian "broadcast media can be described as predominantly pro-government, despite the transformation of state TV into a public broadcaster, and the existence of a number of private channels." In this same report, Haraszti noted that "Armenia has made significant progress in improving media legislation, but media pluralism remains limited to the independent, but financially weak and less influential, print media." The criminal code still includes libel as a criminal offense.

In 2002, the independent television station A1+ lost its license after the national television and radio broadcasting commission granted a tender for its broadcasting frequency to another channel. Journalists and opposition politicians criticized the closure of A1+, which had a reputation for balanced reporting, as a politically motivated decision to control media coverage in the run-up to the 2003 presidential and parliamentary elections. Following the decision, thousands of people demonstrated in a series of weekly protests over the station's closure and to demand Kocharian's resignation. Since losing its license in 2002, A1+ has brought numerous cases before the courts and filed multiple applications to obtain TV frequencies. All applications have been denied. As a last resort, A1+ has lodged two applications with the European Court of Human Rights. The first, which challenged results of an April 2002 tender on licensing, was submitted to the Court in January 2003. The second, challenging the seven subsequent tenders, was filed in September 2004. Both are under consideration by the Court.

Freedom of religion is generally respected, and most registered religious groups reported no serious legal impediments to their activities. The Armenian Apostolic Church, to which 90 percent of Armenians formally belong, enjoys some privileges not afforded to other faiths. While 50 religious groups are officially registered, the Jehovah's Witnesses have been denied registration repeatedly because of the group's strong opposition to compulsory military service. As of the end of 2006, 43

Jehovah's Witnesses were serving prison terms for evading military service.

The government generally does not restrict academic freedom. In September 2002, the Ministry of Education ordered the compulsory display of the portraits of Kocharian and the head of the Armenian Apostolic Church in secondary schools. The history of the Apostolic Church is a required school subject.

The authorities' violent response to spring 2004 protests represented a low point for freedom of assembly in Armenia. Authorities also brutally suppressed peaceful demonstrators and political activists following the 2003 presidential election. The PACE in 2005 condemned the use of violence by the Armenian authorities, criticizing them for the continued use of the administrative code to arrest protesters. In response to international criticism, the government in October 2005 adopted amendments to the law on organizing meetings, assemblies, rallies, and demonstrations. These measures took into account most of the recommendations put forward by the OSCE Venice Commission. In 2006, no such abusive behavior was in evidence. Whether this absence of abuse represents a permanent decision by the authorities or more temporary restraint will be put to the test in the run-up to the May 2007 parliamentary elections.

Registration requirements for nongovernmental associations are cumbersome and time-consuming. Some 3,000 nongovernmental organizations are registered with the Ministry of Justice, although many of them 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 judicial branch is subject to political pressure from the executive branch and suffers from considerable corruption. In 2006, Justice Minister David Harutiunian outlined an ambitious proposal to enhance the independence of the judiciary and the country's law enforcement sector, although these reforms had not been advanced by the end of 2006. Police make arbitrary arrests without warrants, beat detainees during arrest and interrogation, and use torture to extract confessions. Cases of abuse go unreported out of fear of retribution. Prison conditions in Armenia are poor, and threats to prisoner health are frequent.

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. The Yezidi community has claimed that police and local authorities sometimes subject them to discrimination.

Freedom of travel and residence is largely respected. However, registering changes in residency is sometimes complicated by the need to negotiate with an inefficient or corrupt government bureaucracy.

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 oligarchs and influential clans who received preferential treatment in the early stages of privatization.

Domestic violence and trafficking in women and girls for the purpose of prostitution are believed to be serious problems. Representation of women in the current Parliament is low: at year's end, only 7 out of 131 seats in the National Assembly were held by women. According to the election code, women shall now comprise 15 percent of a party's list for the proportional election and hold every tenth

position on party lists, marking an improvement from the 2003 parliamentary elections.