Rt
00535
c.1

B

THE ROLE OF THE OSCE IN THE DEMOCRATIZATION PROCESS IN ARMENIA

by

ANAHIT BABAYAN

B.A., Economics, Hagazian University, 2005

Thesis submitted in partial fulfillment of the requirements for the Degree of Master of
Arts in International Affairs

Division of Social Sciences and Education

LEBANESE AMERICAN UNIVERSITY

July 2007

Thesis approval Form (Annex III)

Student Name: Anahit BABAYAN I.D.#: 200500615

Thesis Title : The Role of the OSCE
in the Democratization
Process in Armenia

Program : _____

Division/Dept : Social Sciences & Education

School : **School of Arts and Sciences**

Approved by: _____

Thesis Advisor: _____

Member : _____

Member : _____

Member : _____

Date 2 July 2007

(This document will constitute the first page of the Thesis)

Plagiarism Policy Compliance Statement

I certify that I have read and understood LAU's Plagiarism Policy. I understand that failure to comply with this Policy can lead to academic and disciplinary actions against me.

This work is substantially my own, and to the extent that any part of this work is not my own I have indicated that by acknowledging its sources.

Name: Anahit Babayan

Signature:

Date: 07/07/2007

I grant to the LEBANESE AMERICAN UNIVERSITY the right to use this work, irrespective of any copyright, for the University's own purpose without cost to the University or its students and employees. I further agree that the University may reproduce and provide single copies of the work to the public for the cost of reproduction.

To my parents

Acknowledgments

In the first place I would like to record my deepest sense of gratitude to my thesis supervisor Dr. Jennifer Skulte-Ouaiss, for her patient guidance, support and excellent advice throughout this study.

I am deeply indebted to my professor Dr. Ohannes Geukjian for his support. I highly benefited from the fact of being his research assistant throughout my graduate years at LAU, and I gained solid experience and knowledge which helped a lot in my thesis.

I am also thankful to my academic advisor Dr. Sami E. Baroudi for his friendly welcome for each favor/proposal from the first day I joined LAU. His encouragement and assistance in pursuing internships in several institutions allowed me to gain true life experience.

My special thanks to Dr. Ara Sanjian for his critical comments on my research. Also I thank to Mr. Arsen Arakelian for his assistance.

Also I thank to my professors at LAU, Dr. Makram Ouaiss and Dr. Fawwaz Traboulsi and all my professors at Haigazian Unvieristy.

Finally, I take this opportunity to express my profound gratitude to my beloved family and best friends Alfredo and Vanouhi for their encouragement throughout my writing process.

Table of Contents

Chapter 1:	Introduction	1
Chapter 2:	Literature Review	
	2.1 Introduction	5
	2.2 Democratization Process and Transition	6
	2.3 Democratic Consolidation	10
	2.4 Civil Society	12
	2.5 Economy and Democracy	14
	2.6 International Organizations	15
	2.7 From CSCE to OSCE: A Historical Retrospective	17
	2.8 The Role of the OSCE in Armenia	19
	2.9 The Importance of the OSCE	20
Chapter 3:	Armenia in Transition	
	3.1 Historic Developments	22
	3.2 Democratic Developments	25
	3.3 International Recognition	28
Chapter 4:	OSCE	
	4.1 From CSCE to OSCE	32
	4.2 The Changing Environment	28
	4.3 Armenia and the OSCE	34
	4.4 Reasons of Armenia's Membership to the CSCE/OSCE	35
	4.5 The OSCE Office in Yerevan	37
	4.6 Tasks and Activities of the OSCE	40
Chapter 5:	The Activities of the OSCE in Armenia	
	5.1 Electoral Process	41
	5.2 Democratic Institution Building	51
	5.3 Countering Trafficking in Human Beings	53
	5.4 Migration	59
	5.5 Promoting Gender Equality	61
	5.6 Media and Access to Information	63
	5.7 Reform Process	67
	5.8 Capacity Building for the Standing Committee	71
	5.9 Freedom of Assembly	73
	5.10 Anti-Corruption	75
Chapter 6:	Challenges and Achievements of the OSCE	
	6.1 The Challenges Facing the OSCE	80
	6.2 Politico-Military Dimension	85

6.3	Economic-Environmental Dimension	86
Chapter 7:	An Assessment of OSCE Activities in Armenia	90
Chapter 8:	Conclusion	98
References		101

Chapter 1: Introduction

Armenia inherited remarkable challenges upon regaining its independence in 1991. The collapse of the Soviet Union marked the beginning of a new stage in the country political, economic, social and military history. For the first time since 1920, Armenia had to have its own sovereign foreign policy. The Karabakh conflict with Azerbaijan was an obstacle to its new stage of development. Similarly, Armenia faced daunting domestic challenges, not the least of which was democratization. In the transition period, the country has had mixed progress in transforming its Soviet system into a democratic system of government. Much still remains to be done to create a truly democratic Armenia. Citizens are still learning their roles and responsibilities in a democratic system, and democratic institutions remain in their infancy. International organizations and institutions came to support Armenia in its economic and democratic transition period. One of them is the Conference/Organization for Security and Cooperation in Europe (CSCE/OSCE). Armenia became a member of the CSCE in 1992 along with the other post-Soviet states, including its two South Caucasian states, Azerbaijan and Georgia.

The Final Act of the Conference on Security and Cooperation in Europe, also known as the Helsinki Final Act, the Helsinki Accords or the Helsinki Declaration, was signed in Helsinki, the Finnish capital, in December 1975. The signatories of the Final Act were 33 European countries, plus the United States and Canada. The Soviet Union and Turkey were among the signatories from Europe but Albania and Andorra stayed out. The document was seen then as a significant step toward reducing Cold War tensions.

The end of the Cold War with the reforms of Mikhail Gorbachev and the collapse of the Soviet Union marked a new stage for the CSCE. New challenges and tasks arose, particularly as many new countries signed the Helsinki Final Act and the Treaty of Paris.¹ After 1992, the CSCE had to significantly modify its role and policies in the new international system to comply with new realities, especially the role of promoting the democratization process in Eastern Europe. The CSCE evolved from a diplomatic conference into an international organization in December 1994² and was named the Organization for Security and Co-operation in Europe (OSCE). It is important to mention here that some OSCE policies, which have changed significantly over the years since the beginning of 1990's, have yielded positive results for the countries in transition, including Armenia.

The goals and activities of the OSCE are numerous and the organization is active in a number of different countries. In Armenia, the OSCE established an office in the capital Yerevan, in February 2000. The office operates in three thematic areas: the human, economic-environmental and politico-military dimensions. The OSCE has also been the chief mediator in the Nagorno-Karabakh conflict peaceful settlement process since 1992. However, the OSCE Office in Yerevan does not deal with this issue; rather, the Minsk Group is in charge of this process.³ The OSCE is not alone in the process of promoting democratization in Armenia, however. There are many other international organizations, such as the Council of Europe and the European Union, as

¹ The Charter of Paris for a New Europe was adopted by a summit meeting of most European governments in addition to those of Canada, the United States, held in Paris on 21 November 1990. The charter was established on the foundation of the Helsinki Accords. Together, these two documents now form the agreed basis for the OSCE. The Charter of Paris was further amended in the 1999 Charter for European Security.

² It became a full-fledged organization on January 1, 1995.

³ The Minsk Group, comprised of 11 participating states: Russia, USA, France, Germany, Turkey, Sweden, Belarus, Italy, Czechoslovakia (which was later replaced by Finland) as well as Armenia and Azerbaijan. Since 1997, the key actor within this group is its trilateral chairmanship, comprised of Russia, the USA, and France.

well as international and local NGOs that deal with these issues in Armenia. The OSCE office in Yerevan has been helping Armenia achieve the goals of democratic international standards and norms, gain membership in important international institutions, such as the Council of Europe, and prepare for further integration into Europe.

The specific aim of this thesis is to assess the success of the OSCE in assisting Armenia in democratization through its consulting and monitoring work, while realizing that it is impossible to truly isolate the results of the OSCE's efforts from the results achieved by other organizations with similar goals. Moreover, this thesis does not attempt to assess the democratization process in Armenia as a whole, however. Rather, it concentrates on the work done by the OSCE to support democratization in Armenia, taking into consideration that there are many other international actors, institutions and NGO's that have done significant work in this field. And the OSCE's work in the field of democratization, compared to other organizations, is not that significant, nevertheless important.

The thesis is based on primary OSCE documents, its daily and annual reports on Armenia, interviews with Armenian and OSCE representatives and secondary academic resources. General background information also stems from Armenian printed and electronic mass media. I have endeavored to find all the information about OSCE concerning its role in democratization – particularly scholarly materials that are critical of the organization's work. However, it has to be admitted that there is very little formal published academic analysis of the OSCE's role in fostering democratization in Armenia. Therefore, this thesis is an attempt to somewhat fill this obvious gap in studying Armenia's transition to democracy.

This thesis is divided into eight chapters, starting with an Introduction. The second chapter is a literature review of the topics of democratization and post-communist development. The third chapter discusses the history of Armenia's democratization. The fourth chapter explains the role of the OSCE in the world and more specifically in Armenia. The fifth chapter examines the OSCE's activities in Armenia and is followed by the sixth chapter, which discusses the challenges faced by the OSCE in the country. The seventh chapter evaluates how successful the OSCE has been in assisting the democratization of Armenia, while the last chapter is both a review and conclusion of this research.

Chapter 2: Literature Review

2.1 Introduction

One of the negative legacies of the Soviet system is a politically passive population coupled with institutions that do not enable civic participation. Still, the initial democratic enthusiasm prompted by the *glasnost* and *perestroika*, the openness and restructuring policies of Gorbachev in 1985-86 produced massive civic activism in the USSR, which led to calls for independence in all constituent republics of the Union.

Communist regimes promised equality but their weak civic traditions make successful democratization without a change in regime highly problematic (Bermeo, 2003). Since local cultural beliefs and ideologies have been considered obstacles to democracy building, Michael Burawoy and Katherine Verdery (1999), among others, argue that culture has been seen as a barrier in the post-socialist transitions.

To foster civil society in post-communist countries, such as Armenia, the state must be cut down to size by reducing its control over society. Nowadays, censorship no longer restricts free speech and public opinion and state security forces no longer terrorize people who wish to express themselves. The system of visas and the armed patrol of the "Iron Curtain" have been dismantled. This has given trade unions freedom from subservience to the party-state and encouraged private enterprise (Diamond & Platter, 1996). Other favorable factors for the growth of civil society were the dismantling of institutions of a command economy. Now, there are also competitive elections and freedom to create or join (or not join) a political party. It is true that the standard of living of the people deteriorated, but the people made great gains, as mentioned, in freedom from fear and censorship.

2.2 Democratization Process and Transition

Armenia's population has become further stratified after independence. Armenia now has a small political and economic elite at the top and a large newly impoverished mass forming the base. To escape the problems of the economy and the war against Azerbaijan, many Armenians have migrated to Russia and other countries. However, this situation has not been enough to solve the problems of unemployment and underdevelopment (Dudwick, 1997).

According to Linz and Stepan (1996), there were three general problems in most of the fifteen successor states of the Former Soviet Union (FSU): the privileging of independence over democratization, the privileging of collective rights over individual rights, and the privileging of economic restructuring over state restructuring. The elites considered independence the best guarantee of their positions. But this was not the case in most countries. On the other hand, consolidated democracy must privilege collective rights over individual rights, because the more inclusive and equal access is to the rights of citizenship, the better the quality of democracy. In the case concerning privileging economic restructuring over democratic state restructuring, market privatization is more effective if done by a state that can formulate and install a clear regulatory framework for an emergence of a law based economic society, enforceable rule of law, and existence of a coherent state and usable state apparatus (Linz and Stepan 1996).

Suny (1993 b) also underscores how the speed of the disintegration of the Soviet Union left little time for new democratically-structured organizations to acquire political, social, or economic presence. He says that in most republics of the USSR, nationalism was accompanied by a desperate grab for local power by well-

established native elites. In Armenia, where power democrats were able to remove the power of the Communists, the deep infrastructure of clan politics still remained.

By comparing post-communist democratizing countries to democratizing countries that had never been communist, it became evident that the post-communist countries had little prior experience on which to draw. In particular, many post-communist states wishing to democratize lacked the requisite human capital. Compared to Latin America and Southern Europe where democratic and authoritarian rule alternated over time, much of Eastern Europe and the FSU had no such (even limited) democratic tradition (Parrott, 1997).

Linz and Stepan (1996) examine the post-communist countries according to their useable democratic pasts. They say that except for the Baltic States, most of the post-communist states did not have democratic experience. East and Central Europe was a satellite of the Soviet Union for only 40 years; it had some previous democratic experience. The other Soviet republics, on the other hand, were part of the union for almost seventy years and barely had any useable democratic past. However, according to Linz and Stepan, a lack of a "democratic past" does not mean that democracy is impossible in post-communist countries. Nevertheless, they will need longer and more perilous journeys toward constitutionalism and state reconstruction before democracy becomes the only possibility. Also Parrott (1997) speaks about the importance of this phenomenon by arguing that countries like Estonia and Latvia have learned from their democratic past. A nation's previous attempts to build democracy can give reformers not only potential models for contemporary governmental arrangements but also lessons about constitutional flaws that have contributed to past democratic failures. National memories or even myths of democratic past may facilitate popular acceptance of democratic political structures (Parrott, 1997).

For Armenia, its brief democratic past has not really helped Armenia in transition to democracy. The first independent Armenian Republic, which also had a democratic parliament, existed only from 1918 till 1920. The existence of an Armenian state helped to keep the territory of Armenia as a separate unit even under Soviet authority and of course contributed to independence at the end of the Soviet period, however.

Linz and Stepan (1996) explain that a further complication for democracy, and even for inter-state peace, arises when a large minority in a country is considered irredentist. The conflict can be increased if the leaders of the country try to pursue an aggressive nation-building policy that forces the minorities to turn to the neighboring 'home' country for support. Then the nation-building policy may fan extremist nationalism in the neighboring country, and this might delegitimize the government for not defending the interests of their co-nationals or for not militantly pursuing an irredentist policy. However, when irredentist politics become dominant they represent a serious strain on democracy. Hence the Armenian irredenta in Nagorno Karabakh complicated the democratization process in Armenia (Linz and Stepan, 1996).

According to Peter Rutland (1994), democratization and nationalism advanced hand in hand in Armenia, and that the attempt to free Nagorno-Karabakh from Azerbaijani rule was the locomotive of democratization. This was the main cause around which the Armenian public rallied for an assault on the institutions of the communist state. In Armenia, democratization and nationalism between 1988 and 1991 followed a distinctive course. It began in the outlying region of Nagorno-Karabakh in neighboring Azerbaijan and then spread to Armenia's capital, Yerevan. Rutland also explains that the Armenian struggle for control over Nagorno-Karabakh,

also played a crucial role in the eventual collapse of the USSR. The crisis in Nagorno-Karabakh forced Gorbachev to address in his reform agenda the national question, which was excluded from it until then. Later, the mishandling of this issue became a turning point in the process of *perestroika*. However, Armenia did not initially agitate for secession from the USSR because it hoped to use Moscow's influence to pressure Azerbaijan to give up Karabakh (Rutland, 1994).

Second, Rutland argues, for Armenians there is a close but problematic relationship between nationalism and democratization, the latter meaning merely the selection of leaders through competitive elections. In Armenia, the nationalistic movement for democratization in the late 1980s was among the strongest of the Soviet states. The Nagorno-Karabakh issue was the dominant factor of the behavior of all social and political activists, from dissidents to intellectual elites in Armenia. This meant that the country was united in its desire to win greater independence from Moscow. Besides, religion has not been a driving force in modern Armenian nationalism like it has been for the preservation of national identity over the centuries. Moreover, religion was not an advocate of independent Armenian nation-state. Instead, it was the secular society, the intelligentsia as the advocate for humanistic values that emerged as the dominant social force in nationalist movement in Armenia (Rutland, 1994).

Mark Malkasian (1996) also notes that Armenia's transformation revolved around what came to be known as the 'Karabakh movement'. The Karabakh movement, however, extended beyond the question of the Karabakh oblast. Rather it set into motion a revolution of Armenian society. Whereas nationalism inspired Karabakh Armenians, democratization was the touchstone for activists in Armenia. In less than ten months in 1988, Armenia's political landscape was reshaped.

Malkasian describes the chronology of events, including huge rallies, meetings between popular spokesmen and Soviet officials, government crackdowns, grass-roots organizing efforts, special commissions, communal strife, transportation blockades, and massacre. "From the conflict of Nagorno-Karabakh to the troubled infancy of newly born democratic institutions, Armenia was passing through a historical era that had begun in Theatre Square (Opera). The transparency of the demonstrations in Theater Square soon gave way to the opacity of the Soviet system." (Malkasian, 1996: 2-3)

Parrot (1997) classifies Armenia as democratic using criteria that define democracy as a political system in which the formal and actual leaders of the government are chosen at regular intervals through elections based on equally weighted voting, multiple candidacies, secret balloting, and other procedures such as freedom of the press and assembly, that ensure real opportunities for electoral competition. Competitive elections are generally easily identified and recognized in the world. They are a precondition for other political benefits that a democratic system gives to its citizens. Some post-communist countries introduced competitive elections. Also some post-communist countries have chosen their governmental leaders through free elections.

2.3 Democratic Consolidation

According to Parrott (1997), it is also important to make the distinction between 'transition from communism' and 'transition to democracy'. Not all post-communist countries have become democratic; there are some variants of authoritarianism and some hybrid systems as well. It is important to know whether

most citizens in each country believe that democratization and economic reform are essential, or realistic alternatives exist.

Another important aspect is the *consolidation* of democracy. A consolidated democracy is one that has had a series of free and fair competitive elections and has a relatively stable political system overall. However, since “all systems are subject to political decay, consolidation does not guarantee that a democracy will survive, but does improve its chances” (Parrott, 1997:6). Linz and Stepan (1996) also describe consolidated democracies by noting that if a functioning state exists, five other interconnected and mutually reinforcing conditions must also exist for a consolidated democracy. These five conditions are: development of a free and lively civil society; existence of a relatively autonomous and valued political society, necessity for a relatively autonomous rule of law to ensure legal guarantees for citizens’ freedoms and independent associational life; availability of state bureaucracy usable by the new democratic government; and existence of an institutionalized economic society. Furthermore, each of these five arenas in a democratic system has an effect on the other; and, in a consolidated democracy, there are constant mediations between them (Linz and Stepan, 1996).

Linz and Stepan also note that there is no consolidated democracy without a relatively autonomous rule of law, as one of the five conditions, and that the independent judiciary plays a vital role in supporting the rule of law. Specifically, the judiciary must interpret old laws as well as the constitutionality of new ones and monitor the country’s implementation of the law. A system in which the leader rules with undefined limits is the opposite to modern democratic constitutionalism. Therefore, a democratic government and a democratic state must respect and uphold the rule of law. The rule of law embodied in the spirit of constitutionalism requires

not only rule by majoritarianism, but also strong consensus over the constitution and especially commitment to self-binding procedures of governance. For example civil society needs the support of a rule of law that guarantees the right of association and needs the support of a state apparatus to impose legal sanctions on illegal actions of those who hinder other's democratic rights to organize.

2.4 Civil Society

Steven Fish (1996) explains that once the task of transition to democracy is achieved, the challenges of consolidation are thought to be mostly matters of political institutionalization. During this latter phase, the organizations of civil society normally play a supporting role. The post-communist countries that earlier had civil society but were partly or for a short period of time eclipsed and had strong resistance movement during communist rule, are enjoying smoother transitions to both democracy and capitalism. Good examples of this are Hungary, Poland, the Czech Republic and the Baltic states, whereas the Slavic republics and the Caucasian states, in which Armenia is located, are different because they did not have enough strong bases for civil society institutions and democratic past. The civil society was very weak. Political institutionalization and progress of liberal economic reform have been most notable in those countries where civil society was and is strong. This fact shows that the formation of political institutionalism is inseparable from the development of civil society. Economic transformation does not represent the only source of change creating opportunities for the emergence of a stronger civil society. Greater political freedom has also opened numerous spaces for non-state activity where little or none existed before. Lively free media now play a prominent role in public life compared to the past of monopolized public information and censored communication (Fish, 1996).

According to Diamond and Plattner (1996), since modern societies are more complex than traditional groups, and require formal organizations to act collectively on behalf of individuals and sometimes even in the interest of society as a whole, "the organizations of civil society do not diminish democracy but complete it, creating social separation of powers" (Diamond and Plattner, 1996).

In analyzing why the transition to democracy has not yielded the expected results in some countries, some scholars have laid blame on the Soviet legacy. For example, Nodia (2002) claims that the Soviet legacy has not only weakened the development of a vibrant civil society and democracy, but it has also been considered an obstacle to poverty reduction and development. Hence, it is important to examine how the past influences the present (Nodia, 2002).

As noted above, distrust from years of living under a corrupt form of communism still pervades post-communist societies. For democracy and civil society, trust is a vital condition. Although many in post-communist countries want democracy, their societies lack trustworthy institutions capable of mediating between individuals and the state. The systematic suppression of independent institutions over a period of time has made it very difficult for new organizations to start operating. This is a problem not only "to the privatization of economic enterprises, but also to the popular acceptance of representative institutions, including political parties" (Diamond and Plattner, 1996).

Civil society in Armenia has been weak and fragmented. Its organizations have been largely created by the top elite and financed as well as supported by international NGOs and funding agencies. Unfortunately, with humanitarian assistance and credits, these organizations have allowed the government to ignore the fact it continues to lose large sums through the corruption of its own agencies and

officials (Dudwick, 1997). According to Armine Ishkhanian (2007), the link between civil society and NGOs is significant because it has led to phenomenal growth in the number of NGOs in Armenia and other countries of former Soviet Union. Since Western governments and international agencies began providing grants to promote civil society and democracy building in Armenia, the number of NGOs increased tremendously compared to the population of Armenia. Ishkhanian therefore sees civil society as weak despite the presence of NGOs and other organizations.

Whereas Levon Abrahamian (2001) argues that the ‘embryos’ of civil society were present in the late 1980s. He refers to the emergence of the information ‘*stoliks*’ or ‘tables’⁴ which sprang up in Theatre Square in Yerevan in 1988, describing them as promoters of change and the ‘germs’ of civil society. Therefore, according to him, Armenians began their education in democracy in 1988, and after several months there were many people who were able to use the constitution to legally win a number of electoral campaigns (Abrahamian, 2001).

2.5 Economy and Democracy

Economic development has a very strong effect on the probability on the survival of any democracy (Przeworski, 1996). Economic performance does matter when international factors and political institutions are important for the durability of democracy in less affluent countries.

Rueschemeyer (1992) argues that economic development and democracy are connected through the expansion of democratic education and the growth of a middle

⁴ “Tables” or ‘*stoliks*’ in Theatre Square were places where people could receive written or oral information about elections, deputies, registration rules, electoral and polling districts, and many other details about constitutional rights of Soviet citizens from Soviet constitutional law.

class. In fact, the rapid development of industrial capitalism stimulated the capacity of working-class self-organization which changed the balance of class power. Thus, the middle class plays a major role in the process of democratization. The character of the class itself changes with economic development and later on may have detrimental consequences to democracy. Rueschemeyer also suggests that poverty and oppression can lead to hopelessness when governments fail to meet the basic needs of the people (Rueschemeyer, 1992). Although it is believed that democracy can survive in countries with general affluence, growth with moderate inflation, declining inequality, a favorable international climate and parliamentary institutions, democracies can also survive in poorer countries if they have economic growth with moderate rates of inflation. Democracy can also survive in countries with declining income inequality over time (Rueschemeyer, 1992).

2.6 International Organizations

Hopmann examines the proposition that regional security organizations can restrict anarchy in international political relations and promote cooperation to solve common problems and resolve potentially violent conflicts. Also he investigates the impact of multilateral organizations have in managing conflicts and building security at the regional level.

Realists argue that international relations are inevitably characterized by conflicts of interest in which changes in the relative power positions of states within an anarchic international system make war and violence about inevitable especially during times when system structures become destabilized and power balance break down (Hopmann, 2000).

According to Mearsheimer, a leading Realist thinker, while states sometimes operate through institutions, their participation reflects state calculation of self-interest based on the international distribution of power (Mearsheimer, 1994/95). Institutions are set of rules that specify the ways in which states should cooperate and compete with each other. However, for Mearsheimer, the promise of institutions to help states develop cannot be trusted nor believed, as not everything can be controlled in the “new world order” trumpeted by the liberal internationalists. He notes that liberal institutionalism does not directly address whether institutions cause peace, but instead focuses on the goal of explaining cooperation in cases when states are having difficulty in cooperating. Therefore, the theory largely ignores security issues and concentrates instead on economic and environmental issues. Furthermore, the institutions largely deal with the political economic issues and not security ones. States worry about relative gains not only in security matters, but in the economic realm as well. (Mearsheimer, 1994/95)

According to the Liberal school of thought in International Relations (Doyle, 1986), institutions and rules/laws do not affect liberal states separately, according to whether they are pacific or imperialistic, but simultaneously. Those institutions function in different countries and help the states in different fields. Doyle argues that humans’ material interests lie in peaceful trade; therefore, they and the democratic state that the citizens control are pacifistic.

In contrast to realists, most liberal institutionalists have argued that it is possible to construct cooperation arrangements among sovereign and independent states within an anarchic international society on the basis of international regimes (Buzan, 1993). Regimes have been defined by Stephen Krasner (1983) as a set of implicit or explicit principles, norms, rules, and decision-making procedures around

which actor's and expectations converge in a given area of international relations. Regimes are usually accepted by sovereign states because their leaders perceive that their long-term gains from fulfilling the expectations of a regime will exceed the lessons they expect to suffer through forgoing temptations to follow short-term narrow self-interest. The theory of security regimes thus falls at the intersection of realist and liberal conceptions of international relations (Krasner, 1983).

Keohane and Nye (1993) argue that international institutions do not question the main argument of the Realists, the model of anarchy, since international institutions do not have the power to enforce their rules on strong states. However, they may challenge some of the implications of anarchy for states behavior, making less likely the competitive behavior that realists predict (Keohane and Nye, 1993).

In sum, there is significant debate in the political science/international affairs literature concerning the role of international organizations in the domestic politics of states.

2.7 From CSCE to OSCE: A Historical Retrospective

There was never a specific master plan for the development of the CSCE/OSCE and its structures and institutions. Instead the capabilities and institutions of OSCE were always created ad hoc in response to political demand.

Zellner (2005) explains that the contribution of the Organization for Security and Co-operation in Europe (OSCE) to peace, stability, human rights, progress and change in the larger Europe is significant. The Conference on Security and Co-operation in Europe (CSCE), later the OSCE, has not only provided Europe with an inclusive framework for dialogue and cooperation, it has also established basic elements of a pan-European space of democracy and the rule of law, and given

essential assistance to its participating States in resolving conflicts, establishing structures of good governance, and implementing common commitments.

The OSCE as an organization became one of the main promoters of democracy in transition states with the collapse of communism in central and Eastern Europe and Eurasia. However, despite its great success before the end of the Cold War, the OSCE found itself in the middle of a double adaptation crisis after the end of the Cold War. The first cause of the crisis was the Organization's need to adapt to new challenges and tasks. In the 1990s, intra-state and inter-state conflicts were the number-one priority. Consequently, the OSCE developed competencies in conflict prevention, crisis management, and post-conflict rehabilitation; an example of this is the Nagorno-Karabakh conflict settlement process. Now, however, the key focus of international security has shifted to transnational threats and risks, and the Organization has to develop new strategies and working instruments accordingly, such as thematic missions.

On the other hand, the second cause of the crisis is the need of the OSCE to respond to the changing political constellation in Europe. EU and NATO enlargements policies have fundamentally altered the continent's political geography. Russian ambitions to consolidate its influence in the post-Soviet space have remained mostly unsuccessful, and have been shaken by the developments in Georgia, Ukraine, and Kyrgyzstan, to name the most recent events. This has influenced political relations between participating states and the place they give the OSCE among the European security organizations. In fact, together, these two developments have created the need for OSCE reform (Zellner, 2005).

2.8 The Role of the OSCE in Armenia

Elaine M. Conkievich (2005) analyzes Armenia's transition period. She describes how Armenia became a member of the OSCE and about the activities of the OSCE Office in Yerevan after the establishment in February 2000. She further notes that Armenia has played an active role within the structure of the OSCE. Increased information exchange and more intensive dialogue have helped the relations between OSCE and Armenia to grow even closer. According to Conkievich, the success of the reform process of the OSCE in Armenia was motivated by the desire of Armenia to be part of Europe. Through advising, monitoring and promoting good governance and democratic institution building, the OSCE has helped Armenia to become more secure and stable, and on the path of European integration (Conkievich, 2005).

Given the debate in the literature concerning how well international institutions can promote political, economic and social change within states, why has Armenia committed itself to democratization? According to Conkievich (2005), it is the desire to be part of Europe including, for instance, the EU's "Wider European Program".⁵ Europe also has interests in Armenia and the EU in particular has a variety of interests in the south Caucasus. Armenia has also been a part of the Council of Europe since January 2001. The mandate of the OSCE Office in Yerevan has the security and stability aims that also focus on the advancement of good governance, comprehensive and legislative reform, raising awareness in human right issues, promoting civil society, and organizing discussion on key issues such as

⁵ "Wider Europe in OSCE Sense": the European Commission recognized the importance of encouraging cross border co-operation at the EU's external borders, with the overall aim of preventing the creation of new dividing lines in Europe. European Commission is the executive body of the European Union, among the other two, European Parliament and Council of the European Union. Its primary roles are to propose and implement legislation, and to act as 'guardian of the treaties which provide the legal basis for the EU.

anticorruption. It tries to achieve the goals through concrete activities and projects (Conkievich, 2005). For the EU, the enlargement process means not only the accession of new members and geographical expansion, but also new borders, new neighbors, and new problems. The European Neighborhood Policy (ENP)⁶ is to help to deal with the problems created by the enlargement process and to establish a common policy on its new neighbors, of which Armenia, Georgia, Azerbaijan, Ukraine and Moldova are becoming increasingly important. Hence, the goal of the OSCE is to assist those states in the process of democratization so that they can be trusted as good neighbors and not pose threats to the EU (Conkievich, 2005).

The democratization of Armenia as a border state is considered part of this process of development. This gives the idea of mutual interest for Armenia and the EU enlargement process.

2.9 The Importance of the OSCE

According to Hopmann (2000), the OSCE has developed into “security regimes” for the Eurasian region. Its performance may serve to illustrate the power of the liberal institutionalist ideas about international relations. He argues that the strength of the OSCE has been evident in its broad support to security, linking the human dimension to all of its efforts to prevent the escalation of conflict as well as to facilitate the abatement and resolution of conflict. Also the OSCE has proven to be remarkably flexible in reacting to potential crises and respond more rapidly than most other institutions and to adapt its responses more appropriately to the specific issues

⁶ The main objective of the European Neighborhood Policy (ENP) is the mutual interest of the EU and its neighbors in promoting reform, the rule of law, stable democracies and prosperity – prosperity, security and stability - throughout the neighborhood of the enlarged European Union. The EU offers its neighbors an intensified political dialogue and deeper economic relationship, based on shared values and common interests in tackling common problems.

arising in particular cases. However, the OSCE needs to enhance its cooperation and coordination with other organizations working in the field of European security, especially NATO, the European Union, the Commonwealth of Independent States, and Council of Europe. He argues that no one organization is likely to emerge in the near future as the sole arbiter of European security, since no single organization has the capacity to fulfill the full range of functions required to promote the building of a security regime (Hopmann, 2000).

Chapter 3: Armenia in Transition

3.1 Historical Developments

Armenia staked its claim for independence in 1991 through a referendum. The population was happy and enthusiastic about this transition, which they hoped would change their lives completely. Little thought was given then to the possible hurdles on the road toward a transition to democracy.

Time proved that like most post-communist countries, Armenia faced many problems during this transition period. There are two important transitions: the transition from communism and the transition to democracy. As Armenia was part of the Soviet Union for more than seven decades, it had to undergo both transformations. Many international institutions have been instrumental in working with Armenia on these important transitions. The OSCE, on which this thesis focuses, has been one of the key international organizations working in the country.

Before being able to analyze Armenia's transition to democracy, it is important to understand the country's past – in particular, the relative lack of a usable democratic past. Before the First World War, the historical homeland of the Armenians was divided into two parts. Western Armenia was under Ottoman and Eastern Armenia under Russian rule. International borders, hostile political regimes, and frequent warfare separated the two Armenian regions. Western or Turkish Armenians lived in an insecure and repressive political environment and were culturally oriented toward Istanbul.⁷ There were political and social elites in Turkish Armenia, who were later challenged by secular revolutionaries, such as the *Henchaks* (Social Democratic "Bell" Party) and the *Dashnaks* (Armenian Revolutionary

⁷ Suny, 1993a; 221

Federation), two Armenian parties formed in the nineteenth century. These Armenian parties were formed to help the Armenian community escape the critical situation of the Ottoman Empire, where a social and economic crisis existed already for decades, especially in the rural areas. Another important party was *Ramkavar* (Democratic Liberal Party) that emerged in the dying days of the Ottoman Empire. While these first Armenian political parties did not operate in a democratic environment, they were formed before there was even an independent Armenian state and were later “resurrected” in independent Armenia in the early 1990s.⁸ In fact, during Soviet times they were active in exile but in a quasilegal form at most. The Armenian Genocide of 1915 killed more than 1 million and deported thousands of Armenians from their homeland. The majority was killed on the deportation routes. Many survivors crossed the border into Eastern Armenia, part of Russia at that time, while others formed the Armenian Diaspora with important expatriate communities in the Middle East, Europe, and the U.S.

The Eastern Armenians had cultural ties with Russia.⁹ When the Russian Empire collapsed, Armenia gained its first independence on May 28, 1918. The brief period of independence lasted till November 29, 1920. After only one year of independence, the republic came under one party rule, and later the demise of the republic was attributed to the outside forces as well as to internal repression that took its toll by disrupting the unity of the Armenian people, thus exacerbating the fall of the republic. The *Dashnaktsutyun* or the Dashnak Party was the ruling party in Armenia at that time. In fact, the republic was able to create a parliament, constitution, and army. Unfortunately, the political consequences then and short

⁸ Ibid.; 222

⁹ Ibid.; 221

period of this brief independence was not enough to build a full democratic state in the 1918-1920.

The establishment of the Soviet Republic of Armenia marked the end of independent Armenia. The *Dashnaktsutyun* and the two other political parties continued to function only among the Armenian Diaspora communities. At that time, many Armenians found the Russians (albeit, Communist Russians) as their saviors against possible Turkish threats and the Soviet Union as a means to insure the survival of the Armenian republic.

However, the totalitarian regime of the Soviet era (1920-1991) created a new lifestyle in Armenia. During the Soviet era, the Marxist-Leninist regime claimed to be quintessentially democratic and ridiculed the bourgeois democracies of other parts of the world.¹⁰ In fact the Bolsheviks ended up building one of the most ferocious totalitarian regimes in the history of mankind. Armenia was under the Soviet regime for seven decades. Despite repressive rule during this period, the country flourished culturally and economically. The government provided all Armenians primary and secondary education. The literacy rate in the country increased dramatically. Science, art and sports also advanced, and people were happy with the opportunities that they had. However, one of the negative legacies of the Soviet system was a politically passive population coupled with institutions that did not enable civic participation. Still, when Gorbachev in 1985-86, the last Soviet leader, started to push for great political and economic openness, the otherwise politically passive population grabbed hold of the opportunity to push for democracy in the republic, resulting in massive

¹⁰ Parrott, 1997; 4

civic activism, as well as, the issue of Nagorno-Karabakh followed by independence.¹¹

3.2 Democratic Developments

The Gorbachev initiative in the USSR from 1985 was considered a triple revolution. First, it was believed to be a political revolution leading from authoritarianism to democracy. Second, it was an economic revolution transforming a state-run command economy into a market-based one, and, finally, it was an anti-colonial revolution turning a Russian-dominated empire into a new confederation of sovereign states.¹² This was not, of course, Gorbachev's agenda. It turned out that way.

Prior to Armenia's independence, during the Gorbachev era of *glasnost* and *perestroika*, Armenians tried to reform the then-existing regime. The Sumgait massacre by the Azeris in 1988 was a shocking response to Armenian claims that were presented to Moscow concerning the unity of Nagorno-Karabakh to Armenia. By means of street demonstrations or 'street democracy' "between 1988 and 1990, Armenians wanted to make their wishes known to the authorities, even sometimes physically forcing their deputies into parliament for a critical vote. Many Armenians found the experience of such confrontations liberating." They believed that these demonstrations were a form of democratic process.¹³

The process started in February 1988, when the regional council of Karabakh, a region in Azerbaijan with an Armenian majority, voted to transfer from Azerbaijan to Armenia, posing the first major nationalist challenge to Gorbachev's policies.

11 USAID Armenia Democracy Program, 2002

12 Suny, 1993a; 231

13 Dudwick, 1997; 79

Armenians still saw themselves as loyal Soviet citizens, and appealed to Moscow to realize their aspirations. They believed that their demand for the annexation of Karabakh first was a reflection of the democratic choice of the Armenian population, a means to undo the territorial injustice inflicted by Stalin when he attached Karabakh to Azerbaijan. Second, it was in full harmony with the aims of *glasnost* and *perestroika* as well as Gorbachev's rejection of the Stalinist heritage.¹⁴ At first, the Armenians' struggle was inter- and intra-republican against the Soviet Azerbaijani authorities by peaceful democratic demands. However, after the massacre of Armenians in Sumgait at the end of February 1988, the struggle became more nationalistic directed against the Azeris in general.

These demonstrations had both negative and positive results and were considered a catalyst for a new wave of social and political activities. In July 1988 Moscow definitely rejected the demands of the Armenians. At this point, the Armenian national movement began to take on the character of an independence movement, voicing an entire agenda of independence, from democratization to environmental issues.¹⁵ The nationalist opposition mobilized mass support through demonstrations and strikes, a type of 'street' democracy that participants felt more vital and legitimate than the 'paper' constitutional democracy of the Soviet political system.

By the end of 1988 and the beginning of 1989, members of the Karabakh Committee were arrested and remained in a Moscow prison until May 1989.¹⁶ Starting in May 1989, there was a progressive process of dialogue, cooperation and transfer of power from the communists to the nationalists. This process was clearly demonstrated

¹⁴ Herzig, 1999; 11

¹⁵ Ibid.; 12

¹⁶ Dudwick, 1997; 80

in the profile of the Armenian National Movement (ANM), also known as Armenian Pan-National Movement (APM), the new nationalist opposition as political vehicle established in September 1989. Something like a national consensus emerged to back the ANM government at the time of its most intense confrontation with Moscow from summer 1990 till August 1991. This was considered as an important factor in the new government's ability to survive that period and a good foundation for a stable transition to independence. In a referendum in September 1991 Armenians voted 94% in favor of independence and the following month Levon Ter-Petrossian, a member of the ANM, and the Chairman of the Supreme Soviet, was elected the first Armenian president of the post Communist era with 83% of the votes.¹⁷

A new period started for Armenia. The referendum for independence was a positive step toward democratic transition. Armenia was one of the few countries of the Soviet Union where people voted for independence. According to the Soviet law, any country through referendum could vote for independence six months later the decision is made. This gave hope for a new start for democracy. The nationalistic feeling was so strong to have an Armenian state, and the historic changes, such as the abortive August Coup against Gorbachev in 1991, even accelerated and gave opportunity for such a choice.

Armenia has chosen to establish a parliamentary democracy. There were 260 seats in Parliament. Approximately 170 seats were filled by independents, or left vacant because the stringent election laws were not always applicable to the era of competitive elections.¹⁸ The ANM fielded candidates on a platform calling for democratic reform, attention to ecological issues, economic privatization and the

¹⁷ Herzig, 1999; 13

¹⁸ "Nations in Transit: Civil Society, Democracy and Markets in East Central Europe and the Newly Independent States." Freedom House. New York. 1995; 21

unification of Nagorno-Karabakh with Armenia. In fact, many members of the new government backed by the ANM were former communist politicians, and they quickly expressed support for the Armenian irredentist agenda which united all political groups.¹⁹

The economic situation in Armenia in the first five years of independence was poor. Before independence, Armenia's economy was centrally planned, largely industry-based and highly dependent on relations with the other Soviet republics. After independence, Armenia's economy suffered from the legacy of Soviet central planning and the breakdown of former Soviet trading system. Another factor that contributed to the poor economic performance was the blockade imposed by two neighboring states, Turkey and Azerbaijan because of the ongoing conflict on Nagorno-Karabakh. This kept Armenia in economic crisis for years, and caused massive out-migration. The Armenian population came to concentrate only on its basic needs for survival; other important issues, such as democratic development, were relegated to secondary position.

3.3 International Recognition

Even prior to focusing on the democratic development, Armenia after independence first needed to have international recognition as an independent state. In addition to diplomatic recognition, Armenia quickly became a member of many international institutions that supported Armenia on its way to democratic transition. Armenia needed to fulfill many commitments in order to retain membership in these

¹⁹ Dudwick, 1997; p. 81

organizations. Constitutional amendments and improvements in the electoral process were some examples of the changes that had to be made to fulfill these commitments.

Accordingly, for Armenia it was important to have a democratic civil society including NGOs which would foster the democratic transition. Many NGOs were founded with different missions. This fact might be seen as one of the positive developments of the post-communist era. Although some NGOs have harshly criticized the Armenian government, this largely has been viewed as a positive step in democratic development. The government has also tried to deal with some issues in promoting democracy; however, the corruption in the government has sometimes disrupted the democratization process.

Here comes the help of the international community and its organizations, which try to promote democracy. One main organization is the OSCE. The OSCE mission in Armenia with its institutions represents an important role in the process of democratization and promotion of human rights. Hence, it is important to understand first the organizational structure of the OSCE to evaluate what its role is in the world as well as in Armenia.

Chapter 4: OSCE

4.1 From CSCE to OSCE

The Organization for Security and Co-operation in Europe (OSCE) was created in the early 1970s. At first, it was called the Conference on Security and Co-operation in Europe (CSCE). Prior to this, in the 1950s, the Soviet Union, with the other eastern European countries, had proposed to create an all-European security conference. Finland suggested Helsinki as the location for such a conference, in 1969, and invited all European countries, the U.S. and Canada. At that time, 35 nations agreed to enter into multilateral consultations for the preparatory talks in Helsinki and in 1973 this concluded with a "Blue Book" outlining final recommendations for the scope and rules of procedure for the Conference. After two years of negotiations, on 1 August 1975 in Helsinki, the heads of the 35 nations signed the Helsinki Final Act of the CSCE.²⁰ It established basic principles for behavior among participating nations and of governments toward their citizens.

"The key points of the Helsinki Final Act are:

1. Sovereign equality, respect for the rights inherent in sovereignty;
2. Refraining from the threat or use of force;
3. Inviolability of frontiers;
4. Territorial integrity of States;
5. Peaceful settlement of disputes;
6. Non-intervention in internal affairs;
7. Respect for human rights and fundamental freedoms, including freedom of thought, conscience, religion and belief;
8. Equal rights and self-determination of peoples;
9. Co-operation among states;
10. Fulfillment in good faith of obligations under international law;"²¹

²⁰ *OSCE Handbook 1999* (Third Edition); 10

²¹ *Ibid.*

The document, which is not a treaty but still a politically binding agreement, has three main parts or “baskets”:

1. Issues relating to politico-military security in Europe;
2. Co-operation in the fields of economics, science and technology, and the environment; and
3. Co-operation in humanitarian and other fields; human rights issue including human contacts, information, co-operation in culture and education.²²

This document aimed at setting standards and norms to expand co-operation and to maintain political dialogue. The greatest achievement of the CSCE as a diplomatic conference was the ability to approach issues in a comprehensive way during the unstable political climate of the 1970s and 1980s, particularly as it had no permanent body until 1989-1990.²³

During the Cold War, its role was to serve as a multilateral forum for dialogue and negotiation between the Eastern and Western European political blocks. Between 1975 and 1990, the CSCE functioned as a series of conferences and meetings where new commitments were negotiated and their implementation reviewed. After the Paris Summit Meeting in 1990, it started a process of institutionalization that aimed at meeting the challenges presented by the post-Cold War period.²⁴

Another important event at the Conference was the establishment of the linkage of human rights to general security and co-operation. For the CSCE, a country that violated systematically the fundamental liberties of its own citizens could not be internationally trusted and should even be considered as a potential threat to other countries.²⁵

²² *OSCE Handbook 1996* (Second Edition); 5-6

²³ *Ibid.*; 6

²⁴ *OSCE Handbook 1996* (Second Edition); 5

²⁵ *Ibid.*; 7

The tasks of the CSCE increased by time and by the end of 1994 there were eight missions in the field. Already in 1992 the CSCE had declared itself to be a regional arrangement in the sense of Chapter VIII of the UN Charter. After these institutional developments, the CSCE evolved from being a *process* into being an *organization*, and hence the Organization for Security and Co-operation in Europe (OSCE) was born. The decision to institutionalize the CSCE was made at a meeting in Budapest in December 1994, but it took effect on 1 January 1995. In fact, this did not change the character of CSCE's commitments, nor its status and institutions but rather the change reflected the CSCE's new identity and gave momentum for its further development.²⁶

The basic priorities of the OSCE are to consolidate the participating states' common values and help in building fully democratic civil societies based on the rule of law; to prevent local conflicts, restore stability and bring peace to war-torn areas; and to overcome real and perceived security deficits and to avoid the creation of new political, economic or social division by promoting a co-operative system of security within the area that it covers. The OSCE provides active support in promoting democracy, the rule of law and respect for human rights throughout the OSCE area.²⁷

4.2 The Changing Environment

Once the Cold War ended and the role of the OSCE to bridge the divided Germany and Europe ceased to exist, the OSCE had fulfilled its historic purpose by guiding these revolutionary events that is the changes of regime in Eastern Europe.²⁸

²⁶ OSCE Handbook 1999 (Third Edition);15-16

²⁷ Ibid.;17-18

²⁸ Haber, 2005; 33

At this point, the CSCE/OSCE, with other European organizations facing threats to their existence because their original *raison d'être* no longer existed, needed to adapt their roles to suit the radically transformed international world.

In this vein, then the U.S. Secretary of State Warren Christopher noted that the institutions that had served the West well should be reshaped to encompass Eastern Europe after the Cold War, and that those institutions should not stop at the old frontiers of the Cold War. He went on to say that no single institution was expected to play a dominating role in Europe. Thus, the aim should be to “create a framework of complementary, mutually and reinforcing institutions through interlocking structures.” European security, said Christopher, can then be created through interlocking structures and each with complementary roles and strengths.²⁹

The OSCE succeeded in adapting to the post-Cold War environment. The values enshrined in the Helsinki Final Act and in the Charter of Paris for a new Europe have become generally acceptable, at least on the declaratory level, to each participating state. The OSCE has also provided a framework for interaction among its participating members.³⁰ However, there has never been a specific master plan for the development of the OSCE and its structures and institutions; instead, the capabilities and institutions of the OSCE were always created ad hoc in response to political demand.

In the years since the end of the Cold War, the risk environment has changed and the OSCE has had to adapt to and try to address these changes. The OSCE has had to react to changes such as acute threats (global terrorism); instability (failing states, organized crime) as well as address the risk of the long-term causes of

²⁹ Statement of Warren M. Christopher, 1993 CSCE conference.

³⁰ Dunay, 2005; 41

instability (abuse of power, corruption, poverty, and abuse of human and minority rights).³¹ Establishing and maintaining security and stability require a broad range of instruments that is beyond merely guaranteeing military security. Now the UN, NATO and the EU together with the OSCE, all pursue similar goals: eliminating the causes of violence, terror and instability, and establishing the rule of law, human rights and good governance. Most of the member states of the OSCE are also members of other organizations such, as NATO and the EU, or they have become associated with them through instruments such as “Partnership for Peace”.³²

4.3 Armenia and the OSCE

Armenia joined the CSCE soon after regaining independence, on 30 January 1992. It signed the Charter of Paris on 17 April 1992 and the Helsinki Final Act on 8 July 1992.³³

However, the relationship between Armenia and the CSCE had started even before 1992. Since the Soviet Union had also been a member of CSCE since its establishment, this meant that all treaties and acts also applied to Soviet Armenia. In the 1970's Soviet Armenia had its dissident Helsinki Watch Group, founded in April 1977, to monitor civil rights violations in Soviet Armenia and the “anti-national” policies of the Communist authorities in Moscow and Yerevan. But the organization was crushed by 1979 and arrests and trials of its members for dissemination of such inflammatory sentiment continued into the early 1980s.³⁴ Still, under the climate generated by the Helsinki Final Act, the Soviet government gave permission to

³¹ Haber, 2005; 33

³² Ibid.

³³ “OSCE Fact and Figures: Participating States”. Accessed April 3, 2007.
[Http://www.osce.org/about/13131.html](http://www.osce.org/about/13131.html).

³⁴ Dudwick, 1997; 76-77

Armenian immigrants from the Diaspora and their dissidents who had settled in Soviet Armenia in the late 1940s, to regain their families, that is Armenian repatriates or their descendants, who had relatives abroad, could emigrate from the USSR to join their relatives abroad. "The permission was related directly or indirectly, as stated above, to the atmosphere of detente and the Helsinki process that prevailed during the presidencies of Nixon/Ford and Brezhnev in the early 1970s. However, the period of relative detente and internal tolerance came to an end by the close of 1970s, when the USSR invaded Afghanistan in 1979".³⁵

4.4 Reasons of Armenia's Membership to the CSCE/OSCE

After gaining membership in the UN, Armenia also became a member of the CSCE. In fact, after the collapse of the USSR, all its union republics became CSCE members. Since then, Armenia has been an active member of OSCE and has regularly participated in its conferences and ministerial meetings. There has been an open dialogue between Armenia and the OSCE.

Since March 1992, the CSCE/OSCE has led the international community's mediation effort in the Nagorno-Karabakh conflict settlement issue.³⁶ The Minsk Group, comprised of 11 participating states (Russia, USA, France, Germany, Turkey, Sweden, Belarus, Italy, Czechoslovakia which then replaced by Finland, as well as Armenia and Azerbaijan) concentrated on instituting a ceasefire in November 1993. Soon the Minsk Group developed into the CSCE/OSCE's de facto negotiating forum on the conflict. Since the beginning of 1997, however, the trilateral chairmanship of

³⁵ Personal interview with historian Dr. Ara Sanjian. Beirut. May 20, 2007.

³⁶ Dehdashti-Rasmussen, 2007; 192

this group, comprised of Russia, USA, and France, has become the key actor practically.³⁷

In addition to co-operation with the Minsk Group, Armenia has co-operated with the OSCE in many other field activities. Among them, an important task of the Armenian Government was to enact the structural reforms recommended by the OSCE. As noted elsewhere in this thesis, Armenia started with the electoral reform process, because the OSCE had been monitoring and assessing the elections in Armenia since 1996.

As a former republic of the Soviet Union, Armenia had to deal with political and economic legacies that were not easy to overcome quickly or easily. People needed time to understand that there needed to be structural change. The OSCE is one of the international organizations that offered assistance in helping Armenia during this period of change, especially in enacting various reforms: electoral and legislative, among others.

The OSCE has no executive power in Armenia or in any of its other member-states. As an organization it can only assist in the process of reform, mainly through setting norms and offering technical assistance. If a country is not willing and/or unable to change, the OSCE cannot by itself institute a reform process.³⁸ For instance, is a better election, that is, one that is free and fair, a primary contribution of OSCE? Even if the OSCE monitors, judges, consults, participates, and helps make the rules, how much of the positive outcome is due solely to the OSCE? How much of it is due to the internal social and political dynamic evolution of the society?

³⁷ Ibid.; 195

³⁸ Personal Interview with Dr. Nairi Petrossian. Vienna. April 4, 2007.

In fact, the pressure exercised by the OSCE is more useful than what the OSCE actually does.³⁹ To elaborate, the election process is something in which the citizens of a country are the main actors, along with the special electoral supervisory body nominated by the government, which organizes, counts and announces the votes. To have a fair and free election is dependent on those actors. The pressure exercised by the OSCE even merely by its presence is, however, a strong incentive for those actors to try and attain the goal of a free and fair election. In fact, the OSCE monitors do not interfere during the election, but they later report what they witness. Since Armenia is dependent on the results reported by the OSCE for its international reputation, the pressure by the OSCE gives an incentive to conduct free and fair elections.

4.5 The OSCE Office in Yerevan

Seven years after Armenia's membership, the OSCE's Permanent Council in its 22 July 1999 meeting decided to establish an office in Yerevan. The OSCE Chairman-in-Office and the Foreign Minister of the Republic of Armenia signed the corresponding Memorandum of Understanding on 15 September 1999 in Yerevan.⁴⁰

Barely a month later, there was a terrorist attack on the Armenian Parliament on 27 October 1999, leading to the assassination of the Armenian Prime Minister, the Speaker and the Deputy Speaker of the Parliament as well as a number of fellow parliamentarians. Under these circumstances, the launching of the OSCE Office,

³⁹ Personal interview with Ambassador Jivan Tabibian. Vienna. April 4, 2007.

⁴⁰ "Survey of OSCE Long-Term Missions and other OSCE Field Activities," 12 September 2006; 50 at http://www.osce.org/documents/cpc/2005/08/3242_en.pdf.

scheduled for November, was delayed, and the first resident OSCE representatives were asked not to go to Armenia until further notice.⁴¹

The office finally opened on 22 February 2000. According to the Decision No. 314, the Office had the following mandate:

- to promote the implementation of OSCE principles and commitments as well as the co-operation of the Republic of Armenia within the OSCE framework, in all OSCE dimensions, including the human, political, economic and environmental aspects of security and stability;
- to facilitate contacts, co-ordinate activities and promote information exchange with the Chairman-in-Office and other OSCE Institutions as well as co-operation with international organizations and institutions;
- to establish and maintain contacts with local authorities, universities, research institutions and NGOs and assist in arranging events with OSCE participation;
- to perform other tasks deemed appropriate by the Chairman-in-Office or other OSCE Institutions and agreed upon between the OSCE and the Government.⁴²

The Office's original mandate lasted until 31 December 1999.⁴³ Subsequent extensions have been given annually ever since.⁴⁴ Ambassador Roy Reeve of the United Kingdom was named the first Head of Office in Yerevan on 14 September 1999. At this point, the office had five other international staff members. From 15 October 2003 until the early summer of 2007, the Head of Office was Ambassador Vladimir Pryakhin of the Russian Federation. An extra international staff member also has been added since.⁴⁵

The Office works independently from the Minsk Group which deals with the peaceful settlement of the Nagorno-Karabakh conflict. The OSCE believes that the Office in Yerevan should be independent from the conflict settlement issue of Ngorno Karabakh so that the conflict settlement does not affect, nor is affected by, any

⁴¹ Personal interview with Dr. Evers Frank, Hamburg, April 17, 2007.

⁴² "Survey of OSCE Long-Term Missions and other OSCE Field Activities" 12 September 2006; 50. http://www.osce.org/documents/cpc/2005/08/3242_en.pdf.

⁴³ Ibid.

⁴⁴ OSCE 642nd Plenary Meeting, PC Journal No.642, Agenda item 6 at http://www.osce.org/documents/pc/2006/12/22742_en.pdf.

⁴⁵ Ibid.

decision made by the Office. Furthermore, it would have been very difficult for the Office, and it would have not been functional if it did not separate the activities of the three dimensions from the conflict settlement issue. Moreover, the Office in Yerevan has had some level of co-operation with the OSCE Office in Baku in dealing with environmental and military issues. For instance, in co-operation with NATO, the OSCE has a project for military issues that includes both Armenia and Azerbaijan.⁴⁶

With its flexible mandate, the Office seems to have contributed to the development of democratic institutions in Armenia, the strengthening of civil society and promoting OSCE standards and principles. Since the opening of the Office in Yerevan, there has been increased information exchange and more intensive dialogue between the OSCE and Armenia. Armenia's Government has welcomed the various activities and field projects organized and sponsored by the OSCE.⁴⁷

From the beginning, Armenia's government was very well aware of the importance of co-operation with the OSCE Office in Yerevan. This helped in the success of the mission. According to Harri Kämäräinen, the OSCE Senior Mission Program Officer, this "dialogue and co-operation is essential to achieve good results. Another thing that has also been crucial is that when the Office starts a project, that project will be accepted by the participating states of the OSCE. So there is also control from all the participating states on what the Office is doing."⁴⁸ This co-operation on the Armenian side can be considered as the true spirit of the *raison d'être* of the OSCE.

The first task for the OSCE Office in Yerevan was to establish and maintain a wide network of contacts/partners in all parts of Armenian society, such as the

⁴⁶ Personal interview with Dr. Nairi Petrossian. Vienna. April 4, 2007.

⁴⁷ Conkievich. 2005; 191

⁴⁸ Personal interview with Dr. Harri Kämäräinen. Vienna. April 4, 2007.

government, parliament, civil society, NGOs, and media. Also the office needed to establish close working relations with international organizations, embassies and international NGOs, in Armenia and outside the country. The office had a very co-operative manner which facilitated these tasks. The objective of the office was not merely to bring attention to the OSCE presence in Armenia, but was to identify those areas where the OSCE could make the maximum contribution in terms of its mandate and decide how best to use its resources.⁴⁹

4.6 Tasks and Activities of the OSCE

The OSCE Office contributes to overall goals of the OSCE in Armenia through working to help the development of democratic institutions in the country, strengthening civil society, and promoting OSCE standards and principles. The OSCE has the following tasks: legislative reform, such as elections; freedom of assembly and media; fighting corruption; police assistance program; counter-terrorism measures; armed forces reform; combating money laundering and the financing of terrorism; implementing international conventions on economic and environmental security; promoting economic development of Armenia's remote provinces; human rights awareness; enhancing the work of the newly established Ombudsperson's institution in Armenia; measures against trafficking, and gender issues. The OSCE's frequent consultations, information sharing, monitoring, and reporting assist Armenia in following the democratic reform process in a peaceful, secure way.

⁴⁹ Reeve, 2003; 248-255

Chapter 5: The Activities of the OSCE in Armenia

With the establishment of the OSCE Office in Yerevan in 2000, a range of activities were undertaken in the process of democratization in Armenia. One of the major tasks of the OSCE has been monitoring the political developments in Armenia. Working with Armenia's government, the National Assembly and the Constitutional Court, the OSCE has assisted Armenia with reforms in many fields.

The OSCE's assistance to Armenia in the human dimension and democratization has been primarily undertaken by the OSCE Office of Democratic Institutions and Human Rights (ODIHR), from even before the establishment of the OSCE Office in Yerevan. Its operation started in Armenia when the ODIHR received a formal request from Armenia's Central Electoral Commission (CEC), to observe the presidential elections scheduled for 22 September 1996.⁵⁰ Then the ODIHR started operating in many areas such as the electoral process, legislative reform, development of civil society and a civil register, countering trafficking in human beings, migration issues, promoting gender equality, media freedom and public access to information, promoting religious freedom and alternatives to military service. In the process of democratization, the OSCE tries to bring human rights public awareness in to the Armenian society.

5.1 Electoral Process

The elections in any country are a mirror of its democratic life. From elections one might perceive how democratic the country is. They show how transparent

⁵⁰ Osborn, 1996; 1

political life is, how fairly the authorities act toward the people, how free the people are to make their own choices, as well as how civilized and aware of the rule of law people are. The electoral process is a composition of many aspects that represents the community from different angles.

When an election in a transition country is transparent, fair and free, it will restore the population's trust in government. Moreover, when the procedures are according to international standards, and the results receive international approval, the country's reputation will improve and it will be internationally recognized and respected. On the other hand, if the elections are unfair and not free, it will hinder democratic consolidation in the country.

Since elections are an important indicator of democratic progress, Armenia tries to have free and fair elections first for its population and no less important, for the international observers and community.

The OSCE, being a community of countries committed to democracy, places great emphasis on promoting democratic elections. The OSCE, particularly with the support of the ODIHR, has been monitoring and assisting Armenia in its electoral process reform since 1996. The reports and recommendations that the OSCE/ODIHR have given before and after the various elections have assisted the electoral reform process in Armenia. Every year there has been some reordered improvement.

Throughout the years that the OSCE/ODIHR have observed, monitored and assisted in the electoral process in Armenia, the OSCE/ODIHR have reported some achievements. In his speech of 17 April 2007, Vartan Oskanian, the Foreign Minister of Armenia, mentioned that the elections of 12 May 2007 were going to be "a serious

challenge for Armenia to demonstrate its determination to consolidate through free and fair elections in its progress towards democratization and rule of law.”⁵¹

The most recent case of the OSCE/ODIHR involvement in election monitoring was the parliamentary elections of May 2007. The International Election Observation Mission (IEOM) for the 12 May 2007 parliamentary elections in Armenia was a joint undertaking of the OSCE/ODIHR, the OSCE Parliamentary Assembly (OSCE PA), the Parliamentary Assembly of the Council of Europe (PACE) and the European Parliament (EP).⁵² The OSCE has always co-operated with many international and other local organizations in election support and monitoring missions in Armenia.

The OSCE/ODHIR evaluated the parliamentary elections of 12 May 2007 as largely in accordance with OSCE and Council of Europe commitments and other international standards. Although there were many shortcomings,⁵³ this was, according to its initial report, the first positive electoral achievement in the post-Soviet history of the country. According to the observer mission, the amended and improved Election Code for the previous, 2003 parliamentary elections provided a good basis for democratic elections with some remaining shortcomings.⁵⁴ According to the most recent amendments to Armenia’s electoral code, the percentage of women’s participation in the candidates’ lists submitted by the parties was mandated to be at least 15 percent. The voter registry was centralized and computerized – the first example of this in the world. Also the election day was calm, with no major incidents and few cases of fraud. Some procedural problems in the counting and

⁵¹ “Minister Oskanian addresses Special Session of the OSCE Permanent Council”. Accessed on April 17, 2007. <http://www.armeniaforeignministry.com/Statements>.

⁵² “International Election Observation Mission Parliamentary Elections, Republic of Armenia” 12 May 2007; 1 at http://www.osce.org/documents/odihr/2007/05/24424_en.pdf.

⁵³ Ibid.

⁵⁴ Ibid.

tabulation of votes, as well as isolated cases of deliberate falsifications were observed, however.⁵⁵

Before the elections, President Robert Kocharian, and his government had come under intense Western pressure to conduct a fair and open vote. The United States had threatened to cut off foreign aid if there were serious irregularities, while the EU had warned it would scale back its relations. According to AFP, "Cuts in foreign aid could have been disastrous for Armenia, where more than 30 percent of the people already live on less than two dollars (1.50 euros) a day."⁵⁶ The final results were in favor of three pro-government parties, and only two opposition parties surpassed the threshold of five percent of vote cast.

It is interesting to ask the question: What would have happened if there were no Western pressure for free and fair elections? Was it "predetermined" that the parties that surpassed the five percent barrier would have all been only pro-government parties? It is also interesting to note the answer given by the vice president of the OSCE Parliamentary Assembly, Tone Tingsgaard, to the following question asked by a journalist: Were the elections in Armenia free and fair? He answered that he was not authorized to use such wording.⁵⁷ This fact makes someone to believe that there was manipulation even the OSCE/ODIHR monitors didn't notice.

Although significant progress has been made, this does not mean that there are no other needed improvements. There are many tasks that Armenia's government should complete before the presidential elections of 2008. The leader of the

⁵⁵ "Armenian poll demonstrates progress, observers say" Press Release: ODIHR-Elections. May 13, 2007 at http://www.osce.org/odihr-elections/item_1_24421.html.

⁵⁶ "Observers say Armenia election meets international standards". International Herald Tribune. Moscow. May 13, 2007; and "Observers hail Armenian election as democratic breakthrough" 13 May 2007 AFP; Yerevan at <http://www.armeniaforeignministry.com/IntheNews>.

⁵⁷ "Armenia Registers Progress in Meeting Commitments". *Panorama*: Armenian Information Portal News, 13/05/2007 at <http://www.panorama.am/en/elections/2007/05/13/tonetin/>.

Republican Party, current Prime Minister Serj Sargsyan, would in all probability submit his candidacy for the presidency. Some people suspect that he possibly had a role in manipulating the elections results to win the majority of seats in parliament and lay the necessary groundwork for next year's presidential elections. Since the international observers defined the elections as positive overall and complying with international standards, the opposition especially its radical wing, which mostly did not gain enough votes to surpass the five percent threshold, did not have the chance to declare the elections unfair and not free and thus contest them. Its appeals to the Constitutional Court were rejected.

With the May 2007 parliamentary elections, Armenia succeeded in gaining some respect from the international community by having held largely democratic polls. This was due in no small part to the OSCE's efforts through the years. Since 1996, the OSCE/ODIHR has assessed, observed, and given recommendations on elections in Armenia. In 1996, the ODIHR undertook a needs assessment mission in Armenia and later established the Election Observation Mission (EOM) to observe the presidential elections in the country.⁵⁸

The presidential elections of 1996 failed to win the approval of the OSCE/ODIHR EOM, however. It concluded that the very serious violations that they had observed raised concern about the legitimacy of the overall election process. The shortcomings, according to the OSCE/ODIHR observers, were mainly due to the discrepancies between the number of voters who signed and received ballot papers and the number of voter ballots in the official results.⁵⁹ Although there had been some improvements in the electoral law and administration compared to earlier elections of independent Armenia, the overall number and frequency of violations in

⁵⁸ Osborn, 1996; 1

⁵⁹ Ibid.; 13

the electoral law led OSCE/ODIHR to urge the authorities to make further necessary amendments to the law and gave them recommendations to this end. Some of these recommendations addressed the issue of the need for the consistent application of criteria for the invalidation of ballots, the reduction of pressure on members of the military to vote for a particular candidate, the removal of unauthorized persons in polling stations, the time of paid television advertising agreed among political parties, state TV and the CEC, and many more.⁶⁰ Thus, the Armenian authorities after the presidential elections of 1996 had much to do to meet OSCE/ODIHR electoral standards. The OSCE, with its significant experience with democratization, offered to assist Armenia in this process.

Armenia had to hold its next elections only after two years due to the unanticipated resignation of President Levon Ter-Petrossian in February 1998, who had won the presidential elections of 1996 with 51 percent of the vote.⁶¹ While the electoral law reform effort was underway in Armenia, the extraordinary presidential elections came before an amended electoral code could be adopted. The subsequent extraordinary presidential election of March 16 and 30 also did not meet the OSCE standards to which Armenia had committed itself in the Copenhagen Document of 1990.⁶² In fact, many of the violations observed during the 1998 elections challenged Armenia's commitment to the document.⁶³ The results of this flawed election was the

⁶⁰ Ibid.; 14

⁶¹ "Armenian Presidential Elections September 24, 1996 Final Report". ODIHR. October 24, 1996; 12 at http://www.osce.org/documents/odihr/1996/10/1208_en.pdf.

⁶² "The Copenhagen Document Article 6 says that Participating States declare to recognize their responsibility to defend and protect in accordance with their laws, their international human rights obligations and their international commitment, the democratic order freely established through the will of the people".

⁶³ "Republic of Armenia presidential Election. March 16 and 30, 1998: Final report" ODIHR. April 9, 1998; 3 at http://www.osce.org/documents/odihr/1998/04/1215_en.pdf.

victory of Robert Kocharian in the second round with 59.5 percent of the votes cast against his opponent, Karen Demirchyan, who received 40.5 percent of the votes.⁶⁴

The EOM in 1998 observed ballot stuffing, a number of discrepancies in the vote count, a large presence of unauthorized persons in polling stations, and instances of intimidation directed toward voters.⁶⁵ The OSCE investigated and gave a series of further recommendations, and the Armenian authorities had to undertake investigations of the serious irregularities and evidence of manipulation. As in 1996, there were also many discrepancies in 1998 in the number of registered voters and the ballots cast.

Some of the OSCE/ODHIR recommendations of 1998 focused on the issue of the integrity of the ballots, ensuring confidence in the election process, complaints procedures needed to be addressed in a timely manner, and the need to find remedies for irregularities and prevent unlawful acts. They suggested reviewing the vote count, verification and aggregation of the results procedures, as well as updating and improving the voter lists. The recommendations urged revising military voting to guarantee that soldiers are able to make their choice at the ballot box without any influence or pressure. Furthermore, Armenia's government was urged to investigate and prosecute violations of the election law to fulfill its commitment to a fair electoral process and to encourage better performance in future elections.⁶⁶

The OSCE/ODIHR also committed to assisting Armenia with the parliamentary elections of 30 May 1999. The first step in this process was the improvement of the electoral code (the Code) to include a number of OSCE

⁶⁴ IFEC Election Guide. <http://www.electionguide.org/election.php?ID=319>.

⁶⁵ "Republic of Armenia presidential Election. March 16 and 30, 1998: Final report" ODIHR. April 9, 1998; 4 at http://www.osce.org/documents/odihr/1998/04/1215_en.pdf.

⁶⁶ "Republic of Armenia presidential Election. March 16 and 30, 1998: Final Report" ODIHR. April 9, 1998; 21 at http://www.osce.org/documents/odihr/1998/04/1215_en.pdf.

recommendations. The OSCE evaluated these parliamentary elections in Armenia as “a step towards compliance with OSCE commitments”.⁶⁷ Although there were many improvements made to the electoral framework and the political environment, serious issues remained. The tendency of the election authorities to comply with a number of recommendations previously issued by the ODIHR and their acceptance of the technical assistance from the international community indicated the political willingness towards improvement. However, a range of shortcomings were observed. Still, positive improvements were also reported, such as increased freedom of association, assembly and expression and no cases of political repression were reported to the EOM. Previously banned political parties were readmitted to the political arena and the new legal framework did not exclude political parties from electoral competition.⁶⁸

It was suggested by ODIHR, after the observation of the 1999 polls that if “the improvements of the election environment was a general acceptance of genuine democratic procedures, the competing parties offering the electorate informed alternatives in a transparent political context, should be assessed during the mandate of the new Parliament.”⁶⁹ Some of the other recommendations suggested the elimination of the “against all” voting option, regulation of the presence and intervention of representatives of the Ministry of Interior and other security forces during the election process, reducing the maximum number of registered voters per

⁶⁷ “Republic of Armenia Parliamentary Election. 30 May 1999: Final Report” ODIHR. Warsaw. Accessed on July 30, 1999; 1 at http://www.osce.org/documents/odihr/1999/07/1217_en.pdf.

⁶⁸ Ibid.

⁶⁹ “Republic of Armenia Parliamentary Election. 30 May 1999: Final Report” ODIHR. Warsaw. July 30, 1999; 2 at http://www.osce.org/documents/odihr/1999/07/1217_en.pdf.

precinct to accelerate the voting and vote count processes, and updating and reviewing of technical procedures to comply with voter lists.⁷⁰

The OSCE/ODIHR continued to work in Armenia after the establishment of the Office in Yerevan in 2000. Many of their recommendations were included in the new electoral law but despite the many improvements the 2003 two-round presidential elections in Armenia also fell short of international standards for democratic elections. While the amended Electoral Code had provided a basis for elections of international standards, it “was not implemented with sufficient political determination to meet OSCE commitments for democratic elections.”⁷¹ The shortcomings were related to the unequal campaign conditions of the candidates, irregularities in voting, counting and tabulating as well as ballot box stuffing.

Again the May 2003 parliamentary elections in Armenia, held soon after presidential elections, fell short of international standards for democratic elections particularly in the counting and tabulation of votes. The election campaign was generally calm and quiet, with only isolated incidents of violence, however. There was improvement over the presidential elections of 2003 in the campaign and media coverage, and the political leadership of the country made efforts to discourage violence, the effectiveness of the election administration was hampered by a general lack of consistency, transparency and professionalism. The private television stations showed bias and women continued to be seriously underrepresented as candidates and political party activists. The legislation on the registration of candidates, political parties and blocs was applied inconsistently and selectively. While voter lists were improved in some communities, further work was required to increase their

⁷⁰

Ibid.; 28

⁷¹

“Republic of Armenia presidential Election. February 19 and March 5, 2003: Final Report” 28 April, 2003; 3 at http://www.osce.org/documents/odihr/2003/04/1203_en.pdf.

accuracy.⁷² There was also constitutional referendum in 2003 but it was not officially monitored by the OSCE/ODIHR.

According to OSCE/ODIHR, the amended Electoral Code of 2002 provided the basis for democratic elections; however, implementation did not meet expectations for proper administration of the elections. The authorities had to end this atmosphere of impunity to give a clear sign of determination to meet their international commitments for democratic elections.⁷³

The recommendations made after the elections of 2003 and the referendum of 2005, which was again not officially monitored by the OSCE/ODIHR, provided a good basis for democratic, free and fair elections to take place in Armenia. However, after all those recommendations, the electoral procedure remains weak according to the international standards. The report of OSCE/ODIHR made couple of weeks after the parliamentary elections of May 2007, stated that there were more shortcomings than it was recorded in the first interim report.⁷⁴ The constitutional court mostly rejected all the reported frauds and recognized the elections. However, a significant part of the population does not accept the results of any elections in Armenia because the population doesn't trust the government. They have become careless about the domestic politics because they know that each year the improvement is in the manipulation process rather than the democratic progress. History has shown that the only way in Armenia there has been a shift in the government was either through the resignation of the president and authorities, or through the assassinations of 1999. It

⁷² "Republic of Armenia Parliamentary Election. May 25, 2003. OSCE/ODIHR Election Observation Mission Final Report. Warsaw. July 31, 2003; 1 at http://www.osce.org/documents/odihr/2003/07/533_en.pdf.

⁷³ Ibid.

⁷⁴ "Post election Interim Report No. 1. 13-22 May 2007." OSCE/ODIHR Election Observation Mission Republic of Armenia Parliamentary Election 2007. Yerevan. May 24, 2007. [Http://www.osce.org/documents/odihr/2007/05/24667_en.pdf](http://www.osce.org/documents/odihr/2007/05/24667_en.pdf).

has been almost impossible in Armenia to have change in the government through democratic elections. The people have lost their faith in the elections in Armenia, and even the recent parliamentary elections of 2007, although at first gaining international approval, once more proved the manipulations made by the current authorities.

The Presidential elections of 2008 will show how Armenia is responding to the great job done by the OSCE and other organizations fostering democratic development and progress in Armenia.

5.2 Democratic Institutions Building

The OSCE finds it necessary for a country to have democratic institutions to facilitate the process of democracy. Accordingly, the OSCE Office in Yerevan assists this process by monitoring different institutions, helping in system capacity-building as well as introducing educational measures. It also facilitates democratic institutions building, by supporting different NGOs in the country.

One of the activities of the OSCE Office in Yerevan ODIHR is to support the monitoring of penitentiary institutions by organizing trainings for representatives from non-governmental human rights organizations. Also there is training of practical work, reporting skill and self-evaluation. In this field, the Office assists the Armenian Ministry of Justice in staff capacity-building following a two-pronged approach. Alongside training, the Office and ODIHR aim to develop a sustainable prison training capacity. Also the Office is reviewing a basis for wider implementation of alternatives to imprisonment and developing recommendations to discuss with key

actors involved in reforming the criminal justice system. It has promised to produce and present to the public a report on alternative sentencing.⁷⁵

Another major interest of the Office is to establish an independent public defense institution. For improved access to justice and increasing trust in the judiciary, the Office promotes the availability of defense lawyers who are independent from the financial constraints of clients. In this respect, the OSCE Office in Yerevan and ODIHR are assisting in drafting a new Charter for Public Defender's Office. Moreover, a Code of Ethics, as well as qualification and disciplinary procedures, will equally be elaborated and training for selected public defenders will take place.⁷⁶

In the field of fostering democratic institutions, the Police Assistance Programme was established in 2003 and started its first phase of operation in 2005. This programme is also an example of fruitful and constructive co-operation between the OSCE and Armenia which represents a well-trained and community-oriented force.⁷⁷

Since the OSCE places great importance on capacity-building at the local level, it is working to help improve access to information for citizens and civil society as a way to fight corruption. The creation of information centers helps to raise awareness about legislation and anti-corruption practices. The Anti-corruption Centre in Stepanavan is one such step towards building a network of centers in other regions of Armenia. A similar one has been working in Yerevan since April 2007, and another one will open in Martuni, Gegharkunik province.⁷⁸

⁷⁵ "Rule of Law". OSCE Office in Yerevan. Accessed on May 1, 2007 at <http://www.osce.org/yerevan/13809.html>.

⁷⁶ Ibid.

⁷⁷ "Milestone agreement initiates first phase of OSCE police assistance programme in Armenia". OSCE Office in Yerevan. Press Release. March 15, 2005. [Http://www.osce.org/yerevan/item_1_8983.html](http://www.osce.org/yerevan/item_1_8983.html).

⁷⁸ "Anti-corruption public reception Centre opens in Stepanavan with OSCE help". OSCE Press Release. May 18, 2007. [Http://www.osce.org/yerevan/item_1_24529.html](http://www.osce.org/yerevan/item_1_24529.html).

5.3 Countering Trafficking in Human Beings

Trafficking in human beings is a persistent global problem that took on particular urgency in the wake of the breakdown of communist regimes in Eastern Europe and the former Soviet Union in the early 1990s. Trafficking in human beings is often characterized as a modern form of slavery. This perception evokes images of women, men and children being forcibly taken from their homes and transported elsewhere for the purpose of sexual or labor exploitation. However, in reality the vast majority of trafficking cases is an attempt to earn a living abroad, a distorted means of migration.⁷⁹ Hence, trafficking is a human rights issue, because it is a distorted means of migration.

Combating human trafficking is one of the activities of OSCE in Armenia. The OSCE Office in Yerevan assists Armenia's government with its efforts in combating human trafficking, helping to develop anti-trafficking policy and legislation, as well as mechanisms to protect and assist the victims. Also the Office in Yerevan with the United Nations Development Program (UNDP) and the International Organization for Migration co-chairs the International Working Group on Anti-Trafficking, an informal forum for exchanging information on anti-trafficking developments in Armenia.⁸⁰

After independence and the subsequent socio-economic crisis, large-scale poverty, unemployment and irregular migration from Armenia contributed to trafficking in women and children becoming a serious problem. Armenia is now considered as one of the leading countries of origin. Many Armenians who were

⁷⁹ "Armenian Legislation on Trafficking in Human Beings Legislative Gap Analysis", OSCE Office in Yerevan. Democratization Programme. May 2006.

http://www.osce.org/documents/oy/2005/05/20388_en.pdf.

⁸⁰ Anti-Trafficking. OSCE Office in Yerevan. Accessed on May 1, 2007 at <http://www.osce.org/yerevan/13519.html>.

looking for a better life, a successful marriage, or a well-paid job abroad, have found themselves in situations of exploitation, sexual abuse, violence, restriction of movement, and sometimes slavery-like practices. There have been a number of cases in Armenia, when traffickers, making use of children's unprotected status, have recruited children from orphanages and special schools for sexual exploitation in the United Arab Emirates (UAE) and Turkey.⁸¹

In 2002, Armenian's government established an advisory body on trafficking in human beings. Since then, there have been several positive developments. One of the major developments was the improvement of a legislative framework criminalizing trafficking. Law enforcement agencies and other actors started to identify victims of trafficking, and the number of victims assisted by NGO shelters in Armenia increased significantly. Between 2005 and 2006, the number of victims of trafficking who received assistance, almost doubled. Co-operation among the state authorities, NGOs and other service providers improved. Specialized NGOs have gathered valuable experience and knowledge and, in general, the capacity of all anti-trafficking actors has increased. Also, in 2004, the government of Armenia adopted a National Plan of Action (NPA) to combat trafficking in persons, taking some steps to increase awareness about this problem. There are still significant gaps in many areas of the anti-trafficking response despite numerous initiatives and activities that have been conducted.⁸²

⁸¹ A number of cases of trafficking in children from orphanages and special schools are mentioned in the study conducted by the IOM Armenia office in September 2001. See "Trafficking in Women and Children from the Republic of Armenia. A Study", Yerevan, 2001.

⁸² "Armenian Legislation on Trafficking in Human Beings Legislative Gap Analysis". OSCE Office in Yerevan. Democratization Programme. May 2006; 5 at http://www.osce.org/documents/oy/2005/05/20388_en.pdf.

Anti-trafficking activities have been at the core of the democratization program of the OSCE Office in Yerevan.⁸³ Articles specifically establishing the crime of trafficking were incorporated into the Criminal Code in summer 2003 due in part to recommendations from the OSCE. A year later, the National Assembly adopted amendments to these trafficking provisions that would allow for a more inclusive definition of trafficking. The government is also considering amendments to articles of the Criminal Procedural Code addressing victim and witness protection designed to address more adequately the challenges to prosecution inherent in the crime of trafficking in humans.

Since 2005, the OSCE Office in Armenia has been preparing public information about cases of trafficking and organized prostitution.⁸⁴ After an assessment in 2006 by Hana Snajdrova and the OCSE Democratization Officer, Blanka Hancilova, the assessment team identified serious shortcomings in anti-trafficking activities undertaken by the state. The findings showed that the state authorities still pay too limited attention to the issue. There was no clear national strategy, and there was a shortage of both financial and human resources for the implementation of the National Plan of Action (NPA). Another weak point is the lack of institutionalized and formalized victim protection. In July 2006, the trafficking law has been amended and punishments significantly increased. However, the amended statute has been applied only in a few cases. Hence the aim of such assessment was to contribute to the implementation of special prevention projects and policy development.⁸⁵

⁸³ Ibid.; 3

⁸⁴ "Trafficking in Human Beings in the Republic of Armenia: An Assessment of Current Responses". OSCE Office in Yerevan. 2007; 12 at http://www.osce.org/documents/oy/2007/04/24090_en.pdf.

⁸⁵ Ibid.; 5

The OSCE Office in Yerevan continued to work on this issue and, on 8 June 2006, it organized a roundtable for experts on the implementation of the current NPA to Combat Trafficking in Human Beings and the development of a new NPA. To stimulate discussion, international experts from several OSCE participating states shared experiences related to their national strategies and action plans. Proceedings from the roundtable were shared with all stakeholders. The new NPA for 2007-2009 should give a clear picture of who the actors are and what their respective roles and responsibilities are. All this would be based on the analysis of lessons learned during the current NPA implementation.

The following key areas were suggested by the roundtable as worthy of being addressed in the new version of the NPA:

1. Prevention of trafficking, also through expanding the role of women in the society;
2. Protection of victims through legal counseling, psychological and medical assistance, and support to reintegration; further consideration of the issue of compensation;
3. Punishment of perpetrators, through trainings provided to law-enforcement officials; improvement of practices in investigation and prosecution mechanisms; further consideration of the role of border guards in anti-trafficking work;
4. Regional cooperation aimed at signing bilateral agreements on extradition, readmission and related issues, as well as regular information exchanges; and
5. More attention on trafficking⁸⁶

The OSCE is not the only actor in this field. In the two years of implementation of the current NPA, certain achievements were made by national NGOs as well. Numerous leaflets have been published and distributed by tourist agencies to passengers leaving for the UAE and Turkey. In cooperation and with the assistance of local authorities, anti-trafficking resource centers have been established

⁸⁶ "Proceedings Roundtable on the Development of the National Strategy and the National Plan of Action to Combat Trafficking in Armenia". OSCE Office in Yerevan: Democratization Programme. Yerevan. 2006; 7 at http://www1.osce.org/documents/oy/2006/06/20386_en.pdf.

in the cities of Vanadzor, Gyumri and Goris. Moreover, gap analysis was conducted in the framework of anti-trafficking activities of the OSCE Office in Yerevan in order to highlight the issue of trafficking. Nevertheless, the activities and presence of the OSCE in this field makes a difference and helps the Armenian society overcome the problems of trafficking of human beings.

The OSCE Office in Yerevan advises and assists in developing a consistent legal framework to criminalize traffickers and protect victims and witnesses. The Office prepared an analysis of existing legislation and advocated for changes in the legal framework with the national authorities. Armenian anti-trafficking provisions were amended in June 2004 to achieve greater compliance with the Palermo Protocol,⁸⁷ but they still do not encompass some of the more aggressive measures of the recent Council of Europe Convention. Both the Palermo Protocol and the Council of Europe Convention require state parties of which trafficking victims are nationals to facilitate the repatriation of the victims without unreasonable delay, preferably on a voluntary basis.⁸⁸

Consensus has yet to be reached between the national agencies and international organizations on the best concrete steps to take to combat trafficking, because some agencies and experts consider that there is the need of some change in the Criminal Code, while others find the Criminal Procedure Code (CPC) sufficient legislative basis for the criminalization and argue that the real problem is in its implementation. In the summer 2006, the Government asked the National Assembly to coordinate its efforts with the Ministry of Justice, which had earlier submitted for

⁸⁷ “The **Palermo Protocol** is the protocol to prevent, suppress, and punish trafficking in persons, especially women and children, supplementing the United Nations Convention Against Transnational Organized Crime which represented a significant step in establishing a comprehensive definition of trafficking in human beings and framing it as a human rights violation.”

⁸⁸ Palermo Protocol, Art. 8; Council of Europe Convention, Art. 16.

adoption a package of CPC amendments, including some on victim and witness protection. These amendments were developed with support of the OSCE Office in Yerevan. Special provisions for the protection of trafficked children should be taken into account though there have not been numerous cases of trafficking in children registered in the Republic of Armenia so far.⁸⁹

The OSCE Office in Yerevan actively supports the development of a National Referral Mechanism to protect victims of trafficking. It has organized several roundtables, involving all relevant parties in the process, to address the results of the assessment as well as victim identification. To build the capacity of local actors, in July 2006, the OSCE Office in Yerevan, with the help of the OSCE Project Coordinator in Ukraine, organized a study tour to Ukraine for representatives of two key Armenian NGO in the anti-trafficking field and representatives from the government and the police. The goal was to exchange experiences with NGOs providing assistance to trafficked victims and government bodies combating trafficking in Ukraine.⁹⁰

The OSCE recommends, that in addition to all the positive changes mentioned, Armenia still needs to improve the co-ordination of its anti-trafficking response at the state level. It urgently needs to identify a clear structure within which NGOs and the government can cooperate. The International Working Group and the Inter-Agency Commission/National Coordinator should take appropriate steps to improve

⁸⁹ "Trafficking in Human Beings in the Republic of Armenia: An Assessment of Current Responses" OSCE Office in Yerevan.2007; 8 at http://www.osce.org/documents/oy/2007/04/24090_en.pdf.

⁹⁰ "OSCE Office in Yerevan. Overview of the Office activities 2006".Report. February 15, 2007; 6 at http://www.osce.org/documents/oy/2007/04/24090_en.pdf.

coordination while legislation should incorporate a provision on the state obligation to ensure victim assistance.⁹¹

5.4 Migration

The OSCE Office in Yerevan has been assisting the Government in improving the legislative and administrative framework related to migration. The issue of migration has been a major concern for the country. Since the Iron Curtain disappearance, the freedom of movement has created opportunities for many citizens to migrate to different destinations. However, while some citizens find good opportunities, others experience difficult situations, for instance the case of trafficking in human beings.

The OSCE Office in Yerevan conducted a national survey on trends in labor migration, reviewed relevant legislation and provided recommendations on improving the existing framework to help regulate migration and prevent human trafficking. Establishing a new population register in Armenia was a necessary step towards securing the human rights of freedom of movement. The population register project raised awareness among the government, the parliamentarians and NGOs that the system of population register in Armenia, inherited from Soviet period, did not ensure the right to choose one's residence inside the country.⁹²

The OSCE Office in Yerevan and the ODIHR have assisted the government with the task by providing expertise on migration management focusing on the issue of migrants' rights protection, returnees and reintegration. In 2005 the Office provided

⁹¹ "Trafficking in Human Beings in the Republic of Armenia : An Assessment of Current Responses." OSCE Office in Yerevan. 2007; 30-31.
[Http://www.osce.org/documents/oy/2007/04/24090_en.pdf](http://www.osce.org/documents/oy/2007/04/24090_en.pdf).

⁹² "Reform of the Population Registration System in the Republic of Armenia" OSCE/ODIHR Project Report. 2001; 3 at http://osce.org/documents/odihr/2001/11/1511_en.pdf.

the government with international expertise on the Draft Law on Employment and Social Protection in Cases of Unemployment, which was adopted in the fall of that year. Roundtable discussions on returnee issues were conducted, jointly with a Swiss NGO, CIMERA, in Yerevan and a number of regions of Armenia. Moreover, the Office, in cooperation with CIMERA organized a series of roundtables on migration in different regions of Armenia, which are characterized by high rates of migration and unemployment. The roundtables aimed to raise public awareness on migration related issues, such as migrants' access to overseas legal employment opportunities to repatriation and integration policies in Armenia. The final roundtable, held in December in Yerevan, finalized the recommendations to the Armenian authorities and other actors in the field.⁹³

In the spring of 2005, the Office, jointly with the Ministry of Labor and Social Issues, held a workshop on labor migration. During this event, the Office discussed the preliminary results of its project to review Armenian legislation and the administrative framework related to international migration as well as the results of a nation-wide sociological survey of households on labor migration.⁹⁴

In 2006, the Office continued its work in the migration legislation field (expertise of draft legislation, drafting of new amendments or legal acts). The Office conducted a survey, "Labor Migration from Armenia in 2002-2005", implemented by the NGO Advanced Social Technologies, with UK Foreign and Commonwealth Office funding. The survey researchers studied the current migration situation and

⁹³ "OSCE Office in Yerevan. Overview of the Office Activities 2005". Report. February 15, 2006; 6 at http://www.osce.org/documents/oy/2006/02/18140_en.pdf.

⁹⁴ Ibid.

trends in Armenia, describing the labor migration flows and outlining possible directions for further in-depth analysis.⁹⁵

5.5 Promoting Gender Equality

Women's participation in politics, both as voters and candidates, is very important for democratization in Armenia and for promoting gender equality in the country and giving opportunities to women to participate in the political life of Armenia. To co-ordinate plans and activities among key players, the Office chairs the International Working Group on Gender Issues. All key international actors in this area – United Nations Development Fund for Women (UNIFEM), the United Nations Development Program (UNDP) and the National Democratic Institute for International Affairs – actively participate in the group's meetings. The Office in Yerevan works with the Government, political parties and civil society to increase women's public participation and mainstream gender into policies and legislation. The OSCE Office in Yerevan, as well as the UNDP and UNIFEM, have carried out training activities aimed at encouraging women to take a more active role in local elections. The training has focused on strengthening the leadership and election preparation skills of women candidates. Moreover, the recent amended Electoral Code obliges each political party participating in the elections to have at least 15% women on its party list.⁹⁶

In the field of gender mainstreaming the Office plans and carries out seminars and training workshops for journalists, aiming to boost the quality of media coverage

⁹⁵ "OSCE Office in Yerevan. Overview of the Office Activities 2006". Report. February 15, 2007; 6 at http://www.osce.org/documents/oy/2007/04/24090_en.pdf.

⁹⁶ "Draft Final Opinion on the Amendments to the Electoral Code of the Republic of Armenia: Adopted on 17 May 2005 by the National Assembly of Armenia". Venice Commission, Council of Europe, ODIHR. August 26, 2005 at http://www1.osce.org/documents/oy/2005/08/16507_en.pdf.

of women and gender issues. In co-operation with the OSCE Office for Democratic Institutions and Human Rights (ODIHR), the Office is also working to introduce and mainstream gender education into national educational programs and legislation. Efforts focus on developing the curriculum and conducting gender courses in universities and high schools, lobbying university rectors to include gender issues in educational programs, and mainstreaming gender issues into state policies in general.

The OSCE Office in Yerevan and ODIHR supported the development of Armenia's NPA for the Advancement of Women in May 2004. The aim of the NPA is to fulfill Armenia's constitutional provisions regarding equal rights and opportunities for men and women. Its goal is to define basic policy elements for Armenia's government to promote the position of women in society. The OSCE Office in Yerevan is now supporting the plan's full implementation through further assistance for the development of local gender expertise, by facilitating information and experience sharing among Government officials as well as familiarizing civil society actors, media and governmental bodies with practices from other countries.⁹⁷

Every spring, the Office implements a project aimed at promoting gender awareness by outreach to the youth through an essay contest. More than 150 high school students submit essays on the role of women in Armenian society, part of an OSCE-supported project implemented by the Center for Development of Civil Society and the US Peace Corps.⁹⁸

⁹⁷ "OSCE Office in Yerevan. Overview of the Office activities 2006". Report. February 15, 2007; 6. [Http://www.osce.org/documents/oy/2007/04/24090_en.pdf](http://www.osce.org/documents/oy/2007/04/24090_en.pdf).

⁹⁸ "Gender: Student Essays". Accessed on May 5, 2007 at <http://www.osce.org/yerevan/20146.html>.

5.6 Media and Access to Information

The OSCE has always supported the freedom of the media and public access to information in the world, including Armenia. The OSCE Office in Yerevan closely follows the state of media freedom and developments in media legislation. In co-operation with the Office of the OSCE Representative on Freedom of the Media, the Office in Yerevan also follows cases of violence against journalists. It urges law-enforcement bodies to follow thoroughly on the investigations of cases of violence against journalists and cases of hampering their professional activities. The Office also requests updates on the status of related criminal cases and follows up on their progress.

The OSCE Office in Yerevan in co-operation with the Council of Europe organized a two-day seminar on “European Standards and Media Regulation” on 11 and 12 January 2001 in Yerevan.⁹⁹ The aim of the seminar was to review current media legislation in Armenia, the situation regarding access to information, and relevant legislative initiatives. The seminar also conducted a detailed analysis of the Television and Radio Broadcasting Law adopted by the Armenian National Assembly on 9 October 2000. Two invited experts from the Council of Europe discussed European standards on media regulation and the conformity of current Armenian legislation with the requirements of the Council of Europe. Such seminars give the opportunity for Armenia to be introduced to the European standards on such issues. Being a member of the Council of Europe, one of the commitments undertaken by

⁹⁹ “Yerevan Seminar on Media Regulation.” Press Release. OSCE Office in Yerevan. 9 January 2001. [Http://www.osce.org/yerevan/item_1_5665.html](http://www.osce.org/yerevan/item_1_5665.html).

Armenia is to ensure that media legislation complies with basic international principles.¹⁰⁰

The OSCE Representative on Freedom of the Ambassador Media, Miklos Haraszti, visited Armenia in June 2006 and issued a “Report on the State of Media Freedom in Armenia”. Having met with high-level governmental officials and media representatives, Haraszti concluded that Armenia has made significant progress in improving media legislation.¹⁰¹ However, media pluralism remained limited to the independent, but financially weak and less influential, print media. His report recommends that the Government prepare the following legislative changes, provided for by constitutional amendments of 2005, to be publicly discussed and passed in parliament as soon as possible.

1. Amend legislation to make licensing tender procedures clearer and more transparent,
2. Adopt sub-legal acts to the Freedom of Information Law,
3. Amend the Law on Postal Communication and
4. Decriminalize libel.¹⁰²

The Office in Yerevan worked to support the implementation of the report's recommendations. As a result, during the parliamentary elections of May 2007, there was extensive media coverage of the election, with an apparent effort to enable most parties and candidates to convey their messages to the electorate, which were largely devoid of critical viewpoints, however. Also the public media adhered to legal requirements concerning allocation of free airtime during the official campaign period.¹⁰³

¹⁰⁰ Ibid.

¹⁰¹ “Armenian media situation improved, but more diversity needed, OSCE media watchdog says in new report”. Press Release. OSCE Office in Yerevan. July 26, 2006.
http://www.osce.org/fom/item_1_20010.html.

¹⁰² “The State of Media Freedom in Armenia” The Representative on Freedom of the Media. OSCE Document. 26 July 2006; 10 at
http://www.osce.org/documents/oy/2007/05/24699_en.pdf.

¹⁰³ “Republic of Armenia parliamentary Election. May 13, 2007: Final report” OSCE/ODIHR.

The Office also works closely with the Armenia's government and civil society to improve the government's transparency and accountability by providing increased access to information. In order to closely follow the state of media freedom in Armenia, the Office monitors the distribution of broadcasting frequencies and has encouraged the National Commission for TV and Radio to be more transparent in its allocation of frequencies. For instance, the case of "A1+" television channel was forced to stop broadcasting years ago in Armenia. This act was considered a violation of freedom of speech because it forbade the broadcasting of the alternative viewpoints of the opposition parties in Armenia.

The OSCE also criticized the attempt of the parliament to amend the Armenian laws on broadcasting legislation to ban foreign broadcasts on Armenian public television and radio and heavily taxed their retransmission on private stations.¹⁰⁴ The proposals, which passed in their first reading on 29 June 2007, amounted to a "ban on Radio Free Europe/Radio Liberty (RFE/RL)"¹⁰⁵ and could have made Armenia's March 2008 presidential elections less free and fair.¹⁰⁶ Visiting senior representatives of the Council of Europe also warned the Armenian authorities on 2 July 2007 against effectively pulling RFE/RL off the air, saying that its Armenian-language broadcasts are essential for political pluralism in the country.¹⁰⁷ The U.S. State Department said that proposed legislation was unlikely to further Armenia's "stated desire for continued democratization, particularly in the wake of the May parliamentary

May 13, 2007; 2.

¹⁰⁴ Donovan, Jeffrey. "Armenia: Restrictive Foreign-Media Legislation Falls in Parliament". July 3, 2007 at

<http://www.rferl.org/featuresarticle/2007/07/bb6f8dcc-a266-43ba-86d9-4db560dbbd0a.html>.

¹⁰⁵ Radio Free Europe/Radio Liberty (RFE/RL) is a private, international communications service to Eastern Europe, Russia, the Caucasus, and Central and Southwestern Asia funded by the U.S. Congress through the Broadcasting Board of Governors.

¹⁰⁶ "OSCE Concerned About RFE/RL Future in Armenia". June 28, 2007.

[Http://www.armtown.com/news/en/rfe/20070628/200706282/](http://www.armtown.com/news/en/rfe/20070628/200706282/).

¹⁰⁷ "Council of Europe Concerned About RFE/RL Future in Armenia." July 2, 2007.

[Http://www.armtown.com/news/en/rfe/20070702/200707022/](http://www.armtown.com/news/en/rfe/20070702/200707022/).

elections that marked a step forward even as they reflected the need for further improvements toward democratic standards."¹⁰⁸ Fortunately, the law was not amended.

Another main activity of the OSCE is the encouragement of public information centers in different regions of Armenia. In Yerevan, the OSCE supported the establishment of the Aarhus Centre in May 2002, the first such center for public information in the post-Soviet region.¹⁰⁹ The goal of Aarhus Centres is to raise the people's awareness of environmental issues and encourage their participation in decision-making. These OSCE-supported centres promote dialogue among NGOs, the public and state officials, as well as attempt to reach the youngest members of society with environmental education initiatives. These centres also have environmental libraries and advise and educate the public and civil society on their rights, duties and relevant legislative processes.

In Armenia, the Aarhus Centre is one of the few places where state officials and NGOs can meet eye-to-eye to discuss environmental issues. Promoting public's environmental rights is important for ensuring sustainable development in the country as well as for the promotion of government information-sharing with the public overall. Co-operation is developing and spreading to other areas as well. Centres already exist in Yerevan, Vanadzor, Goris, Kapan, Dilijan, and Idjevan. Three new centers will be opened in the cities of Gyumri, Hrazdan and Gavar, which will bring the total number of Aarhus Centers in Armenia to nine.

¹⁰⁸ Donovan, Jeffrey. "Armenia: Restrictive Foreign-Media Legislation Falls in Parliament". July 3, 2007.

¹⁰⁹ <http://www.rferl.org/featuresarticle/2007/07/bb6f8dcc-a266-43ba-86d9-4db560dbbd0a.html>. Since 1999, the OSCE has been promoting the Aarhus Convention, adopted on 25 June 1998, throughout its participating States.

The Office in Yerevan has awarded journalists for writing environmental issues. The OSCE also presented a guidebook before the parliamentary election of 2007 to journalist the legal mechanisms that protect their right to electoral information before, during and after elections. The OSCE Office in Yerevan financially supported the NGO Freedom of Information Centre that developed this guidebook.¹¹⁰

For the last few years, the OSCE Office has presented a special prize to one of the winners of the Yerevan Press Club Annual Award. Also “The Radiolur” (“Radio News”) program of Armenian Public Radio was awarded a prize for its efficient, objective and diverse news broadcasting by the OSCE Office.¹¹¹ Apparently such programmes help develop freedom of expression in Armenia and enhance the professional skills and ethical standards of the journalistic community. Hence, the OSCE is inclined to continue its activities in this field.

5.7 Reform Process

As noted earlier in this thesis, the OSCE started assisting Armenia by the Nagorno Karabakh conflict settlement and electoral observational work and then moved to providing expertise for the drafting of the electoral legislation reform process and promoting free and fair elections. In 1996, Vartan Oskanian, then Ambassador of the Delegation of Armenia to the OSCE, requested the OSCE ODIHR to provide the assistance of legal advisers to review Armenia's laws on elections and suggest necessary amendments in line with the OSCE/ODIHR recommendations

¹¹⁰ “OSCE Office in Yerevan presents guidebook for journalists on how to receive electoral information” Press release. Yerevan. April, 27, 2007. [Http://www.osce.org/yerevan/item_1_24193.html](http://www.osce.org/yerevan/item_1_24193.html).

¹¹¹ “OSCE Office in Yerevan awards public radio program.” Press release. Yerevan. July 19, 2005. [Http://www.osce.org/yerevan/item_1_15740.html](http://www.osce.org/yerevan/item_1_15740.html).

contained in the ODIHR 22 September 1996 presidential elections report.¹¹² In fact, this legislative assistance has increased in recent years because of Armenia's obligations resulting from its accession to the Council of Europe. Hence, the ODIHR and the Council of Europe have been co-operating in this field to present a common front for the cause of reform to the Armenian authorities.

Since December 2002, the Office has supported the improvement of voter lists to address ballot fraud, one of Armenia's most critical election related problems. Specialized software which can control duplications and other errors on the voter lists and make the lists more consistent was introduced and has since been maintained in 22 communities.¹¹³ When the amendments to the Electoral Code were passed in 2005, the Office helped to establish a centralized national voter register which was later used in the Parliamentary Elections of 2007.

The Law on Referenda was initially approved in 2001 and subsequently was put up for a constitutional referendum in 2003. However, this attempt to amend the Constitution through a referendum in 2003 failed because of insufficient voter turnout. At first, the Armenian Constitution and Electoral Code were translated into English so that the experts could work on it and find out where shortcomings existed that do not comply with international standards.¹¹⁴ Armenia thought that it had met most of its Council of Europe commitments by the end 2003 by drafting and passing relevant legislation. According to the OSCE, however, there remained areas where legislation needed to be improved, such as the Law on Rallies and Demonstrations and the Law on Elections. On the other hand, some amended laws (such as the Law

¹¹² "Final Report OSCE/ODIHR Mission on Implementation of OSCE/ODIHR Recommendations Contained in the Final Report on Presidential Elections in Armenia" ODIHR. January 23, 1997: 1. [Http://www.osce.org/documents/odihr/1997/01/1209_en.pdf](http://www.osce.org/documents/odihr/1997/01/1209_en.pdf).

¹¹³ "Electoral Reform". OSCE Office in Yerevan. Accessed on May 27, 2007. [Http://www.osce.org/yerevan/13520.html](http://www.osce.org/yerevan/13520.html).

¹¹⁴ Personal interview with Dr. Nairi Petrossian. Vienna. April 4, 2007.

on Freedom of Information) that were found acceptable to the international community, were deemed to need revision by the Armenian authorities before they came into effect. The authorities did not accept all the amended laws because they might have limited their absolute freedom and rights. Overall, there remained more work to do by the end of 2003, and the OSCE agreed to continue to participate in these efforts.¹¹⁵

Accordingly, at the request of the Armenian National Assembly, the OSCE Office in Yerevan supported the process of Electoral Code reform in line with the recommendations of the OSCE/ODIHR and the Council of Europe's Commission for Democracy through Law ("Venice Commission").¹¹⁶ On 3 October 2005, the President called for a referendum to approve the set of amendments to the Constitution that had been adopted by the National Assembly following recommendations from the Council of Europe's Venice Commission. The constitution was thus amended by a referendum in November 2005

Concerning the amended points, there was an attempt to create the opportunity of having Armenian citizenship for individuals with ethnic ties to Armenia, and Armenian citizens to hold dual citizenship.

The key amendments of the 2005 referendum will regulate the following areas:

- **"Separation of powers:** The President will appoint the Prime Minister who "enjoys the confidence of the majority of the deputies" and the Prime Minister can be dismissed only by a non-confidence vote in the National Assembly. The Chair of the National Assembly will convene parliamentary sessions upon the request of 1/3 of the deputies, the government or the President. The procedure for formal application of parliament to the Constitutional Court will be simplified, requiring support of 1/5 of deputies. The President's power to dissolve the National Assembly will be limited. The foreign policy of the

¹¹⁵ Conkievich, 2005; 199

¹¹⁶ "OSCE Office in Yerevan. Overview of the Office activities 2006". Report. Accessed on February 15, 2007; 7. [Http://www.osce.org/documents/oy/2007/04/24090_en.pdf](http://www.osce.org/documents/oy/2007/04/24090_en.pdf).

Republic of Armenia is to be conducted jointly by the President and the Government.

- **Presidential immunity:** During and after the mandate, the President will be non-liaible for acts arising from his/her duties and during the mandate; he/she will enjoy the immunity from prosecution for acts not arising from his/her presidential duties.
- **Independence of the Judiciary:** The Justice Council, which recommends the appointment and dismissal of judges, should be composed of nine judges elected by a secret ballot by the General Assembly of Judges, two legal scholars appointed by the president and two legal scholars appointed by the National Assembly.
- **Ombudsperson's Office:** The Ombudsperson will be an independent and non-removable officer elected by a majority of 3/5 of the deputies of the National Assembly for a 6-year mandate. The Ombudsperson is granted a right to apply to the Constitutional Court.
- **Freedom of the media:** A National Commission on Radio and Television, regulating the electronic media market, will be appointed for six years by the National Assembly and the President; each will appoint one-half of the commission.
- **Local self-government:** The city of Yerevan will become a local-self government unit with an elected mayor with the method of election to be decided by law. In addition, local self-government units are granted to lodge a case in the Constitutional Court.”¹¹⁷

After the 2005 referendum, significant changes were introduced to the Electoral Code as recommended by the OSCE/ODIHR and the Council of Europe's Venice Commission. They had produced a number of opinions on various drafts. As a result, the legislative framework was improved in the areas of formation of election commissions, voting procedures and tabulation and publication of voting results.¹¹⁸

According to the new electoral Code, citizens of Armenia living outside Armenia cannot vote in foreign countries. The Law on Referenda regulates the remaining aspects of the conduct of referenda. On September 28, 2005, latest

¹¹⁷ “Constitutional Referendum, Republic of Armenia: OSCE/ODIHR Needs Assessment Mission Report, 24-25 October 2005.” Warsaw. November 10 and 27, 2005; 4. [Http://www.osce.org/documents/odihr/2005/11/16947_en.pdf](http://www.osce.org/documents/odihr/2005/11/16947_en.pdf).

¹¹⁸ Ibid.

amendments were introduced to the Law on Referenda to ensure consistency with the amended Election Code.

On the human rights front, the OSCE supports government policy and legal reform to promote the freedom of conscience, religion and belief. The OSCE Office in Yerevan also closely follows the situation of religious communities. A new Law on Religious Freedom was developed in 2001 and the Office played the role of an active observer in the process.¹¹⁹

In addition to other reforms, since 2002, the OSCE Office in Yerevan has assisted the Armenian authorities in developing a legal basis for introducing alternatives to military service. Hence in 2004 the Law on Alternative Service entered into force particularly for those young individuals who consider that their belief does not encourage dealing with arms.

5.8 Capacity Building for the Standing Committees

One of the OSCE's tasks in the human dimension is to assist member countries to develop good governance. Accordingly, the Office in Yerevan has good contacts with the Standing Committees of the National Assembly of Armenia and with the political parties and factions represented in the Parliament. Not only does it support legislative reform in the country and facilitate the provision of expertise on draft laws, but it also assists legislators in promoting more effective and transparent working processes.

In 2004, the Office began a program strengthening the professional capacities of the parliament through advanced training of the expert staff of the Standing

¹¹⁹ "Alternatives to Military Service" Office in Yerevan: Human Rights.
[Http://www.osce.org/yerevan/13210.html](http://www.osce.org/yerevan/13210.html)

Committees. The training is targeted to the specific needs of the different committees and is followed with an experience exchange with the parliaments of other OSCE countries.

In June 2004, the OSCE Office in Yerevan in co-operation with the OSCE Parliamentary Assembly organized a three-week training program for parliamentary staff in Armenia, with the aim of facilitating a more effective, professional and transparent law-making process. The curriculum included nine thematic modules presented by international and national experts, including representatives of the Italian and Lithuanian Parliaments invited by the OSCE Parliamentary Assembly, who shared their experiences of parliamentary democracy with the participants.¹²⁰

In 2005, the Office continued its training program to support the Standing Committees of the National Assembly aimed at strengthening the professional capacities of the parliamentary professional staff.¹²¹ Following a three-week training program in June 2005, practical visits to the Slovenian National Assembly served to teach professional capacities to selected participants. A stopover in Vienna for briefings with the Austrian Parliament and the Vienna Office of the OSCE Parliamentary Assembly also were arranged to add value to the experience. The Office also donated specialized literature to the library of the National Assembly, and it organized a similar one-week professional training for the staff of the Armenian Foreign Ministry.¹²² Similar comprehensive training courses for the professional staff of the parliamentary departments in Yerevan were held in June 2006, and the second phase of the training course was again practical follow-up visits to the Senate and

¹²⁰ "OSCE launches training programme for parliamentary staff in Armenia". OSCE Press Release. Yerevan. June 2, 2004. http://www.osce.org/yerevan/item_1_8327.html.

¹²¹ "OSCE Office helps train staff of Armenian Parliament". OSCE Press Release. Yerevan. June 28, 2005. http://www.osce.org/yerevan/item_1_15382.html.

¹²² "OSCE Office in Yerevan. Overview of the Office Activities 2005". Report. February 15, 2006; 8. http://www.osce.org/documents/oy/2006/02/18140_en.pdf.

House of Representatives of Belgium, as well as a short tour in the European Parliament, arranged for the participants.¹²³

For capacity building for the staff of the Ministry of Foreign Affairs, the Office organized a series of lectures. Domestic and international experts were invited to conduct the courses with the aim of strengthening the professional and analytical capabilities of the Foreign Ministry's staff, in particular by expanding their familiarity with established research and analytical tools and methods and providing analysis on modern approaches in the field of international law and security studies.¹²⁴ The Office is continuing its support for the capacity building for the staff because it is the best contribution to the future of the parliament and the Office is ready to continue co-operation with the National Assembly in this respect.¹²⁵

5.9 Freedom of Assembly

A democratic nation should, as a rule, have the right of freedom of assembly. The OSCE wanted to evaluate the existence of this freedom in Armenia. In 2003, the Office studied the legislative framework surrounding the freedom of assembly and came up with recommendations to improve the realization of this right. The recommendations suggested that Armenian authorities should draft a law on rallies and demonstrations. Subsequently, the law was adopted by the National Assembly in April 2004. The Office had facilitated expertise on the law from the OSCE ODIHR and the Council of Europe's Venice Commission.¹²⁶

¹²³ "OSCE Office in Yerevan. Overview of the Office activities 2006". Report. February 15, 2007; 7-8. [Http://www.osce.org/documents/oy/2007/04/24090_en.pdf](http://www.osce.org/documents/oy/2007/04/24090_en.pdf).

¹²⁴ Ibid.

¹²⁵ "OSCE Office helps train staff of Armenian Parliament". OSCE Press Release. Yerevan. June 28, 2005. [Http://www.osce.org/yerevan/item_1_15382.html](http://www.osce.org/yerevan/item_1_15382.html).

¹²⁶ "Opinion on the Draft Law of the Republic of Armenia on the Procedure of Conducting

Then those experts expressed the view in a number of joint opinions that the 2004 law on Conducting Public Gatherings, Demonstrations and Marches was overly restrictive and did not meet all relevant international standards.¹²⁷ Moreover, as the underlying attitude seen in the law was not entirely sympathetic to demonstrations, with the sense being conveyed that these need to be justified rather than that the burden should be on those who would subject them to regulatory controls. This means that there will be an opportunity for the people to have peaceful demonstrations. Hence, this act of demonstrations will be considered according to the law and the authorities will not have the necessity to punish the peaceful demonstrators. There was clearly a need for the law ultimately adopted to reflect a strong presumption that demonstrations are a legitimate activity and indeed are an essential characteristic of a healthy democracy.

Accordingly, the OSCE Office in Yerevan continued to work with the National Assembly to encourage a number of amendments that would improve the legislation. At the National Assembly's request, international experts provided several packages of recommendations. In addition, the Office, the Council of Europe and OSCE/ODIHR organized a number of discussions by experts and an international roundtable on "Freedom of Assembly: Legislation and Practice." These events provided a forum for broader discussions on freedom of assembly in Armenia and contributed to the law being amended in October 2005. Experts from the OSCE and the Venice Commission noted that most of their recommendations were taken into account. However, they stressed that the most essential aspect of ensuring freedom of

Gatherings, Meetings, Rallies and Demonstrations". Report. OSCE/ODHIR. Warsaw. April 4, 2004; 29-30. [Http://osce.org/documents/odihr/2004/04/2763_en.pdf](http://osce.org/documents/odihr/2004/04/2763_en.pdf).
Ibid.

¹²⁷

assembly was the spirit in which it was implemented and interpreted.¹²⁸ The Office continued to follow this issue in 2006 and expressed hopes that the amendments will result in greater freedom for individuals to publicly gather and express their opinions without any undue restrictions.

During the official campaign period of the parliamentary elections of May 2007, municipality and community authorities met their obligations to designate places for campaigning. Most of the parties and majoritarian candidates had vigorous campaigning opportunities throughout the country. Currently, amendments to the law are being drafted and the Office continues to facilitate this process. The Office fosters discussion with the Armenian authorities, representatives of political parties and NGOs, helping to develop recommendations to promote these fundamental rights. The Office will also continue to monitor public gatherings as part of this work.¹²⁹

5.10 Anti-Corruption

Unfortunately, no country, however democratic, is free from corruption. It is observed that this social ill touches government officials, politicians, business leaders and journalists alike. It also destroys national economies, undermines social stability and erodes public trust. Corruption lowers tax revenue, inflates costs of public services and distorts allocation of resources in the private sector. Hence, corruption humiliates ordinary citizens and weakens the state.¹³⁰

¹²⁸ "OSCE Office in Yerevan. Overview of the Office Activities 2005". Report. February 15, 2006; 8. [Http://www.osce.org/documents/oy/2006/02/18140_en.pdf](http://www.osce.org/documents/oy/2006/02/18140_en.pdf).

¹²⁹ "Parliamentary Elections, Republic of Armenia, 12 May 2007." International Elections Observation Mission. OSCE/ODIHR. Report. May 13, 2007; 6. [Http://www.osce.org/documents/odihr/2007/05/24424_en.pdf](http://www.osce.org/documents/odihr/2007/05/24424_en.pdf).

¹³⁰ "Best Practice in Combating Corruption". OSCE Publication; 2. [Http://www.osce.org/publications/eea/2004/05/13568_67_en.pdf](http://www.osce.org/publications/eea/2004/05/13568_67_en.pdf).

Armenia is not an exception in having this problem. The roots come from the Soviet era, and perhaps even before, it is transferred from generation to generation. The economic and social situation inside the country after the collapse of the Soviet system further exacerbates the problem. People feel obliged to give or take bribes to solve their daily problems. This practice runs from the lowest level such as student or employee to the highest level of governmental officials and managers in the field of education, police or other officials. It is a pity to hear from a university graduate Armenian female that giving bribes for any purpose facilitates someone to achieve any position or any official document, and that it is good to have this opportunity to ease and speed the completion of any process by paying bribes. And any country that does not have this opportunity is considered as disadvantageous because it does not facilitate to get the necessary position or receive any official document.¹³¹ Hearing such thoughts from young adults is very discouraging.

Of course, combating corruption is not easy. It needs to start with every individual, being child or adult. The new generation should learn from as well as teach their parents about the vices of corruption. Hence anti-corruption education starting from schools should facilitate this process.

The fight against corruption is one of the priority issues on the agenda of the OSCE. In 1999, the Istanbul Charter for European Security called for the intensification of anticorruption efforts. The OSCE ODIHR and the OSCE field presences have been organizing debates and training programs. Sometimes, the OSCE has worked with international and local partners in the process of fighting against corruption. In 2003, the OSCE reaffirmed its own commitment to good governance, and hence the commitments of all participating states, by including transparency and

¹³¹ Personal Interview with Armine Hovsepian. Yerevan. August 24, 2006.

the need to combat corruption in systematic reviews. The different institutions of OSCE assist the participating states in reforming legislation, building institutional capacity and developing national anti-corruption strategies.¹³²

The Armenian authorities announced the fight against corruption as one of their priorities, as corruption is now perceived a major obstacle to economic development. According to a Transparency International's Report of 29 October 2004, there is an absence of political will in Armenia to fight corruption that further weakens anti-corruption efforts. Furthermore, the lack of independence and autonomy of institutions, the weak legal framework and poor law enforcement, the lack of administrative and human capacity and the low level of public participation in policy-making all contribute to creating a hospitable environment for corruption.¹³³

The OSCE Office in Yerevan has assisted the Armenian authorities and civil society in their efforts to improve and implement the National Anti-Corruption Strategy adopted in 2003 and the Action Plan for 2003-2006. The OSCE co-ordinates an international working group on anti-corruption and represents the international community in the Anti-Corruption Monitoring Commission of Armenia, created by a Presidential Decree on 1 June 2004 to monitor the implementation of the strategy. The Office also supported the creation of an anti-corruption NGO coalition and organized several projects with them in 2004 to mobilize civil society in the fight against corruption. The projects assessed the corruption risks at customs services and several business regulatory bodies, publicized some cases of successful lawsuits of small

¹³² Ibid.

¹³³ "Independent institutions, effective law enforcement and transparent decision-making needed to tackle corruption in Armenia, says Transparency International report". Yerevan/Berlin. October 29, 2004.
http://www.transparency.org/news_room/latest_news/press_releases/2004/2004_10_29_nis_armenia.

businesses against the state, and stressed the importance of public authorities' transparency.¹³⁴

In co-operation with UNDP, the Office commissioned a study to assess the perception of corruption in universities. In 2005, the Office continued its project activities, including with NGOs, concentrating on corruption in universities, traffic police, as well as some aspects of good governance.¹³⁵

With OSCE support, an anti-corruption public reception Center was established in Stepanavan in May 2007 for legal, procedural and practical consultations for citizens on possible corruption cases. Operated by the regional division of the NGO Soldiers' Mothers in co-operation with the anti-corruption alliance of NGOs, the Center advises the public on cases relating to the army, public health, education, traffic police, public services and consumers' rights in order to decrease possible corruption practices.¹³⁶

As a matter of fact, there are many reasons that the international community would seek a constructive role in the area of anti-corruption. Corruption hinders Armenian economic development and it has a negative impact on the relationship between the people and their government. In addition, since corrupt structures do not recognize national boundaries, efforts to reduce corruption in one country have a positive effect on the security and economic well being of the others. This is why the OSCE as well as other international organizations are eager to combat corruption and help other states to overcome this process not only theoretically but also practically.

¹³⁴ "Anti-Corruption". OSCE Office in Yerevan. Accessed on May 7, 2007. [Http://www.osce.org/yerevan/13805.html](http://www.osce.org/yerevan/13805.html).

¹³⁵ Ibid.

¹³⁶ "Anti-corruption public reception Centre opens in Stepanavan with OSCE help". OSCE Office in Yerevan. Press Release. May 18, 2007. [Http://www.osce.org/yerevan/item_1_24529.html](http://www.osce.org/yerevan/item_1_24529.html).

It is a very difficult process that the OSCE tries to achieve in Armenia; yet, it is not impossible. Since the people and the authorities are eager to have a transition, it becomes easier for the OSCE to continue its field activities in Armenia in this direction. The OSCE is content of what it has done and considers that there is still more to do. If not carried out completely, OSCE expands the deadlines of the projects and activities and try to modify some aspects according to the needs and situations.

However, there are also some challenges that the OSCE faces. Nevertheless, it always tries to overcome all the challenges. The next chapter speaks about these issues in details.

Chapter 6: The Challenges and Achievements of the OSCE

6.1 The Challenges Facing the OSCE

The key to success of the activities and reforms in which the OSCE participates in a country require the will of latter's authorities and the public. A problem that the OSCE faces is usually the government implementation of the norms and rules that the OSCE has recommended. If there are new rules to foster democratization but there is no implementation, there will be no benefit from those democratic reforms. The OSCE always struggles to encourage the authorities and the public to obey the rules, since only by respecting and implementing the rules can democratization proceed. For example, although the OSCE can help improve legislation, the actual administration of the elections depends on political will and that must be provided by the country's authorities themselves, in our case, the Armenian leaders. The OSCE has certainly tried to convince the Armenian authorities that improving their electoral administration can only bring about positive change in the country.¹³⁷

The leadership has played a great role in the process of democratization in Armenia. However, the opposition has had a much more limited role. Thus when oppositional forces come to power, they must craft democratic practices and institutions so that democracy becomes the only possible opportunity even for many groups who initially were opposed to democracy.¹³⁸ It is common to hear that the opposition in Armenia, though, does not trust OSCE electoral monitoring reports, because they believe that the authorities manipulate the opinion of the international

¹³⁷ Conkievich, 2005; 200

¹³⁸ Linz and Stepan, 1996; 7

observers as well. This makes the work of the OSCE more difficult. For instance, the first OSCE/ODIHR election report of the May 2007 parliamentary elections in Armenia reported that the election met international standards, but in the second report, the OSCE/ODIHR reported significant fraud.¹³⁹ The opposition has criticized OSCE for this lack of consistency. Nevertheless, the OSCE has stated that it tries to maintain a neutral stand in countries in which they work, including Armenia, and this sometimes will result in reporting inconsistencies.

Some of the other challenges faced by the OSCE are the outcome of different cultures in various countries. This creates difficulties by implementing rules or human rights issues that might not be easily accepted by the authorities or some part of the civil society, for instance, the issue of freedom of religion and belief. It was very difficult for the Armenians, a 17-century old Christian nation, to accept the organizing of an unregistered religious group, the Jehovah's Witnesses. The Criminal Code of Armenia of organizing an unregistered religious group was amended in 2001. However, till now, a lot of Armenians do not accept this culturally. Moreover, the office has struggled to change the law on alternative service in the army stemming from the fact that Jehovahs Witnesses refuse to go into military service, under the same rules as others, complaining that they cannot learn to kill.

Another important point was the idea of accepting homosexuals in Armenia. Armenian males consider themselves somehow "macho", and they cannot bear any boy deprived of the masculine characteristics. Hence they sometimes even insult homosexuals. It is important to mention that the issue of freedom of religion and

¹³⁹ "Post election Interim Report No. 1. 13-22 May 2007." OSCE/ODIHR Election Observation Mission Republic of Armenia Parliamentary Election 2007. Yerevan. May 24, 2007. http://www.osce.org/documents/odihr/2007/05/24667_en.pdf.

acceptance of homosexuals were the commitments made for the accession to Council of Europe.

Speaking about the OSCE's position in any country, it is important that member states accept the presence of OSCE in their country and give easy access to governmental and judiciary processes. According to Senior Mission Programme Officer of the OSCE Conflict Prevention Center, Harri Kämäräinen and Nairi Petrossian, Deputy of Delegation of the Republic of Armenia to OSCE, the relationship between the OSCE and Armenia is very open and close, without any problems in communication and data-sharing.¹⁴⁰ This gives the OSCE the ability to work freely and efficiently with the Armenian authorities and NGOs as well as with civil society.

However, in 2004, the Astana Appeal rejected this argument. Russia with seven other CIS countries, including Armenia, signed the appeal, criticizing the role of OSCE missions in different countries. It claimed that OSCE missions were interfering in the domestic affairs of countries in transition. Moreover, the document expressed dissatisfaction with OSCE's activities that gave more attention and weight to the human dimension, instead of concentrating on all three, that is, also on the economic-environmental and politico-military dimensions of the OSCE principles.¹⁴¹

However, this appeal might be explained in another way. The CIS countries, which were in a transition period, might have wanted to cover their doubtful democratic credentials, as well as wanted to have less attention paid to, among other things, their generally poor human rights records and their elections (because most of them were due to hold elections).¹⁴² According to a former senior U.S. diplomat and

¹⁴⁰ Personal interview with Dr. Nairi Petrossian and Harri Kämäräinen. Vienna. April 4, 2007

¹⁴¹ Dunay, 2005; 54-55

¹⁴² Goodby, August 2, 2005

Ambassador to Finland, James Goodby, the OSCE probably could be adapted to make it more responsive to current international needs. But what cannot be done is to suspend a basic tenet of the OSCE: to provide legitimate, international criticism of the governance of a member state. "The history of the organization shows how central this idea is to the whole *raison d'être* for the OSCE. The Helsinki Final Act included freer movement of people, information, and ideas. This meant that the way governments treated their citizens was also a matter of international concern."¹⁴³

It seems that the OSCE did not accept this criticism fully, partly because it has also successfully contributed to many reform efforts in different countries without such criticism. However, this criticism from Russia and other CIS countries did make the OSCE modify some of its field activities in response to the criticisms, particularly by investing in more politico-military and economic-environmental projects. This is one of the tenets of the OSCE; because it is always flexible to the current changes in the world. The only thing it cannot do is to suspend a basic tenet of the OSCE: the legitimate criticism of the internal governance of a member state. This is a central idea of the OSCE.

Increasingly Russia is trying to undermine the OSCE and wants to curb the activities of the organization's division that monitors elections. In fact, Russia is accusing many international organizations that monitor its human rights record as interference in the internal affairs of a sovereign state. The present Russian administration is also defining human rights in a way that reflects its national interests rather than universal values. In a Jun 2007 article in *The International Herald*

¹⁴³ Ibid.

Tribune, Dempsey contends that Russia wants to pursue 'sovereign democracy', in which democratic values will be subordinated to national interests.¹⁴⁴

It is very important to mention that as Russia has lost political, economic and/or military influence over the countries of FSU, it has started criticizing the international institutions in which those countries became members and were influenced by their democratic ideas. Nevertheless, despite Russia's criticism of the Council of Europe and the OSCE Russia has not voiced any intention of quitting. Russia instead is supporting parallel structures such as the Collective Security Treaty Organization set by Russia in 2003. Its members are Armenia, Belarus, Kazakhstan, Kyrgyzstan, Tajikistan and Uzbekistan, and its main purpose is to coordinate military and political cooperation as well as based on the principle of noninterference in members' internal affairs. Another is the Shanghai Cooperation Organization founded in 2001. Its agenda is to fight terrorism and cross border crime. It also has its own election observer mission, entering into direct competition with the ODIHR. This is clearly an alternative to the OSCE.¹⁴⁵

It is difficult to empirically assess whether Russia has any negative role in the relationship that Armenia has had with the OSCE. Russia has been an important political and strategic partner to Armenia for centuries, and Russia will not accept losing influence on any other countries in its 'near abroad'. Despite Russia's criticism towards the OSCE, there is no evidence that Russia is hindering the process of democratization in Armenia.

Therefore, strengthening the balance among the three dimensions by the OSCE, especially after the Astana Appeal, created new opportunities in Armenia.

¹⁴⁴ Dempsey, Judy. (June 29, 2007) "Russia most concerned with itself in the battle for human rights" in *The International Herald Tribune*.

¹⁴⁵ Ibid.

While prior to the Astana Appeal, there were already reform processes and activities in the politico-military and economic-environmental dimensions, Armenia benefited in additional ways.

6.2 Politico-Military Dimension

In the politico-military dimension, the OSCE became active in two new areas: police reform and counter terrorism. In 2001 the OSCE started to analyze the police law through conferences where international experts gathered together with the Armenian authorities to discuss the current situation of law enforcement in Armenia, the ongoing reforms, challenges and perspectives.¹⁴⁶ This was also an important opportunity for the participants to exchange their views on the new police law in Armenia, and to discuss practical policing issues in a democratic environment.¹⁴⁷

Then the OSCE helped to launch the Police Assistance Program in 2003 to promote confidence between the police and the population. The Strategic Matters Unit (SPMU) in the OSCE Secretariat signed a memorandum of co-operation with the OSCE Office in Yerevan and the Armenian Police Service.¹⁴⁸ Four areas were identified for the Police Assistance Programme: the refurbishment of the Training Centre for recruits, the strengthening of the Training Centre, the introduction of a community-policing model in one of the districts of Yerevan, and the establishment of a new emergency response system and infrastructure. The project was financed by

¹⁴⁶ "Media advisory: Conference on democratization and law enforcement bodies opens in Yerevan".

OSCE Press Release. May 17, 2001. http://www.osce.org/yerevan/item_1_5981.html.

¹⁴⁷ "New law enforcement project discussed in Yerevan" OSCE Press Release. May 21, 2001. http://www.osce.org/yerevan/item_1_5984.html.

¹⁴⁸ Conkievich, 2005; 196

Belgium, Sweden and the United States.¹⁴⁹ Then a two-day training course for entry-level students in 2006, organized by the OSCE entitled "Future Professionals for Consolidated Democracy", was an effort to break the prevailing stereotype of police officers and to facilitate dialogue on democratic processes among future professionals in Armenia.¹⁵⁰

The agreement signed by the OSCE Office in Yerevan and the Armenian Police in March 2007 aimed at bringing the police closer to the public and increasing citizens' confidence in the police. The program's goal is to improve the exchange of information between the police and the population, resulting in more efficient crime prevention and investigation. Introducing community policing is a key component of OSCE Police Assistance because it aims to change the way police think, and the way the population perceives the police.¹⁵¹ This was a main problem in Armenia, because the street police lost its moral authority among the population while getting bribes from the drivers instead of punishing them for their traffic violations. Hence the traffic in Armenia was not regulated properly because of these kinds of corruption activities.

6.3 Economic-Environmental Dimension

In the economic and environmental dimension, the OSCE has also assisted Armenia in a variety of ways. The challenge for OSCE in the country has been to struggle to define a niche for itself in this field. Although the OSCE functions as a

¹⁴⁹ "Milestone agreement initiates first phase of OSCE police assistance programme in Armenia". OSCE Press Release. Yerevan. March 15, 2005. [Http://www.osce.org/yerevan/item_1_8983.html](http://www.osce.org/yerevan/item_1_8983.html).

¹⁵⁰ "OSCE Office in Yerevan organizes training course aimed at integrating future police officers into society." OSCE Press Release. Yerevan. May 11, 2006.

¹⁵¹ "OSCE Office supports introduction of community policing in Armenia" OSCE Press Release. Yerevan. March 20, 2007. [Http://www.osce.org/yerevan/item_1_23702.html](http://www.osce.org/yerevan/item_1_23702.html).

catalyst to promote economic and environmental aspects of security, it has contended that it does not want to duplicate the efforts of other more specialized organizations in these fields.¹⁵² In the economic field, the OSCE has organized the annual Economic Forums where different topics are discussed by working groups consisting of local authorities, business associations and NGOs.

In 2004, the focus was on small and medium enterprises (SME). Later the OSCE Office in Yerevan was concerned with the social and economic status of the population in remote areas of Armenia that needed substantial assistance. To contribute to this project, a document on perspectives of the socio-economic development of the Syunik province, as well as a local "Yellow Pages", were published with the Office's support. They were meant to improve information and communication opportunities especially for small and medium entrepreneurs in the in the region in particular and in the whole country in general.¹⁵³ Moreover, the Office in Yerevan promotes private and public partnership attracting foreign and domestic investments, especially by raising awareness of the Armenian Diaspora business circles, and other donor organizations toward business opportunities in Syunik and other provinces.

The OSCE Office, together with the Coordinator of OSCE Economic and Environmental Activities (CEEAA), is involved in the areas such as trade facilitation, the promotion of foreign investment, and local economic development in Armenia's southern region.¹⁵⁴

It is very important to mention that the Armenian Diaspora plays an important and can perhaps play an even greater role in the economic development of Armenia.

¹⁵² Conkievich, 2005; 198

¹⁵³ "Economic Activities". OSCE Office in Yerevan. [Http://www.osce.org/yerevan/13209.html](http://www.osce.org/yerevan/13209.html).

¹⁵⁴ Conkievich, 2005; 198

To attract investment, Armenia needs to have an overall stable economic climate. The fight against corruption, the fostering of democratic institutions and respect for human rights creates an atmosphere that attracts Diaspora Armenians and others to establish businesses and invest in Armenia even more than they do today. The process of nation-building, and institutional, democratic and economic reforms in Armenia paves the way for sound economic and political developments which attracts the Diaspora. Another important factor is to build confidence placed in the government and the people of Armenia. This might come by time when the system is functioning according to the rules and people pay taxes regularly instead of fees to the officials. In fact the Diaspora Armenians need Armenia not to substitute but to complement what they have. On the other hand Armenia needs its Diaspora, and it must try to integrate efficiently the use of the resources of the Diaspora for fostering its development which will become the development of the Diaspora as well. Therefore there is mutual interest among them.

Another important aspect is the environment that the OSCE tries to improve in many developing countries. Each country has to be aware of the new dangers of the changing environment. The environmental activities of the OSCE Office in Yerevan include many important factors. For instance, after Armenia's accession to the Aarhus Convention in 1998, the Public Environmental Information Centre, also known as the OSCE-supported Aarhus Centre, promotes many activities focused on environmental education and raising the professional awareness of journalists on environmental issues.

The OSCE Office has helped Armenia to deal with the environmental problems that it faces. A joint program between OSCE and NATO started in 2003, the river monitoring project in South Caucasus region is a very significant endeavor

because it joins the three South Caucasus countries to co-operate together on environmental security.¹⁵⁵ This cross-border initiative encourages capacity- and confidence-building, highlighting the effect water resources have on security and stability in the region.

Another major cross-dimensional project is the Elimination of Rocket Fuel (*mélange*) Component Stocks, involving human, military and environmental security. After the official request from Armenia in 2004 for the recycling of 872 tons of *mélange*, the international experts, arranged by OSCE, are recycling the chemical to produce a liquid fertilizer which could be used by Armenia's farmers. The Armenian Ministry of Defence is the Office in Yerevan's main partner in carrying out the *mélange* project.¹⁵⁶

¹⁵⁵ Conkievich, 2005; 198

¹⁵⁶ "Environmental Activities". OSCE Office in Yerevan at <http://www.osce.org/yerevan/13521.html>. Accessed on May 17, 2007.

Chapter 7: An Assessment of the OSCE Activities in Armenia

The OSCE has been a successful organization since its inception in the 1970s. It has accomplished many of its stated goals in its history now extending over 30 years. Its work made an important contribution to the management of the Cold War in Europe. With the collapse of communism, although its values had not produced the desired results, OSCE succeeded in adapting to the post-Cold War environment. The values that form the core of the OSCE – first outlined in the Helsinki Final Act and the Charter of Paris – have helped pave the way for a new Europe. Indeed, the values of the OSCE have become generally acceptable, at least on the declaratory level, to each member state. The OSCE has also provided a framework for interaction among its participating states.

The OSCE's membership extends to every country in the Euro-Atlantic area. It has been an essential channel of communication among those states which were not integrated in older institutions. It fills niches in the European security.¹⁵⁷ Its inclusive character of membership, as the obvious difference between the OSCE and other organizations active in the Euro-Atlantic region, has been a major advantage in debating European security when there was no similar framework available. It is obvious that Russia and other, namely independent states that were once part of the Soviet Union can only be fully integrated into a Euro-Atlantic community if they have value systems and sense of self-identity that is equivalent to those of the Western European and North American standards and the OSCE might be able to offer this.¹⁵⁸

¹⁵⁷ Goodby. August 2, 2005.

¹⁵⁸ Dunay, 2005; 41

How successful has the OSCE been in supporting the process of democratization in its member states, particularly Armenia? It is very difficult to isolate and then evaluate the job done only by the OSCE because it is not the only actor in this field. However, by evaluating and observing what goals it has set for itself and what it actually has done, and still continues to do, its achievements can be demonstrated.

The OSCE with its democratic institutions plays the role of a catalyst in the process of democratization in many ways. For instance, its presence is very important in participating countries because its missions are involved in a wide variety of government and civil society activities. The mission work that it does in Armenia, for example, affects the behavior of the government, media, civil society and NGOs. The OSCE missions' support for and monitoring of different activities facilitate and improve the variety of work done by those actors.

The OSCE alone cannot do anything, however. As an organization it can only *assist* in the process of reform, mainly through setting norms and offering technical assistance. If a country is not willing and able to change, the OSCE cannot by itself institute a reform process.¹⁵⁹ For instance, is holding a free and fair election, the contribution of the OSCE? Even if the OSCE monitors, judges, participates, and helps to write the rules, how much of the resulting success is due to the OSCE work, and how much of it is due to the internal social and political evolution of the society? Therefore, it is very important to comprehend the importance of the OSCE's presence in Armenia.

¹⁵⁹ Personal Interview with Dr. Nairi Petrossian. Vienna. April 4, 2007.

Due to its presence in a country, the pressure that the OSCE exerts on governments is often more useful than what the OSCE actually does.¹⁶⁰ To elaborate, the election process is something in which the people of a country are some of the main actors. A special electoral body nominated by the government organizes, counts and announces the votes. To have a fair and free election is dependent on both the public and the special electoral body. The pressure of the OSCE – merely by its presence in a country – can be the incentive for those bodies to achieve the goal of a free and fair election. In fact, the OSCE monitors do not interfere during the elections, but they only report what they witness. Since Armenia is dependent on the results reported by the OSCE for its international reputation, the pressure of the OSCE gives the incentive to conduct free and fair elections.

Armenia seems to have respected and fulfilled all the commitments made to the OSCE and has applied the reforms recommended by the organization as well, though not always with the speed or efficiency that the OSCE or some others would have liked. Hence, one could consider the OSCE's role in Armenia successful. However, the OSCE continues its field presence in Armenia because it considers that there are still some reforms that need to be made as well as some practical implementation of the rules and laws that have already been amended.

The OSCE can also be looked at as a mechanism that facilitates the reform process that is a key part of democratization. Through its monitoring work, it affects the process of reform. The experience that it has among its 56 member states makes it able to offer a variety of recommendations for the reform processes, institutions and laws to fit member countries. Furthermore, because the OSCE is the largest regional security organization with a geographical area running from Vancouver to

¹⁶⁰ Personal interview with Ambassador Jivan Tabibian, Vienna, April 4, 2007.

Vladivostok, it has the practical experience necessary to help promote human rights and democratic development.

Co-operation of the OSCE with the authorities in Armenia is wide. The OSCE has access to almost all governmental documents in Armenia. This has helped the OSCE to achieve many goals. For instance, the legislative and constitutional reform suggested by the OSCE was a major step toward democratic development. The country should have the norms that facilitate a democratic lifestyle and respect for human rights. With these two components a country can achieve a higher standard of living, because they will also facilitate economic development if corruption is limited and private business is fostered. The results of some of the reforms championed by the OSCE are also successful because the Armenian people are eager to have a better standard of living, relating democratic and economic issues. People comprehend the need for reform and try to respond to any process that tends to its institutionalization. Therefore, the OSCE achieves the activities that it operates and organizes. The important thing is to have confidence and support the good job done by the OSCE in Armenia.

The success of the OSCE is also visible in the steps the Armenian government is taking towards democratic development, and the acceptance of Armenia to the Council of Europe in 2001 was a proof for Armenia's success in aiming at entering the European family of democratic nations. What the OSCE does, of course with other international organizations such as the Council of Europe, in protecting the human rights in Armenia and in the establishment of a democratic society is a major development for the country.¹⁶¹

¹⁶¹ "New law enforcement project discussed in Yerevan", OSCE Press Release. Yerevan. May 21, 2001 at http://www.osce.org/yerevan/item_1_5984.html.

The OSCE's success in Armenia is also based on reasons aside from the OSCE itself. The Armenian government wants to have a positive international reputation as well as gain the political and economic confidence of international actors and its own public. Moreover, Armenia has fulfilled its commitments to the OSCE because doing so helps it to better meet other challenges, such as security issues. The democratization process supported by the OSCE helps Armenia to overcome many other problems. The development of its economy helps to decrease poverty in Armenia. Democracy is often considered a tool for development; on the other hand, economic development is a facilitator of democracy. For instance, the US-financed Millennium Challenge Compact, the single largest government investment in Armenia, has pledged \$235 million Compact, signed in March 2006 and entered into force in September 2006, to bolster development in the country, primarily to promote society and leadership comprehension of their political responsibilities, just government, economic openness and greater investment in people.¹⁶² In 2007 the US, through the Millennium Challenge Corporation, indirectly warned Armenia that it would cut this grant if Armenia does not comply with the democratic norms and conduct democratic elections.¹⁶³

Why Armenia fulfils the commitments made to the OSCE might also be explained by the country's need for security. Since the OSCE Minsk Group is responsible for the peaceful settlement of the Nagorno-Karabakh conflict, Armenia wants to have good relations with the OSCE. What good relations seems to mean to Armenia is to have mutual respect and fulfill commitments made to the OSCE. By

¹⁶² "Statement by H.E. Vartan Oskanian Minister of Foreign Affairs Republic of Armenia at the Advocacy Conference" Washington. March 27, 2006.
[Http://www.armeniaforeignministry.com/Statements](http://www.armeniaforeignministry.com/Statements).

¹⁶³ Gevorgian, G., *Helsinki Assembly*; 2007.

fulfilling these commitments, Armenia gains the confidence of not only the OSCE but also other actors. Moreover, it obtains comparative advantage with respect to Azerbaijan. Azerbaijan is also a member of the OSCE, and the membership was approved the same time. Moreover, Armenia and Azerbaijan started their development and democratic transition from the Soviet era. Now, Armenia wants to have the supportive argument in the negotiation process that its claims are based on the democratic basis.

It is important to mention the status of democratic transition in Azerbaijan. In fact, the party pluralism introduced in the early 1990s has not been accompanied by democracy. The institutional standards, such as free and fair elections, freedom of the press, assembly, information, and expression that are necessary for democracies, often have been ignored. There are considerable obstacles to free opinion in Azerbaijan.¹⁶⁴ Although international organizations recognize that there has been some progress toward democratization, there has also been a backsliding into the autocracy of the former system. On the one hand the country “is on the way to establishing popular sovereignty; and on the other, the nationalism process that was encouraging democratization in early 1990s, and the enforcement of ideological orthodoxy on democratically legitimated institutions are barriers to progress.” Azerbaijan stands between defective democracy and a semi-authoritarian system, and “a strong civil society will not be established as long as the elites remain fixated on the state monopoly of power and see political pluralism and the rule of law as a slippery slope that leads to the collapse of the state”.¹⁶⁵ Only reduction of centralized control can create co-operation between the state and the society, so that civil society organizations enjoy greater and better opportunity for political participation.

¹⁶⁴ Fenz, 2005; 165

¹⁶⁵ Ibid.; 177

The OSCE office in Azerbaijan tries to assist the democratization process by hosting activities under the three dimensions as well as assisting the government with implementation of the commitments undertaken by Azerbaijan after the accession into the Council of Europe. In fact the activities and the reform process in Armenia and Azerbaijan have some similar patterns. However, the fact that Armenia for the first time in May 2007 parliamentary elections recorded relative success and proved that it has achieved international standards in the electoral process, gives more credit to Armenia in the OSCE world. Also, it is important to mention that Azerbaijan has oil, while Armenia does not. This makes the reputation of Armenia as a democratic state even more important because it does not have commodities that will allow it to potentially prosper in a non-democratic way.

Armenia now is a full-fledged sovereign country. Being a member of the OSCE, Armenia has the same right as any other of 55 member states to voice its opinions. Moreover, gaining the confidence of those 55 states gives Armenia the opportunity to veto any option regarding its security or economic issues. Once it did veto the decision of the Lisbon summit of 1996 regarding the Karabakh issue.

Another aspect of the success of the OSCE in Armenia is that Armenia eagerly wants to be part of the European democratic countries and enjoys similar standard of treatment and living. To be part of the Council of Europe was a major step forward toward democratic achievements. The co-operation of the OSCE and the Council of Europe in many fields has facilitated the democratization and development process in Armenia. This co-operation is being supervised also by the Armenian Delegations to the OSCE and Council of Europe, who exchange information so that their job will be

more efficient and will not be duplicated.¹⁶⁶ This creates opportunities for both institutions to achieve their aims through cooperation.

It is important to stress that it is true that Armenia needs the support of the OSCE, and other European institutions. However, I would argue that there is mutual benefit in these relationships. The aim of those institutions is to have security and peace in their region. To facilitate the success of this goal, those institutions found that promotion of democracy and human rights in all countries help create security and peace. Armenia, and the South Caucasus in general, is an area with many complex security issues and conflicts. The aim of the European organizations is to try to prevent their escalation or, ideally, to settle these conflicts in a peaceful way. This also favors the countries in transition as well because they understand that by preventing conflict they can have economic and democratic development. So they, especially Armenia, try to work with the OSCE or any other organization that facilitates security and democratic development. Till now, the OSCE has succeeded in most of its activities in Armenia and it continues to work on the other issues where it finds that there is the need to do more.

¹⁶⁶

Personal Interview with Dr. Nairi Petrossian. Vienna. April 4, 2007.

Chapter 8: Conclusion

Armenia is on the way to democratic progress, in part, through the assistance of the OSCE. There have been many achievements in the field of electoral and constitutional reform, human rights, democratic institution-building and good governance, freedom of the media and assembly, access to information and equality, migration and the fight against corruption. Although the OSCE has already succeeded in many field activities, it continues to assist Armenia in the process of democratic development. Armenia comprehends the value of the OSCE and tries to fulfill the commitments it has made to the OSCE. The co-operation between the OSCE and Armenia helps the OSCE work toward its goals and this in turn contributes to the development of a secure and stable Armenian state. We can conclude that the OSCE has been successful in achieving its goal of facilitating democratization in Armenia.

Although the job of the OSCE is to consult and advise, monitor and control, its presence in Armenia is much more than that. Its pressure by being present makes the Armenian authorities and public act to set and then respect democratic norms. But it is important to mention that the democratic progress of Armenia is not merely the success of the OSCE. There are many other international and local NGOs and institutions that co-operate with the OSCE or act alone to achieve democratic norms. That is why it is very difficult to separate out the role of the OSCE in this process. It is not a linear and causal relationship so that one can say the effect of the progress is only due to the OSCE. However, the way the OSCE assists and supports other institutions, NGOs and Armenia's government also demonstrates the value it has in Armenia.

Armenia has achieved democratic progress and earned the confidence of other nations because of the somehow successful parliamentary elections of 2007, but there are many more democratic challenges to meet and the OSCE continues its support of the country's democratic progress. For instance, it is very important for a country and especially for its authorities to enjoy the confidence of their own people. In Armenia, it is common to hear that the majority of the people do not have confidence in the free and fair electoral process. They believe that the election results are manipulated. This makes them consider the country undemocratic, and hence they do not accept what other international organizations report about Armenia – even when the latter perceive Armenia as democratic. They do not trust those international organizations because they feel that they are more aware of the realities on the ground and experience what happens inside the country. Hence, it is very important issue that each democratizing country should take into consideration and gain the confidence of the people by acting in a democratic manner.

Finally, the success of the OSCE in Armenia lies in the mutual interest of regional security which makes the OSCE-Armenia relationship even stronger. As for Armenia itself, hopefully people will live in a democratic country where mutual respect and co-operation prevail and where human rights are not violated. The Armenian government, citizens and institutions co-operating together can make changes for the better. Since democratic governance that ensures political, economic, and physical security is a slow process, the OSCE offers Armenia and other member states a good framework for exchanging good practices, sharing technical assistance, and promoting the implementation of international instruments. The European Neighborhood policy, on the other hand, wants to achieve stability in Europe

especially with its new neighbors of the enlargement process where economic interests dominate in a friendly atmosphere. Armenia is ready to be a member.

References

- Abrahamian, Levon. (2001) "*Civil Society in the Square: The Karabakh Movement in Perspective*", in *The Making of Nagorno-Karabakh: From Secession to Republic*. Levon Chorbajian, Editor. Palgrave. New York.
- Bermeo, Nancy. (2003) *Ordinary People in Extraordinary Times: The Citizenry and the Breakdown of Democracy*. Princeton University Press.
- Burawoy, Michael and Katherine Verdery editors. (1999) *Uncertain Transitions: Ethnographies of Change in the Post-Socialist World*. Rowan & Littlefield. Lanham.
- Buzan Barry, Charles Jones, and Richard Little. (1993) *The Logic of Anarchy: Neorealism to Structural Realism*. Columbia University Press. New York.
- Conkievich, Elaine. (2004) *The OSCE's support for the reform process in Armenia*. in *OSCE Yearbook 2004*. NOMOS/IFSH. Germany.
- Coleman, Rozlyn. (1992) *Economic Review Armenia: International Monetary Fund*. Washington D.C.
- Dehdashti-Rasmussen, Rexane. (2007) "*The Conflict Over Nagorno Karabakh: Causes, the Status of Negotiations, and Prospects*" in *Institute for Peace Research and Security Policy at the University of Hamburg /HFSH (ed.), OSCE Yearbook 2006*, Nomos/Baden-Baden
- Diamond, Larry and Plattner, Marc F.; Editors. (1996) *The Global Resurgence of Democracy*. The Johns Hopkins University Press.
- Dudwick, Nora. (1997) "*Political Transformations in Post-communist Armenia: Images and Realities*" in *Conflict, Cleavage, and Change in Central Asia and the Caucasus*. Karen Dawisha and Bruce Parrott, ed. Cambridge University Press. United Kingdom.
- Dunay, Pál. (2005) "*Improve What You Can-Ignore What You Can't: Reform and the Prospects of the OSCE*" in *Institute for Peace Research and Security Policy at the University of Hamburg /HFSH (ed.), OSCE Yearbook 2004*, Nomos/Baden-Baden
- Fenz, Hendrick. (2005) "*The Limits of Democratization in Postauthoritarian States: The Case of Azerbaijan*" in *Institute for Peace Research and Security Policy at the University of Hamburg /HFSH (ed.), OSCE Yearbook 2004*, Nomos/Baden-Baden

- Fish, Steven. (1996) "Russia's fourth Transition" in Diamond, Larry and Plattner, Marc F., Eds. *The Global Resurgence of Democracy*. The Johns Hopkins University Press.
- Giragossian, Richard. (1999) *The Aftermath of Armenia's Bloodbath in Parliament*. Central Asia/ Russia. RFE/RL Inc.
- Gevorgian, G. (2007) *Helsinki Assembly expects EU and OSCE revise their estimation of Parliamentary Elections in Armenia*. AZG Armenian Daily. Yerevan. May 24, 2007.
- Goodby, James. (2005) *Mandate for Change: The Organization for Security and Cooperation in Europe*. Helsingin Sanomat. International Edition-Foreign. August 2, 2005.
- Haber, Emily. (2005) *The OSCE in a New International Landscape-Eleven Thesis*. Institute for Peace Research and Security Policy at the University of Hamburg /HFSH (ed.), OSCE Yearbook 2004, Nomos/Baden-Baden
- Herzig, Edmund. (1999) *The New Caucasus: Armenia, Azerbaijan and Georgia*. Royal Institute of International Affairs. Great Britain.
- Hopmann, P.Terrence. (2000) "The Organization for Security and Cooperation in Europe: Its Contribution to Conflict Prevention and Resolution", in Paul C. Stern and Daniel Druckman, Editors. *International Conflict Resolution after the Cold War*. National Academy Press. Washington.
- Huntington, Samuel P. (1991) *The Third Wave: Democratization in the Late Twentieth Century*. University of Oklahoma Press.
- Iriye, Akira. (2002) *Global Community : the Role of International Organizations in the Making of the Contemporary World*. University of California Press. Berkeley
- Ishkhanian, Armine. (2003) *Importing Civil Society?: The Emergence of Armenia's NGO Sector and the impact of Western Aid on its Development*. Armenian Forum: A Journal for Contemporary Affairs 3, no. 1 pp. 7-36.
- Karen Dawisha and Bruce Parrott. (1999) *Conflict, Cleavage and Change in Central Asia and the Caucasus*. Cambridge University Press. USA.
- Keohane, Robert O. and Joseph S. Nye. (1993) "Introduction: The End of the Cold War in Europe", in Robert O. Keohane, Joseph S. Nye and Stanley Hoffmann, eds, *After the Cold War: International Institutions and State Strategies in Europe, 1989-1991*. Harvard University Press. Cambridge.
- Krasner, Stephen D. (1983) "Structural Causes and Regime Consequences: Regime as Intervening Variables", in Stephen D. Krasner, ed., *International Regimes*. Cornell University Press. New York.

- Libaridian, J. Gerard. (1999) *The Challenge of Statehood: Armenian Political Thinking since Independence*. 1st ed. Bleu Crane Books. Massachusetts.
- Linz, Juan J. and Stepan, Alfred. (1996) *Problems of Democratic Transition and Consolidation: Southern Europe, South America, and Post-Communist Europe*. The John Hopkins University Press. London.
- Lipset, Seymour. (2000) *The Indispensability of Political Parties*. *Journal of Democracy*, January 2000, Vol. 11, No. 1.
- Malkasian, Mark. (1996) *'Gha-ra-bagh!': The Emergence of the National Democratic Movement in Armenia*. Wayne State University Press. Detroit.
- Mearsheimer, John J. (1994/95) *The False Promise of International Institutions*. *International Security*, Vol. 19, No. 3 (Winter 1994/1995), pp. 5-49.
- "Nations in Transit: Civil Society, Democracy and Markets in East Central Europe and the Newly Independent States*. Freedom House. New York. 1995.
- Nodia, Ghia. (2002) How Different are Postcommunist Transitions? in *Democracy after Communism*. ed Larry Diamond and Marc F. Plattner. Johns Hopkins University Press. Baltimore.
- Osborn, Simon. (1996) *Armenian Presidential Elections September 24, 1996 Final Report*. OSCE/ODIHR. http://www.osce.org/documents/odihr/1996/10/1208_en.pdf
- OSCE Handbook*. (1996) Second Edition. Secretariat of the Organization for Security and C-operation in Europe Second Edition. Vienna.
- OSCE Handbook*. (1999) Third Edition. Secretariat of the Organization for Security and C-operation in Europe. Vienna.
- Paul C. Stern and Daniel Druckman, Editors. (2000) *International Conflict Resolution after the Cold War*. National Academy Press. Washington.
- Parrott, Bruce. (1997) *"Perspectives on Postcommunist Democratization"*, in Karen Dawisha and Bruce Parrott, Editors. *Conflict, Cleavage, and Change in Central Asia and the Caucasus*. Cambridge, UK : Cambridge University Press.
- Przeworski, Adam; Alvarez, Michael, et al. (1996) *What Makes Democracies Endure?* *Journal of Democracy*, January 1996, vol. 7, No. 1.
- Reeve, Roy. (2003) *The OSCE Office in Yerevan-Two years of Operation*. OSCE Yearbook 2002. NOMOS/IFSH. Germany.
- Rose, Richard. (1996) *Postcommunism and the problem of trust* in Diamond, Larry and Plattner, Marc F.; Editors. *The Global Resurgence of Democracy*. The Johns Hopkins University Press.

- Rueschemeyer, Dietrich, Huber Stephens, Evelyn and Stephens, John D. (1992) *Capitalist Development and Democracy*. University of Chicago Press. USA.
- Rutland, Peter. (1994) *Democracy and Nationalism in Armenia*. Europe-Asia Studies. Vol. 46, No. 5, USA. 839-861
- Suny, Ronald Grigor. (1993a) *Looking Toward Ararat: Armenia in Modern History*. Indiana University Press. Bloomington and Indonesia. USA.
- Suny, Ronald Grigor. (1993b) *The revenge of the past : nationalism, revolution, and the collapse of the Soviet Union*. Stanford University Press, California.
- Ter Ghevondian, Vahan. (2006) *The 15 year of Armenia*. Khosnag Monthly. Vol 47. No. 10,11,12. Lebanon.
- Walker, J. Christopher. (1991) *Armenia and Karabakh: The Struggle for Unity*. Minority Rights Publications. London.
- Zellner, Wolfgang. (2005) *Managing Change in Europe. Evaluating the OSCE and Its Future Role: Competencies, Capabilities, and Missions*. CORE: Centre for OSCE Research. Working Paper 13. Hamburg.

Internet Sources

OSCE: Documents and Reports at www.osce.org

OSCE Office in Yerevan: Documents, Reports, Press Releases at www.osce.org/yerevan

ODIHR: Documents, Reports and Press Releases at www.osce.org/odihr

CORE: Centre for OSCE Research in Europe at www.core-hamburg.de

Armenian Foreign Ministry: Statements, Press Release at www.armeniaforeignministry.com

IFEC Election Guide at www.electionguide.org

Transparency International at www.transparency.org

Personal Interviews

Ambassador Jivan Tabibian: Head of Delegation of the Republic of Armenia to the OSCE in Vienna. Vienna. April 20, 2007

Dr. Nairi Petrossian: Deputy Head of Delegation of the Republic of Armenia to the OSCE in Vienna. Vienna. April 4, 2007

Dr. Frank Evers: Deputy Head of Centre for OSCE Research in Europe
Also Economic and Environmental Adviser of the OSCE Office in Yerevan
from 2000 till 2002. Hamburg. April 17, 2007

Dr. Harri Kämäräinen. OSCE Senior Mission Program Officer Conflict Prevention
Centre. Vienna. April 4, 2007.

Dr. Ara Sanjian: Historian. Beirut. May 20, 2007