

## Armenia

Although the international community continued in 2005 to look favorably on Armenia for its economic performance, the government has failed to improve its human rights record. The crackdown on opposition parties and supporters in 2004 led to fewer public demonstrations in 2005, and, consequently, less overt government pressure on the opposition. However, the authorities continued to use their powers to limit political activity.

In July 2005, after years of failing to meet Council of Europe obligations to amend the constitution to introduce a system of stronger checks and balances among the different branches of government, Armenian authorities secured the approval of Council of Europe legal experts on a raft of constitutional amendments. The opposition (and media freedom activists) were critical, saying that too much power would remain with the executive, and some opposition parties decided to campaign against the amendments, which were to go to a referendum in November. The government made little progress on measures against corruption, a widespread problem in the country, and forced land acquisition by government-backed urban developers resulted in allegations of abuses against homeowners.

Law enforcement authorities restrict freedom of assembly and use torture and other violent and intimidating practices when carrying out their work. The authorities have a history of putting pressure on human rights defenders who are critical of the government. In 2005, such pressure extended to the ombudsperson's office.

### ***Freedom of Assembly***

The authorities restrict the right to freedom of assembly, particularly in the case of opposition rallies and demonstrations. May 2005 amendments to the 2004 law on public gatherings resulted in few improvements. On repeated occasions in 2005, nongovernmental organizations and political parties attempted to hold public gatherings at which police or unidentified people interfered, grabbing banners and placards, or triggering disturbances. One such incident occurred on April 20, when the head of the New Times political party, Aram Karapetian, held a public meeting with residents in the town of Sevan. Unidentified people began fighting with rally participants, and one shot and injured in the leg a university student who was participating in the rally. A police investigation concluded that the rally participants had themselves incited the disturbances, and no one was charged in relation to the shooting. In another incident in May, police reportedly threatened to detain people who wanted to attend a rally of the opposition People's Party of Armenia in a village near Yerevan.

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## ***State Violence and Intimidation***

Torture and ill-treatment in police custody remain widespread in Armenia. Torture usually occurs in pre-trial detention with the aim of coercing a confession or evidence against third parties. Abuse and mistreatment within the army is also widespread, with dozens of suspicious deaths occurring every year.

In May 2005, police allegedly beat supporters of an independent candidate, Artur Shaboyan, in local elections in the town of Hrazdan. According to media reports, police used batons and electric-shock equipment to attack Shaboyan supporters outside several polling stations.

In June, law enforcement authorities arrested Yektan Turkyilmaz, a Turkish scholar who had been carrying out historical research using Armenian archives, for failing to obtain official permission to take old books out of the country. After his arrest, security officers questioned him and his associates about his research and political views. They denied him access to a lawyer for two days and then provided him with a state-appointed lawyer, not of his choice. In August, after significant international pressure, he was released on a two-year suspended prison sentence.

## ***Media***

Although Armenia has significant independent and opposition print media, the government continued to restrict full media freedom in the country. Television channels A1+, Noyan Tapan, and Russian NTV, which had aired independent news coverage about Armenia, remained unable to broadcast because the government had taken away their broadcasting frequencies. The proposed constitutional amendments would increase the independence of the National Commission on Television and Radio, the body that issues and revokes broadcasting licenses, by giving parliament the power to appoint half of the members and the president the power to appoint the other half (currently, the president appoints all the members of the commission). Nevertheless, media associations, nongovernmental organizations, and the ombudsperson have criticized the Council of Europe for endorsing the proposed constitutional amendments, which they argue fails to guarantee the independence of the electronic media. They further criticize the authorities' failure to institute changes to increase the independence of the commission overseeing state-run Armenian Public Television and Radio, set up in 2005 to provide independent public television, one of Armenia's obligations to the Council of Europe.

## ***Freedom of Religion***

Despite amendments to the law on alternative service introduced in November 2004, Jehovah's Witnesses continue to be persecuted for their refusal to perform military service. According to the Armenian Helsinki Association, in September 2005 sixteen Jehovah's Witnesses were serving prison terms, and nineteen were awaiting trial, for refusing to perform military service.

On June 9, 2005, according to Forum 18 News Service, a court in Stepanakert, in the unrecognized republic of Nagorno-Karabakh, sentenced Armen Grigorian, an Armenian conscientious objector, to two years in prison for refusing to perform military service. A year earlier, the Armenian military had

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forcibly taken Grigorian, an eighteen-year-old from a Jehovah's Witness family, from Yerevan to a military unit in Nagorno-Karabakh. His request for alternative civilian service was rejected. When he refused to sing the national anthem and swear the military oath, army officials beat him and later forced him to stand in his underwear in front of about 1,800 soldiers and explain why he refused to perform military service.

### ***Human Rights Defenders***

In May 2005, the government successfully applied to the Constitutional Court to curtail the powers of the ombudsperson to access court documents, arguing that the powers breached the principle of the independence of the courts. The decision came after the ombudsperson released her first annual report, which criticized the government for its human rights record. Later in May, security services reportedly confiscated a computer from the office of the ombudsperson that had confidential information about people who had made complaints to the office; ostensibly the computer was seized as evidence against an employee of the office previously arrested and accused of taking a bribe. Larisa Alaverdian, the ombudsperson, claimed that the security services did not have a warrant to take the computer, and that they used information it contained to harass a law firm that had helped two individuals to file complaints to her office.

### ***Key International Actors***

Although the Council of Europe continued to engage Armenia to make progress in complying with its membership obligations, local groups criticized the organization for weak monitoring of those obligations and for approving the government-proposed amendments to the constitution. Many of Armenia's obligations to the Council of Europe remain unfulfilled, including resolving the problem of the use of administrative arrests for political purposes, providing plurality in the electronic media, and resolving the issue of alternative service.

In April 2005, the European Union decided to proceed with the European Neighbourhood Policy joint preparations for action plans with the countries of the South Caucasus, including Armenia. This is the first time that the E.U. has offered closer economic, political, and cultural relations in exchange for progress on concrete human rights benchmarks, and therefore marks a significant opportunity for the E.U. to encourage human rights improvements in Armenia. The potential of this opportunity to trigger meaningful reforms will depend, however, on how specific the human rights benchmarks are in the final action plan document, which was being negotiated between the Armenian government and the E.U. throughout the latter half of 2005.

The United States and Russia continued to compete for influence in Armenia. The United States protested over the lack of transparency in the sale of Armenia's electricity grid to a Russian company, which increased Russia's hold over Armenia's energy sector. Russia's withdrawal from its bases in Georgia resulted in Russia relocating part of its military hardware to Armenia. Increasing ties with the United States led to Armenia sending forty-six troops to join coalition forces in Iraq in January 2005. In

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March, Armenia and the United States signed an action plan regarding Armenia's participation in the Millennium Challenge Account, a multi-million-dollar U.S. aid program. The action plan focuses on development of fiscal policy, banking, corruption, and agriculture.