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FREEDOM IN THE WORLD

Armenia

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OVERVIEW:

A new electoral code adopted in 2011 provided a basic democratic framework for the May 2012 parliamentary elections, which were praised for their competitive and peaceful character despite the reporting of certain electoral irregularities. While the ruling Republican Party retained power, the opposition Armenian National Congress captured seats for the first time. Meanwhile, border clashes and the controversial extradition of convicted murderer Ramil Safarov threatened to halt peace talks with Azerbaijan over Nagorno-Karabakh, though Armenia pledged not to withdraw from the negotiations.

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.

Kocharian was reelected in a 2003 presidential election that was marred by fraud. During the runoff vote, authorities detained more than 200 opposition supporters for over 15 days. 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 a dominant majority of seats along with two other major pro-presidential parties in the 2007 legislative elections. Opposition parties suffered from disadvantages regarding media coverage and the abuse of state resources ahead of the vote.

In the 2008 presidential election, Sarkisian defeated the main opposition candidate, former president Levon Ter-Petrosian. The opposition, which alleged that the vote had been falsified, led peaceful demonstrations on

2013 SCORES

STATUS

Partly Free

FREEDOM RATING

4.5

CIVIL LIBERTIES

4

POLITICAL RIGHTS

5

February 21 that turned violent a week later; 10 people were killed and more than 200 were injured during clashes with police, and more than 100 people were arrested.

Inspired by ongoing uprisings in Arab countries, tens of thousands of opposition protesters took to the streets in spring 2011. Combined with increased international pressure, the demonstrations convinced the Armenian authorities to release all political prisoners still held 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 no substantial progress had been made on the investigation into the 2008 deaths by the end of 2012.

As a result of the negative assessments by international observers of the 2008 election, as well as of the 2009 municipal elections won by the HHK, the government adopted a new electoral code in 2011. While the Council of Europe regarded it as an improvement over the previous code, it did not incorporate any of the suggestions made by opposition parties.

The integrity of the new code was put to the test during the May 6, 2012, parliamentary vote. Many observers praised the elections as being noticeably more competitive and peaceful than in previous years, with a marked improvement in free expression and assembly during the campaign period, as well as an absence of post-election violence. International observers found that the new electoral code provided a solid framework for free and fair elections, though a number of issues were raised regarding its content and implementation, including recommendations for measures to ensure greater voter secrecy and eliminate vote buying and selling. Other criticisms included the misuse of administrative resources and irregularities in the tabulation process.

The outgoing ruling coalition captured a total of 118 seats in the elections: the HHK won 69, Prosperous Armenia secured 37 seats, and the Armenian Revolutionary Federation and Rule of Law each took 6 seats. The Armenian National Congress, the formerly anti-institution opposition coalition led by Ter-Petrosian, made a historic entry into the parliament with 7 seats. After the elections, HHK was unable to reestablish its coalition with any of its former partners except Rule of Law. Many ministers retained their posts following the elections, including Prime Minister Tigran Sarkisyan, though members of Prosperous Armenia in the outgoing cabinet were replaced by appointees from HHK.

Stagnating peace negotiations with Azerbaijan over the contested Nagorno-Karabakh territory faced new challenges in June 2012 as an outbreak of border clashes led to casualties on both sides. Tensions further intensified in August when the Hungarian government extradited Ramil Safarov, an Azerbaijani soldier convicted of killing an Armenian soldier with an axe in 2004, to a hero's welcome in the Azerbaijani capital, Baku. Despite its outrage, the Armenian government pledged not to withdraw from peace talks over Nagorno-Karabakh, though no progress was made in the talks by year's end.

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. In addition to parliamentary elections, local

polls in larger cities (excluding Yerevan) and several regions were also monitored by international observers without incident in September 2012.

Corruption is pervasive, and 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 related to a switch to digital broadcasting that reduced the maximum number of television stations to 18 in the capital—down from at least 22 operating at the time—and 9 in other regions. The new law also obliged a number of the new total to focus on content other than domestic news and political affairs. In 2011, the legislation contributed to the denial of a digital license to GALA TV, the sole remaining station that regularly criticized the government. The station is almost certain to leave the airwaves when the country completes the switchover to digital broadcasting in 2015. The government also continued to deny a license to the independent television station A1+ despite a 2008 ruling in the network's favor by the European Court of Human Rights. The station's battle for licensing remained unresolved in 2012, though it returned to the airwaves as of September, via ArmNews TV, which has granted A1+ a one-year renewable contract to broadcast a news bulletin over its frequency. Although libel was decriminalized in May 2010, journalists face high fines under the civil code for defamation and insult, though there were fewer cases in the first half of 2012 than during the same period in 2011. Violence against journalists remains a problem, particularly during election periods. The authorities do not interfere with internet access.

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, authorities have been known 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. Illegal expropriation of private property by the state is a problem; in 2012, the European Convention on Human Rights found the government guilty of violating property rights in two separate cases, each with multiple plaintiffs; the state was fined a total of €131,000 (\$170,000) in damages for both cases.

According to the new electoral code, women must occupy every 6th position—20 percent—on a party's candidate list for the parliament's proportional-representation seats. Although this quota was met in the registrations for the May 2012 elections, women make up only 11 percent of the new parliament, since many female candidates were withdrawn after the lists were registered. 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, gay men and lesbians still face violence and persecution. In May 2012, a gay-friendly bar in Yerevan was fire-bombed in what is believed to be a hate crime. Two parliamentarians from the nationalist Armenian Revolutionary Federation posted bail for the assailants and publicly defended their actions.

RATINGS CHANGE:

Armenia's political rights rating improved from 6 to 5 due to the absence of postelection violence following parliamentary balloting in May and the entry of an authentic opposition party into the legislature.

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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