



JANUARY 2007

COUNTRY SUMMARY

Armenia

The Armenian government has done little to address serious human rights violations. Threats to media freedom in Armenia continued in 2006, as more journalists faced harassment and attacks, and broadcast media lack pluralism and remain largely pro-government. Torture and ill-treatment remain serious problems in places of detention and the military. Human rights defenders did not report harassment in 2006, but the ombudsperson was dismissed in January apparently for criticizing the government, a move that raises questions about the government's commitment to the independence of that institution.

In November 2005 a national referendum vote approved constitutional amendments that aimed to introduce stronger checks and balances among government branches. Council of Europe legal experts approved the draft amendments, but Armenia's political opposition contested the legitimacy of the Armenian authorities and called for boycotting the referendum. Council of Europe observers expressed concern about the integrity of the vote.

Media Freedom

The president appoints all members of bodies that regulate and manage broadcast media, including the Public Television and Radio Company (PTRC). The PTRC is responsible for policies and programming on the public service television station H1. Media experts state that because of government control H1 does not have sufficient independence to provide objective and diverse news coverage.

The independent television station A1+, which lost its broadcasting license in 2002, has since lost 12 tenders for television and radio frequencies, including a March 2006 bid for an FM radio frequency. On June 19, 2006, A1+, which produced a weekly newspaper *Ayb-Feh* and maintains a website, had to vacate the premises it had leased from the National Academy of Sciences for more than 10 years, after losing a court

case in 2005 against notice of eviction. The government provided an alternative location that at the time of the move lacked electricity and telephone connections, forcing A1+ to suspend all work for several weeks.

Among incidents of harassment against journalists, on February 23 in the town of Vanadzor, a local minibus company owner threatened Narine Avetisian, executive director of the Lori television station, over her reports criticizing increases in minibus tariffs; he later apologized for the incident. On May 16 unknown people broke the windows of Avetisian's parked car following a program about violations during the eviction of residents from a Vanadzor neighborhood; a criminal investigation on the case was closed when the authorities determined they could not identify the perpetrators. On July 12 freelance journalist Gagik Shamshian reported being harassed by relatives and associates of Mher Hovhannisian, head of Yerevan's Nubarashen district administration, because of an article he published in the July 11 edition of the newspaper *Chorrord Ishkhanutiun* about a bank robbery for which two of Hovhannisian's relatives face charges. The attackers threatened and beat the journalist and took his tape recorder, mobile telephone, and wallet. The next day the electricity and telephone at Shamshian's apartment were cut off. Shamshian pressed criminal charges against his attackers. On August 3, in response to several appeals from local residents, the police instituted criminal proceedings against Shamshian allegedly for insult, cheating, and extortion. On September 6 unknown assailants attacked Hovhannes Galajian, editor-in-chief of the *Iravunk* newspaper, which has ties to a small opposition party. Galajian believes that the attack was in retaliation for his articles criticizing the government.

On September 8 a court sentenced Arman Babajanian, editor of the opposition newspaper *Zhamanak Yerevan*, to four years in prison for failing to serve the compulsory two years of military service. Although Babajanian admitted to forging documents in 2002 in order to evade military service, the harsh sentence is suspected to be retribution for the journalist's persistent criticism of government policies (draft evaders are usually sentenced to between two and three years in prison).

Torture and Ill-Treatment

On May 31, 2006, Armenia ratified the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT). In April the government established a group to monitor certain detention facilities (temporary holding cells and pre-trial detention cells), although its independence is questionable as the majority of members are police appointees. NGOs report that torture and ill-treatment in police custody, prisons, psychiatric institutions, and the military remain widespread.

On May 30 the Court of Appeal sentenced three army soldiers to life imprisonment on charges that they killed two fellow conscripts in December 2003. One of those charged, Razmik Sargsian, testified that military investigators beat him and threatened him with rape, thereby coercing him into signing a confession in which he named Musa Serobian and Arayik Zalian as accomplices. Serobian and Zalian also claim to have been abused by investigators, but neither confessed to the murders. In September the men appealed to the Court of Cassation.

In February 2006 a young army conscript reported that he had been repeatedly raped and beaten by superiors and other conscripts for nine months at a Yerevan military post. After making these accusations public, the victim stated that he was again beaten by his superiors in retaliation.

Four inmates of Nubarashen prison went on hunger strike to protest alleged assault by prison guards and their detention in inhuman conditions following an escape attempt. Human rights groups state that most prisons are overcrowded and prisoners are often denied basic rights.

Freedom of Religion

Despite military service reforms adopted in 2004 mandating that conscientious objectors be provided with alternative service opportunities, the civilian service is run by the army and imposes military regulations on participants. According to the Helsinki Citizens' Assembly Vanadzor office, many conscientious objectors prefer to go straight to jail rather than perform alternative service. As of November 2006, 43 Jehovah's Witnesses are serving prison terms for evading service, and five are awaiting trial.

Property Rights

Over the past two years, the government forced hundreds of central Yerevan residents to vacate their homes to allow for construction of a business district. Many felt that government compensation was well below the market value of their properties. In April the Constitutional Court ruled that the government's assertion of eminent domain was unconstitutional. On August 11, 2006, President Robert Kocharian announced that the government will refund the income tax deducted from the compensation paid to those evicted, but also suggested that no additional compensation would be paid, despite the Constitutional Court decision.

On February 15 authorities released Vahe Grigorian, a lawyer for many of the evictees, who had been held in pre-trial detention for over four months on charges of fraud and forgery. Grigorian denies the accusations and believes the charges were in retaliation for his advocacy in the eviction case. The charges against him have not been dropped.

Human Rights Defenders

Armenia's first ombudsperson, Larisa Alaverdian, was relieved of her duties by President Kocharian in January 2006. Alaverdian's relationship with Kocharian became strained after her office published reports critical of the government's human rights record. The government refused to allow Alaverdian to present her 2005 report to parliament, although the law requires that the ombudsperson do so. The new ombudsperson, Armen Harutiunian, previously a legal adviser to Kocharian, read Alaverdian's report in parliament on April 13.

Key International Actors

In a December 2005 report, an ad hoc committee formed by the Monitoring Committee of the Parliamentary Assembly of the Council of Europe to observe Armenia's November 27, 2005 referendum on constitutional reforms found that the authorities had engaged in fraud during the referendum and called into question Armenia's commitment to Council of Europe principles. In January 2006 the Monitoring Committee issued a declaration reiterating the ad hoc committee's

findings and noting that implementation of the new provisions would indicate the government's commitment to respecting European standards.

On July 26, 2006, the Organization for Security and Co-operation in Europe (OSCE) representative on freedom of the media released a report on Armenia noting the limited pluralism in broadcasting and recommending amendment of the Law on Television and Radio to clarify licensing competition procedures. The report also recommended that defamation be decriminalized completely, that the criminal offense of "insulting a representative of the authorities" be repealed, and that guidelines be introduced to limit the amount of damages in civil defamation cases. On September 12 the OSCE's Yerevan office expressed concern over recent incidents of violence and intimidation against local journalists.

In August the European Union and Armenia successfully completed negotiations on the European Neighborhood Policy Action Plan, which will serve as the main instrument for bilateral relations for the next five years. The plan sets out clear steps that the Armenian government should achieve in numerous fields including rule of law, democracy, economic and business development, trade, energy, and resolution of internal conflicts.

The United States is the largest bilateral donor to Armenia. In March the US awarded Armenia US\$235 million under the Millennium Challenge Account. The funds will finance the development of rural infrastructure and irrigation projects and will be disbursed in several installments, with each tranche conditional on the government's performance in key areas of economic reform and democratization. In September a US delegation visited Armenia to discuss increased military cooperation.

In its country strategy for Armenia approved in February 2006, the European Bank for Reconstruction and Development maintained its engagement with Armenia, but noted that the political will to implement commitments to democracy, pluralism, and market economics remains uncertain.