

Human Rights Watch

Torture, Former Combatants, Political Prisoners, Terror Suspects, & Terrorists

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Events of 2004

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Although the international community has looked favorably upon Armenia for its economic reforms in 2004, the government has failed to improve its human rights record. The legacy of the 2003 presidential elections, which were marred by widespread fraud, dominates political life. An opposition boycott of Parliament, in response to the ruling coalition's refusal to debate a referendum of confidence in President Robert Kocharian, exemplified an increased polarization between the government and opposition.

The opposition led a broader campaign calling on President Kocharian to step down, triggering a countrywide government crackdown. The campaign peaked in a massive, peaceful protest on April 12, 2004, which the authorities dispersed using excessive force. Repeating a cycle of repressive tactics from the 2003 election, the authorities arrested opposition leaders and supporters, violently dispersed demonstrators, raided political party headquarters, attacked journalists, and restricted travel to prevent people from participating in demonstrations.

In response to international pressure, the government has released some opposition leaders detained during the crackdown, and has participated in discussions about cooperation with the opposition. The government has made limited attempts at reforms in other areas. It set up a council to fight corruption, a widespread, endemic problem in Armenia. Critics, including Transparency International, dismissed the measure as ineffectual, citing the council's lack of independence from the executive. The judiciary remains under the influence of the executive and torture and ill-treatment continue in places of detention.

Freedom of Assembly

The authorities restrict the right to freedom of assembly, effectively banning most opposition rallies. In May 2004, President Kocharian signed a new law on public gatherings that Parliament had adopted despite criticism from the Council of Europe and the Organization for Security and Cooperation in Europe (OSCE) that the law did not comply with European human rights standards. Among other things, the law prohibits public gatherings in numerous specific locations and bans mass public events for the purposes of election or referendum campaigning if they interfere with traffic regulations. After the law came into force, the authorities denied the opposition permission to hold a rally in at least one case, and permanently banned public gatherings outside the presidential residence, the site of the April 12 protest.

Repeating a pattern established during the 2003 presidential election, the authorities restricted travel on major roads to Yerevan when opposition rallies were held in the capital from March to May 2004. Police set up roadblocks, stopped cars, questioned passengers, and denied permission to travel further to those they believed were opposition supporters.

State Violence

Torture and ill-treatment in police custody remain widespread in Armenia. In 2004, Human Rights Watch documented cases of torture of opposition supporters in police custody. Police beat and threatened to rape the detainees, later releasing them either without charge, or with petty charges punishable with fines or short periods of imprisonment under the Administrative Code. No officials were held to account for these incidents.

A dramatic low point in 2004 was the authorities use of excessive force to break up the April 12 demonstration. Police and security forces violently dispersed a peaceful crowd of about three thousand protesters who were calling for President Kocharyan's resignation. Security forces sprayed the crowd with water cannons and then beat protesters with batons, shocked them with electric prods, and threw stun grenades into their midst. High-level government officials later claimed the violence was not excessive, though no investigation was carried out.

Security forces and unknown assailants have carried out a series of brutal attacks on journalists who were reporting on opposition rallies. Attackers confiscated and smashed journalists' equipment, significantly preventing television coverage of these events and their violent dispersal. Although there was evidence of the identity of attackers, the authorities charged only two men, who received a fine of less than U.S. \$200, in stark contrast to the custodial penalties imposed on opposition activists for lesser offences.

An environment of impunity for attacks against government critics continues. The authorities failed to bring to justice the perpetrators of at least four attacks on opposition leaders and a human rights activist in March and April 2004. On March 30, four unknown men assaulted Mikael Danielian, a human rights defender, punching and kicking him. Danielian spent four days in a hospital after the attack, which he believed was aimed at stopping him from monitoring the growing street protests by the political opposition. The General Prosecutors' investigation produced no results and was closed on June 1.

Arrests and Raids

As the opposition began a series of protests in late March 2004, the government resorted to its long-established tactic of detaining potential protesters under the Administrative Code for short periods of time for what is termed administrative detention. From March to June, police detained several hundred people, for such offences as petty hooliganism and failing to carry out a police directive. The trials breached basic standards, including the defendants' right to a lawyer and to present evidence in his or her defense. Judges imposed penalties ranging from a fine to fifteen days in prison.

On March 30, the authorities stepped up the pressure on the political opposition, opening a criminal case against a coalition of opposition parties and its supporters. Prosecutors charged a handful of opposition party leaders with publicly calling for the seizure of power and publicly insulting representatives of government, keeping them in custody for up to several months. By September, the prosecutor general had dropped the charges and released all the accused men. In another example of political intimidation, on the night of April 12-13 security forces stormed the Yerevan opposition headquarters of the Republic Party, the National Unity Party, and the Peoples Party, arrested those present, and closed two of the headquarters for several days.

Media

Although Armenia has a significant independent and opposition print media, the government continued to restrict full media freedom in the country. On April 5, 2004, the Russian television channel NTV had its broadcasting suspended throughout the country, after broadcasting footage of opposition protests. The official reason given for the suspension was technical problems. By the end of September, NTV had not resumed broadcasting and the government had given its broadcasting frequency to another Russian channel that does not do news programming. In October, Kentron, a private Armenian television station, cancelled a Radio Free Europe and Radio Liberty (RFE/RL) news and analysis program three days after it began broadcasts. RFE/RL believed that a high-level government official had forced the cancellation. Local NGOs continue a campaign for broadcasting rights for A1+ television, which had been a highly popular and independent channel. The national broadcasting commission remains steadfast, however, refusing to grant licenses to A1+ and Noyan Tapan television channels, which were shut down in 2002 and 2001 respectively.

Freedom of Religion

There was some improvement for religious freedom in 2004 with the registration in October of the Jehovah's Witnesses, after a string of rejected applications. However, despite the authorities' promises to release all Jehovah's Witnesses imprisoned for refusing to perform military service, the courts continue to impose fresh prison terms. In September, according to the Armenian Helsinki Association, eight Jehovah's Witnesses were serving prison terms for their refusal to perform military service, and a further eight, five of whom were in custody, were awaiting trial for the same offences.

Key International Actors

The U.S. appears to be gaining influence in Armenia, which traditionally has looked to Russia for military and economic ties. The U.S. increased military aid and cooperation and, after initially refusing to involve itself, in 2004 Armenia agreed to send a small contingent of non-combatant military personnel to Iraq. The U.S. also designated Armenia as one of sixteen countries to be eligible for a multi-million dollar aid program called the Millennium Challenge Account. The U.S. stated that the flow of money was dependent on improvements in Armenia's human rights record.

The Council of Europe effectively engaged Armenia to roll back some of the government's more authoritarian practices in 2004. The council continued its scrutiny of Armenia's post-accession obligations, noting progress in complying with some commitments, such as abolition of the death penalty, while expressing disappointment in other areas, such as the conduct of the 2003 elections. In April, the council's Parliamentary Assembly passed a resolution under an urgent procedure, expressing concern about the government crackdown against opposition supporters that month. Armenia responded by releasing the opposition supporters who were in custody on criminal charges and dropping the charges against many of them.

In September 2004, the European Union and Armenia met under the framework of the Partnership and Cooperation Agreement. Unfortunately, the E.U. failed to use this forum publicly to encourage human rights improvements, issuing a press release that did not raise human rights concerns. In a step that could increase the ability of the E.U. to influence Armenia on human rights, it included Armenia in its European Neighborhood Policy, giving privileged ties with the bloc. Officials warned that economic benefits would not flow until at least 2007, when Armenia will have to have negotiated action plans on economic and political reforms.

Human Rights Watch defends the rights of people in 90 countries worldwide, spotlighting abuses and bringing perpetrators to justice.

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