

## **ARMENIA**

Armenia, with a population of approximately 3.2 million, is a republic. The constitution provides for a popularly elected president (Robert Kocharian) and a unicameral legislature (National Assembly). A constitutional referendum in 2005 and presidential and National Assembly elections in 2003 were seriously flawed and did not meet international standards. The country has a multiparty political system. Civilian authorities generally maintained effective control of the security forces; members of the security forces committed a number of human rights abuses.

The government's human rights record remained poor, and serious problems remained. Citizens were not able freely to change their government; authorities beat pretrial detainees; the national security service and the national police force acted with impunity; authorities engaged in arbitrary arrest and detention; prison conditions were cramped and unhealthy, although slowly improving; authorities imposed restrictions on citizens' privacy, freedom of the press, and freedom of assembly. Journalists practiced self-censorship, and the government and laws restricted religious freedom. Violence against women and spousal abuse were problems, as were trafficking in persons, discrimination against persons with disabilities, and societal harassment of homosexuals. There were reports of forced labor.

There were some improvements during the year. The implementation of constitutional reforms ratified in 2005 led to some increase in judicial independence and for the first time gave citizens direct access to the Constitutional Court. Penalties for trafficking were toughened and a court for the first time imposed financial, as well as criminal, penalties on traffickers.

### **RESPECT FOR HUMAN RIGHTS**

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life

The government and its agents did not commit any politically motivated killings, and unlike in 2005, neither the government nor advocacy groups reported any deaths from hazing or other mistreatment during the year.

There were reports that an officer kicked a serviceman, who had previously undergone testicular surgery, in the groin. The serviceman later died, reportedly from cancer, after a second surgery on February 27. The officer received a one-year suspended sentence.

The military prosecutor's office said that there were no hazing-related deaths during the year.

Armenia continues to occupy the Azerbaijani territory of Nagorno-Karabakh and seven surrounding Azerbaijani territories. During the year incidents along the militarized line of contact separating the sides again resulted in numerous casualties on both sides. Reporting from unofficial sources indicates that approximately 20 persons were killed and 44 were wounded, including both military and civilian casualties on both sides of the line of contact.

All parties to the Nagorno-Karabakh conflict have laid landmines along the 540-mile border with Azerbaijan and along the line of contact. During the year there were reports that a landmine killed one civilian and unexploded ordnance killed another.

On September 5, unknown persons killed a senior tax official using a bomb apparently planted under the seat of his government car. State prosecutors opened an investigation and arrested two suspects, based on the testimony of the official's driver. One suspect was released from prison on medical grounds. At year's end the investigation was ongoing.

b. Disappearance

There were no reports of politically motivated disappearances.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The constitution and law prohibit such practices; however, government security forces employed them. Witnesses continued to report numerous cases of police beating citizens during arrest and during interrogation while in detention. Human rights nongovernmental organizations (NGOs) reported similar allegations; however, most cases of police mistreatment went unreported because of fear of retribution.

On November 16, the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT)

published a report on its 2004 visit to the country. The CPT's investigators received numerous allegations from detainees of mistreatment by officials. One individual asserted he had received kicks and blows with fists and truncheons on various parts of his body; he appeared to bear bruises and other medical indications consistent with this account. The inmate said the ill treatment stopped when he agreed to sign a confession. Although the testimony was taken in 2004, other portions of the report criticized the authorities for not putting safeguards into place that might reduce the likelihood of such treatment.

The government reported that police conducted five internal investigations into misconduct by off-duty police officers during the year. Two officers were subjected to disciplinary action, and criminal cases were opened against the remaining three, all of whom were fired. The government reported that during the year 20 police officers received administrative fines (compared to 49 in 2005) for their roles in cases involving police mistreatment of detainees. Prosecutors also opened 11 criminal cases against some of the police officers involved; the disposition of those cases was unclear at the end of the year.

Unlike in 2005, when there was a constitutional referendum, there were no reports that police beat opposition supporters during the year. There was no indication that authorities were investigating reports that police beat opposition supporters following the 2005 constitutional referendum (see section 3).

Social norms and substandard living conditions in the armed forces contributed to mistreatment and injuries unrelated to military operations. Although there was no reliable and up-to-date reporting on the full extent of military hazing, soldiers reported to human rights NGOs that the practice continued. Local NGOs reported instances of hazing and said parents of soldiers complained that corrupt officials controlled military units. Authorities did not take any significant measures to limit or stop the practice; however, 20 military personnel were convicted in connection with criminal cases of hazing during the year.

A soldier reported in February that fellow servicemen raped him while they were on active duty. The case was under investigation at the end of the year.

In August Razmik Sargsian, a soldier who had been serving a 15-year sentence for the 2003 murder of two fellow soldiers, staged several hunger strikes to protest his innocence. Sargsian said

interrogators, including military investigators and military police officer Aram Baghdasaryan, physically mistreated him for five days to obtain his confession for the killings. He claimed interrogators suspended him by his hands and beat him and threatened him with rape. Sargisian's confession implicated two other soldiers, and the court of first instance sentenced all three to 15-year terms in May 2005. Following an unsuccessful appeal, the Court of Appeals extended their sentences to life in prison on May 30. When the defendants' lawyers, Zaruhi Postanjian, Ashot Atoyan, and Stepan Voskanian, asserted that the proceedings were fraudulent and designed to cover up involvement of higher ranking personnel, state prosecutors initiated contempt proceedings against the lawyers at the request of the three appeals court judges who heard their cases (see section 1.e). On December 22, in a significant assertion of judicial independence, the Court of Cassation, the country's highest court, nullified the convictions of the soldiers and ordered them released. The Court based its ruling on a provision of the Criminal Procedural Code that allows a judge to send a case back to the prosecutor's office for reinvestigation if the original investigation was not conducted lawfully. Charges against the soldiers remained in place at year's end.

By law detainees may file complaints prior to trial to address alleged abuses committed by authorities during criminal investigations; however, detainees must obtain permission from police or the prosecutor's office in order to obtain a forensic medical examination needed to substantiate a report of physical abuse. Human rights NGOs reported that authorities rarely granted such permission (see section 1.e.). There were no prosecutions or convictions of police for torture or other mistreatment during the year. Police conducted 18 internal investigations of complaints of brutality by their officers, but information on the outcome of these investigations was not available at year's end.

The CPT described allegations that detainees had spent periods of up to 10 days in various district divisions of the Ministry of Internal Affairs in Yerevan "in cells deprived of suitable means of rest, without a mattress and a blanket and without food (other than that brought by relatives)."

#### Prison and Detention Center Conditions

Prison conditions remained poor and posed a threat to health, although the Civil Society Monitoring Board (CSMB), an organization established by government initiative involving

prison monitoring by NGO personnel, reported some improvements as authorities began to renovate old prisons. However, problems remained: cells were overcrowded, most did not have adequate facilities, prison authorities did not provide most inmates with basic hygiene supplies, and food quality remained extremely poor. The CSMB reported in 2005 that prisoners were at high risk of contracting tuberculosis, and adolescents held in juvenile facilities rarely received the schooling required by law. The CSMB reported other chronic problems, including denial of visitor privileges, medical neglect, and in the most extreme cases, physical abuse.

In certain facilities prisoners bribed officials to obtain single occupancy cells and to obtain additional comforts. There were also unverified reports that authorities charged unofficial "fees" to family members and friends seeking to deliver meals to inmates. In some prisons monitors noted that prisoners had difficulty mailing letters and that some prison officials did not adequately facilitate family visits.

A local NGO reported that of 62 prisoners held in pretrial detention in the Lori region between January 1 and March 17, 16 showed signs of abuse. The NGO based its findings on prison logs in which authorities documented the conditions of prisoners transferred from pretrial detention. The same NGO reported that guards and administrators at prisons in Nubarashen and Goris had beaten prisoners.

On July 23, four prisoners serving life sentences at Nubarashen Prison attempted to escape. After they were caught they attempted suicide and later went on a week-long hunger strike to protest prison conditions. The governmental human rights defender's office later sent a task force to the prison to investigate and found that conditions at the prison had improved with the renovation of cells and medical facilities but remained very poor.

The CSMB monitors reported that female prisoners had more freedom of movement than male prisoners and that their facility was cleaner and better equipped.

Observers believed that most instances in which authorities abused prisoners took place in pretrial detention facilities, which were under the control of the Department of Police. Suspects may be held in such facilities without charge for up to three days, and longer at the request of the prosecutor general and with the assent of a judge.

The government permitted local NGOs and international rights groups, including the International Committee of the Red Cross (ICRC), to monitor conditions in prisons. Authorities continued to permit personnel of the CSMB to visit prisons without giving advance notice, as they have done since 2004. However, despite the government's commitment to give the CSMB access to all detention facilities, including holding cells and local police stations, the Department of Police did not permit the CSMB or any other locally based organization to visit detention facilities under its control during the year.

The ICRC was permitted to visit both prisons and pretrial detention centers and did so in accordance with its standard modalities.

#### d. Arbitrary Arrest or Detention

The law prohibits arbitrary arrest and detention; however, in practice authorities continued to arrest and detain criminal suspects without warrants.

#### Role of the Police and Security Apparatus

The national police and the National Security Service (NSS) are responsible for domestic security, intelligence activities, and border control; they report directly to the prime minister. Both services lacked the training, resources, and established procedures to implement reforms or to prevent incidents of abuse. Prisoners reported that police and NSS authorities did little to investigate allegations of abuse. As a result, impunity was a serious problem.

In contrast to 2005, the government made some efforts to modernize and reform police and security forces, although the changes had mostly to do with infrastructure. On August 25, police opened a community justice center in Vanadzor with help from the local affiliate of the international NGO, Project Harmony. The center offered counseling to first-time juvenile offenders and brought local police into public schools for community outreach. On October 30, a new community policing project designed to facilitate cooperation between police and civilians was initiated by the Organization for Security and Cooperation in Europe (OSCE) at the Arabkir district police department in Yerevan.

Corruption remained a significant problem in the police force and security service. Police officers routinely stopped motorists at roadside checkpoints to extort illegal "fees." Motorists reported that traffic police generally demanded approximately \$2.80 (1000 drams) to pass a checkpoint. Investigative journalists alleged that police inspectors and superiors received a portion of the proceeds from each traffic stop. As a result, there were no incentives to curb the practice and no efforts by the government during the year to do so.

There was no dedicated mechanism for investigating police abuse. By law citizens may sue police in court as they would sue any person against whom they had an adjudicable complaint. The government reported that during the year citizens lodged 69 civil complaints against police in court. Judges decided 26 of those cases in favor of the citizens and dismissed the remaining 43.

#### Arrest and Detention

Prosecutors and police must first obtain a warrant from a judge in order to arrest a suspect, except to avert the imminent flight of the suspect or when they witness a crime in progress. Although judges rarely denied police requests for arrest warrants, police at times made arrests without a warrant on the pretext that detainees were material witnesses rather than suspects. The law provides that a detainee must either be indicted or released within three days of arrest, and this procedure was usually followed in practice; however, in some cases police skirted this requirement by alleging that suspects were material witnesses, who do not have the right to prompt judicial determination or legal counsel. The law provides for a bail system; however, most courts denied requests for bail in favor of detention.

The law also requires police to inform detainees of their right to remain silent, to make a phone call, and to be represented by an attorney from the moment of arrest and before indictment (including state-provided lawyers for indigent detainees). In practice police did not always abide by the law. They often questioned and pressured detainees to confess prior to indictment and in the absence of counsel. Since witnesses do not have the right to legal counsel or prompt judicial determination, police used this loophole to interrogate suspects in the absence of counsel and to detain them beyond the three-day limit for indicting suspects. Police sometimes restricted family members' access to detainees.

During a year without national elections, there were no large demonstrations; arbitrary detention of protestors was not a problem.

Lengthy pretrial detention remained a problem. According to the law, a suspect may not be detained for more than 12 months awaiting trial and authorities generally did not exceed this limit. The government reported that during the first nine months of the year, pretrial detainees constituted on average about 25 percent of a prison population of nearly 3,000.

e. Denial of Fair Public Trial

The law provides for an independent judiciary; however, despite structural changes implemented during the year that led to somewhat greater independence, courts remained subject to political pressure from the executive and legislative branches, and judicial corruption was a problem.

The law provides for a three-tier court system, including the highest court (the Court of Cassation), the Court of Appeals, and courts of first instance. Cases originate in courts of first instance; appeals are lodged with the Court of Appeals and the Court of Cassation. There is also a Constitutional Court, which rules on the constitutionality of legislation, approves international agreements, and rules on election-related questions.

Citizens' right to appeal was strengthened by changes approved in the 2005 constitutional referendum and enacted into law on July 1. These changes gave ordinary citizens the right to appeal to the Constitutional Court, which previously could only accept cases proposed by the president and approved by a two-thirds majority of the National Assembly or cases involving election-related issues brought by the National Assembly or presidential candidates.

Changes to the constitution which allowed citizens to bring appeals to the Constitutional Court took effect on July 1. From that date through August 22, 288 citizens appealed to the court, which immediately threw out more than 60 percent of the cases, because they did not call into question a law's constitutionality and thus were not within the court's mandate. Of the remaining 109 appeals, hearings were scheduled for 13. The first hearings took place September 12 through November 14.

The president exercised dominant influence over the judiciary, including over the appointment and dismissal of judges and chairmen of courts on all levels. He has the authority to make appointments based on the recommendations of the Judicial Council, the supreme judicial body in the country, which previously consisted of nine judges, two legal scholars, and three prosecutors, all of whom he also appointed. The judicial reforms that took effect on July 1 significantly reduced the president's power to appoint members of the Judicial Council. He subsequently had the right to appoint only two of a 13-member body; the other members are either appointed by the National Assembly or elected by a General Assembly of Judges by secret ballot. The Constitutional Court is the only other exception to presidential dominance in judicial appointments; he appoints only four of its nine judges.

On December 22, the Court of Cassation took the highly unusual decision of voiding two lower court decisions on the grounds that the original investigation had not been conducted lawfully (see section 1.c.).

Even with these changes, however, the judiciary was still far from independent. The Ministry of Justice remained responsible for the administration of judicial exams, the disciplining of judges, and the development of legislation relating to judicial functioning.

#### Trial Procedures

The law generally requires that trials be public, but it permits many exceptions, including when a trial's secrecy is in the interest of "morals," national security, or for the "protection of the private lives of the participants." Juries are not used. A single judge issues verdicts in courts of first instance, and panels of judges preside over the other courts. Defendants generally have the right, and are generally required, to be present at their trials, but this requirement also has many exceptions. They have the right to counsel of their own choosing, and the government is required to provide them with defense counsel upon request; however, this obligation was frequently not honored in the regions outside of Yerevan, where there often were not enough defense lawyers. Defendants also commonly refused free counsel due to the poor quality of the public defenders or the perception that public defenders colluded with prosecutors.

Defendants may confront witnesses and present evidence, and they and their attorneys may examine the government's case in advance of trial. Judges generally granted defendants' requests for additional time to prepare cases. The law provides for the presumption of innocence; in practice this right was not always observed. In one case during the year, defendants' lawyers who criticized the outcome of their case, were sued for contempt of court by the judges involved (see section 1.c).

Court statistics released on August 7 indicated that fewer than 1 percent of court cases resulted in acquittals. However, these statistics do not reflect the many cases that judges remanded to the prosecutor's office for lack of evidence and that prosecutors dropped and never sent back to court. Thus prosecutors, in effect, often lost their cases during the year. According to one international NGO specializing in legal issues, pretrial investigations lasted an average of one to three months. Both defendants and prosecutors have the right to appeal.

There were reports that prosecutors used confessions obtained through methods that some NGOs asserted amounted to torture, as central elements of their cases. Defense lawyers may present evidence of torture to overturn improperly obtained confessions; however, defendants stated that judges and prosecutors refused to admit such evidence into court proceedings, even when the perpetrator could be identified.

#### Political Prisoners and Detainees

Armen Babajanian, the editor of the opposition newspaper *Yerevan Zhamanak*, was arrested on June 26 and charged with document forgery and evasion of military service. He was convicted on September 8. Babajanian admitted his guilt, but his four-year sentence was somewhat harsher than is customary, and some observers charged that he was the victim of selective enforcement.

Apart from this possible exception, there were no reports of political prisoners or detainees.

#### Civil Judicial Procedures and Remedies

The same courts hear civil and criminal cases. Citizens had access to courts to bring lawsuits seeking damages for, or cessation of, a human rights violation; however, the courts were widely perceived as corrupt, and potential litigants in civil

cases often evaluated the advisability of bringing suit on the basis of whether they or their opponents had greater resources with which to influence judges. Citizens also had access to the ombudsman's office, and during the year they were given access to the Constitutional Court when they judged that constitutional rights were not being protected (see sections 1.e., and 4).

Residents of approximately 100 houses in downtown Yerevan that were razed to make way for a new boulevard lost a number of court cases protesting their evictions during the year. The Constitutional Court ruled on April 18 that the 2002 government decision that made the demolitions possible violated parts of the constitution, but the court did not obligate authorities to return the remaining houses to their former owners.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The law prohibits unauthorized searches and provides for the right to privacy and confidentiality of communications; however, the government did not always respect these rights in practice.

There were several reports of government surveillance of opposition Heritage Party leader Raffi Hovhannesian. The party also reported that its members were harassed and threatened (see section 3).

By law, judges may authorize authorities to wiretap a telephone or intercept correspondence only after being presented with compelling evidence; however, the law was not strictly enforced in practice, and some judges arbitrarily granted permission.

At times police maintained surveillance of draft-aged men to prevent them from fleeing the country.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The constitution provides for freedom of speech and of the press; however, the government partially limited freedom of speech. There were incidents of violence, intimidation, and self-censorship in the press.

The law prohibits incitement to national, racial, or religious animosity. There were no prosecutions under this provision during the year, unlike in 2005 when Armen Avetisyan, the leader

of the Union of Armenian Aryans, was convicted of this offense and given a three-year suspended sentence for making anti-Semitic and anti-Yezidi statements in a press interview (see section 2.c.).

Most newspapers were privately owned with the exception of government-sponsored *Hayastani Hanrapetutyun* and its Russian-language version, *Respublika Armenii*. The print media pursued stories vigorously and expressed a wide variety of views without restriction, but no media outlet was completely independent of patronage from economic or political interest groups or individuals.

Newspaper circulation was very limited, and most of the population relied on television and radio for news and information. There were more than 20 radio and 45 television stations, most of them privately operated. In Yerevan and regional cities, private television stations generally offered news coverage of good technical quality; however, the substantive quality of news reporting on television and radio varied. Most stations were owned by progovernment politicians or well-connected businessmen, factors that led journalists to engage in self-censorship. Major broadcast media outlets generally expressed progovernment views. Public Television of Armenia (H1) generally avoided editorial commentary or reporting critical of the government.

In 2003 the National Commission for Television and Radio (NCTVR), the governing body for the country's media whose members are all appointed by President Kocharian, awarded a progovernment national television channel, Kentron TV, a broadcast frequency that had previously belonged to A1-Plus, one of the country's last politically independent television stations. Observers alleged the decision was politically motivated due to A1-Plus's previous criticism of the Kocharian administration. During the year A1-Plus continued its unsuccessful efforts to obtain a license to resume broadcasting. Since A1-Plus lost its license it has unsuccessfully filed 12 applications for radio or television licenses. An OSCE report, *The State of Media Freedom in Armenia*, released in July, recommended that the composition of the NCTVR and similar regulatory bodies be changed to represent the political diversity of the country and to include NGOs and professional associations.

In September, in an action unusual in a National Assembly where the ruling coalition has a comfortable majority, lawmakers

rejected government-sponsored legislation that would have altered regulation of the media. The legislation would have further restricted media freedom, reduced or eliminated television coverage of National Assembly sessions, and altered the composition of the NCTVR. Under the government proposal, the National Assembly would appoint half of the members of the NCTVR and the president the other half, but none would be selected by other elements of society as recommended by the OSCE report.

International media outlets generally operated freely.

The editor of the opposition newspaper *Yerevan Zhamanak* was arrested on June 26 and charged with document forgery and evasion of military service. He was convicted on September 8. Although he admitted guilt, Armen Babajanian's four-year sentence was harsher than is customary for such offenses, and some observers regarded him as a victim of selective enforcement (see section 1.e).

There were unconfirmed reports of several incidents of harassment and intimidation of journalists that appeared to be related to their journalistic activities.

Independent investigative journalist Edik Baghdasarian reported that in July he began to receive e-mail threats following the publication of two articles on his Web site criticizing a new political party.

Journalist Gagik Shamshian, who works for opposition-owned *Chorrord Ishkhanutiun* newspaper, reported that a gang of men attacked him on July 11 after he publicly accused the local district prefect's father of threatening him. He had written an article saying that two men arrested on charges of bank robbery were relatives of the prefect. Shamshian claimed the prefect's brother was among his attackers. Shamshian said law enforcement officials harassed him after the attacks for refusing to retract his testimony against the prefect's brother. The local police told Shamshian they had received complaints detailing criminal activity on his part, which he denied. Several weeks later, he retracted the allegations. The criminal case against him went to court December 14, with no verdict by year's end. On July 20, an unknown person broke the windows of *Chorrord Ishkhanutiun's* office, poured gasoline on the windowsills, and set them on fire. Citing disillusionment with the country's law enforcement officers, *Chorrord Ishkhanutiun* did not ask for a police investigation. The editor said she wasn't sure of the motive

behind the fire; however, others drew a connection between the incident and the paper's reporting on the district prefect.

On September 6, unknown persons assaulted Ovannes Galagzhyan, the editor-in-chief of the opposition-sponsored newspaper *Iravunk*, in an attack he believed was related to political topics discussed in his newspaper.

There was no official censorship, although journalists and opposition parties complained that the government put pressure on television stations not to grant air time to several out-of-favor politicians. Print and broadcast journalists continued to practice self-censorship because of pressure from official sources and from economic self-interest.

#### Internet Freedom

There were no government restrictions on access to the Internet or reports that the government monitored e-mail or Internet chatrooms. Individuals and groups could engage in the peaceful expression of views via the Internet, including by electronic mail. Internet cafes were widely available in the cities, although local ISP connections were often too slow to be useful.

#### Academic Freedom and Cultural Events

There were no restrictions on academic freedom or cultural events.

#### b. Freedom of Peaceful Assembly and Association

##### Freedom of Assembly

The constitution provides for freedom of assembly, but there were some limits on this right. Organizers are not required to obtain a government permit to stage a rally or demonstration but are required to notify authorities in advance of their plans for such events. There were also locations, such as military installations and sensitive power generation facilities, where persons could not demonstrate without permission. The law empowers police to break up illegal rallies and demonstrations, particularly those that encourage violence and the overthrow of the government. During the year police did not break up demonstrations.

The government did not interfere when small rallies took place without permission.

There were reports that government authorities hindered political party meetings and pressured property owners to evict opposition parties from meeting facilities. For example, during the year the opposition Heritage Party was evicted from its offices, ostensibly over a lease dispute (see section 3). In May 2005 Aram Karapetyan asserted that his New Times opposition party was evicted from its headquarters in Yerevan following pressure on the landlord by government officials.

#### Freedom of Association

The constitution provides for freedom of association, and the government generally respected it in practice. However, registration requirements for all political parties, associations, and secular and religious organizations remained cumbersome, exacting, and time-consuming. The law stipulates that citizens have the right to form associations, including political parties and trade unions, except for persons serving in the armed services and law enforcement agencies. As in previous years, no human rights groups or political organizations reported problems with registration, although the Heritage Party reported harassment of its members (see section 3).

#### c. Freedom of Religion

The law provides for freedom of religion; however, there were some restrictions in practice. The Armenian Apostolic Church has formal legal status as the national church, which gives it privileges not afforded to other faiths. The law gives minority religious groups that register with the government specific rights, such as the right to publish newspapers and magazines, rent meeting places on government property, broadcast television or radio programs, and sponsor official visitors. Unregistered religious organizations may only import small quantities of religious literature for private use. The law also requires all religious organizations except the Armenian Apostolic Church to obtain prior permission to engage in public religious activities. There were no reports that religious groups were denied, or otherwise had problems with, registration.

The law prohibits incitement to national, racial, or religious animosity. There were no prosecutions under this provision during the year, unlike in 2005 when Armen Avetisyan, the leader of the Union of Armenian Aryans, was convicted of this offense

and given a three-year suspended sentence for making anti-Semitic and anti-Yezidi statements in a press interview.

Although the country has a law providing alternative service for conscientious objectors, the military services themselves administer the alternative service, and many members of Jehovah's Witnesses refused the alternative program for that reason. At year's end, according to Jehovah's Witnesses lawyers, 52 of their members were in prison, 49 of them serving sentences and three awaiting trial.

On October 27, the Jewish community, with assistance from the government and other groups, unveiled a new Holocaust memorial to replace the old one that had been vandalized earlier in the year.

The law prohibits proselytizing--which is left undefined in the law--by minority religions and bans foreign funding for foreign-based churches; neither ban was enforced. The Church of Jesus Christ of Latter-day Saints reported police harassment of missionaries in July 2005; however, church officials said members had not experienced any harassment since then.

The Jehovah's Witnesses organization reported that an Armenian Apostolic priest assaulted two of its members on August 21. According to the group, one of the victims suffered a broken arm and a concussion. The group said police opened an investigation but quickly ended it, stating that the priest expressed remorse for his crime.

#### Societal Abuses and Discrimination

Societal attitudes toward most minority religions were ambivalent. Unlike in 2005, Yezidi leaders said that they had received no reports that police and local authorities discriminated against them.

According to observers the general population viewed "non-traditional" religious groups with suspicion and expressed negative attitudes about members of Jehovah's Witnesses because of their proselytizing practices and because they refused to serve in the armed forces. Members of Jehovah's Witnesses continued to experience occasional societal discrimination.

On March 17, two young members of the Union of Armenian Aryans, a small ultranationalist group, distributed a leaflet in the city of Vanadzor calling for death to members of religious

sects. The staff of a local human rights NGO that reported the incident to the local prosecutor's office received e-mailed death threats June 18.

There were reports of isolated incidents in which Protestants in rural areas were fired from their jobs because of their religious beliefs.

Jewish community leaders estimated the community's size at between 500 and 1,000 persons (the government does not provide official figures for religious adherents), but unlike in 2005, leaders of the Jewish community said that they had no reports of harassment of Jews during the year.

In September the environment minister, Vardan Ayvazian, publicly referred to representatives of a foreign mining company during a press conference as "kikes."

There were no reports that individuals or groups distributed anti-Semitic literature.

Approximately one thousand Muslims resided in the capital. There was no formally operating mosque, although one surviving 18th century mosque in the capital remained open for Friday prayers without government interference, though it was not officially registered.

For a more detailed discussion, see the *2006 International Religious Freedom Report*.

d. Freedom of Movement Within The Country, Foreign Travel, Emigration, and Repatriation

The law provides for these rights, but there were some restrictions in practice.

The government generally did not restrict internal movement. Corruption and an inefficient bureaucracy hindered citizens' efforts to register changes in their status, including changes in official places of residence. This hampered efforts to emigrate. To leave the country on a temporary or permanent basis, citizens must obtain an exit visa. Exit visas for temporary travel out of the country may be routinely purchased at a cost of approximately \$2.80 (1,000 drams) for each year of validity and may be purchased when a passport is issued for the entire term of validity of the passport. Visas may also be obtained later. There was an official 10-day waiting period for visas, but officials commonly agreed to expedite them in

exchange for bribes up to about \$30 (10,714 drams). Citizens who opted not to purchase the appropriate visas, but attempted to depart the country, were not permitted to leave.

The exit visa process is more difficult for citizens leaving the country permanently. The registration agency must deregister them, which entails sending queries to numerous other agencies to determine whether the citizen has any outstanding debts or obligations. The process commonly took several months to complete, and according to some citizens, authorities used the exit permit process to exact bribes which, by some accounts, totaled hundreds of dollars. Permission to depart the country permanently may be denied to persons who possess state secrets, are subject to military service, are involved in pending court cases, or who have outstanding financial obligations. Men of military age who have not completed service requirements must overcome substantial bureaucratic obstacles to travel abroad, including excessive delays in processing and officials soliciting bribes for exit stamps.

The law does not prohibit forced exile, but there were no reports that the government employed it.

#### Internally Displaced Persons (IDPs)

The Norwegian Refugee Council (NRC) found in a study released in 2005 that 8,399 IDPs lived in the country. The NRC said the number did not change during the year.

During the country's war with Azerbaijan, the government evacuated approximately 65 thousand households from the border region, but most returned or settled elsewhere. Of the 8,399 remaining IDPs, almost two-thirds could not return to their villages, which were surrounded by Azerbaijani territory, and others chose not to return due to socio-economic vulnerability or a fear of land mines. IDPs enjoyed full rights as citizens, but the government did not provide special programs to help them adjust to their new surroundings. IDPs had access to international assistance programs and there were no reports of abuse of IDPs.

#### Protection of Refugees

The law provides for the granting of asylum or refugee status to persons in accordance with the 1951 UN Convention relating to the Status of Refugees and its 1967 protocol, and the government has established a system for providing protection to most

refugees. In practice the government generally provided protection against *refoulement*, the return of persons to a country where they feared persecution. The government granted refugee status or asylum during the year.

As of December 26, 646 persons had applied for asylum and the government granted 120 of those requests. Two were granted refugee status, and the government provided temporary protection to 118 individuals who did not qualify as refugees under the 1951 Convention and the 1967 protocol.

The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in assisting refugees and asylum seekers.

There was an established procedure for granting asylum; however, a combination of frequent rotations of inexperienced border officials and little training on asylum procedures, at times caused delays and difficulties with refugee processing at airports and land borders. International organizations asserted that Russian border guards usually came into first contact with would-be asylum-seekers at the borders with Turkey and Iran, as well as at the main international airport in Yerevan, and often refused them entry without informing either the government or the UNHCR. However, the Russian guards, who operated on the basis of an agreement between the two countries, were being phased out.

### Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

Although the law provides citizens with the right to change their government peacefully, that right was restricted in practice due to repeated flaws in the conduct of elections.

#### Elections and Political Participation

International observers found the 2003 presidential and National Assembly elections to be well below international standards. There were serious irregularities, including ballot box stuffing, discrepancies in vote counts, partisan election commissions, and wide use of government resources to support the incumbent president. Domestic observers noted similar irregularities in local elections in September and October 2005.

In November 2005 a series of constitutional amendments were approved by a national referendum which made potentially

significant changes in the division of powers between the branches. Although the balloting was conducted mostly without incident, Council of Europe observers reported discrepancies between the reported results and the apparent lack of turnout (a two-thirds majority of all registered voters was required for adoption, and a previous constitutional referendum had failed for lack of turnout). Domestic observers reported ballot stuffing, unauthorized individuals accompanying voters to the voting booths and ballot boxes to instruct them on how to vote, and intimidation of opposition observers. As it was technically not required to do so, the government declined to invite the OSCE to observe the voting process.

Authorities harassed opposition supporters. On March 4, the Ministry of Justice's Department of State Property Management, armed with a court order, evicted the opposition Heritage Party from its offices, ostensibly over a lease dispute. When the party staff was allowed to return temporarily on May 29, they reported that their central computer had been hacked on March 8. Party officials reported instances of harassment of party members throughout the country after March 8 and attributed them to the hacking of the computer, which contained addresses and telephone numbers of party members.

There was a widespread public perception, reflected in the press and the speeches of politicians, that a small elite of "oligarchs" exercised disproportionate influence on public affairs.

The Orinats Yerkir party lost many members following its withdrawal from the governing coalition on May 12. Party leader Artur Baghdasarian asserted later that the president's office had pressured them to leave the faction, and there were reports that members were threatened with loss of employment and the closure of their businesses.

There were seven women in the 131-seat National Assembly but none in the cabinet.

There were no members of ethnic minorities in the National Assembly or cabinet.

#### Government Corruption and Transparency

Corruption was widespread, as was citizens' awareness of it. In an August Gallup poll commissioned by a foreign organization, one in 10 respondents, asked to name the most serious problem

facing the country, named corruption, placing it in third place behind economic concerns and the problem of Nagorno-Karabakh. The country scored 2.9 in Transparency International's 2005 Corruption Perceptions Index. The index reflects the perceptions of business people and country analysts using a scale of zero to 10 with zero being considered highly corrupt. Amalia Kostanian, head of the local affiliate of Transparency International stated that the expert and public perception was that corruption was increasing. However, the public, which rarely protested practices such as routine bribe-paying, was generally politically apathetic and appeared to be resigned to the prevalence of corruption.

The government did not adequately maintain its own anticorruption programs. For example, an anticorruption council headed by the prime minister met only twice during the year, violating its own regulations, and a monitoring commission established by the council did not meet at all during the year.

According to the government, 69 government officials were charged in 46 corruption cases during the year. At least 16 of those officials were convicted under anticorruption laws. The disposition of the remaining cases was unclear at year's end.

The law provides for access to government information as well as for its dissemination, but in practice the government rarely provided access. In July the Yerevan mayor's office, which in 2005 was described by an NGO focusing on freedom of information as one of the worst providers of information access, set up an information center in city hall. Though the office was still in its infancy at year's end, the same NGO described the staff of the center as serious about its work.

Citizens had little awareness of their right to information, and those who were aware of this right were often unable to exercise them. The first instinct of government employees generally was to block access to information rather than to provide it. In some cases the officials themselves were not aware of laws providing for freedom of information.

#### Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A number of domestic and international human rights groups generally operated without government restrictions, investigating and publishing their findings on human rights

cases. Government officials were somewhat cooperative and responsive to their views.

During the year more than 20 independent local religious and human rights organizations and local affiliates of international organizations operated in the country. They included the Armenian Helsinki Committee, the Civil Society Institute, the Helsinki Citizens' Assembly, Hope and Help, the International Committee of the Red Cross, Junior Achievement, Mission Armenia, the Open Society Institute, and Transparency International. The government, while not soliciting contacts with these organizations, generally did not deny requests to meet with domestic NGO monitors. Authorities followed some of their recommendations, particularly those related to social welfare, education, or those involving local matters.

With one possible exception, NGOs did not report experiencing reprisals for criticizing the authorities. On one occasion authorities subjected an NGO that had accused an official of wrongdoing in relation to trafficking, to an unexpected tax inspection (see section 5).

There was no progress in the investigation into the 2004 incident in which unknown persons beat Mikael Danielyan, the director of the Helsinki Committee human rights NGO, after Danielyan had given a controversial interview to an Azerbaijani newspaper. Authorities suspended the investigation shortly after the incident.

The government was generally cooperative with international NGOs. It permitted visits by international organizations to prisons and in the case of the ICRC, to detention centers operated by the police.

In 2005 the country's first human rights ombudsman complained that government interference, including a ruling by the Constitutional Court, limited her ability to influence the government's implementation of her recommendations. On February 17, the National Assembly elected a successor. One of his first actions was to petition the Constitutional Court to rule find government decision to expropriate residential houses and apartments in certain parts of downtown Yerevan to be unconstitutional (see section 1.e.). Although the court did so, it did not provide any remedies for the citizens deprived of their property without adequate compensation.

From February 17, when the new ombudsman took office, through December 11, the ombudsman's office received 1,178 citizen complaints. At year's end there was no information on the disposition of these complaints.

#### Section 5 Discrimination, Societal Abuses, and Trafficking in Persons

The constitution and law prohibit discrimination based on race, gender, disability, language, or social status, but there was societal discrimination against women, ethnic minorities, persons with disabilities, and homosexuals.

##### Women

There is no law against domestic violence. Few cases of spousal abuse or other violence against women were reported during the year, although such violence was believed to be widespread. While there was no recent information on the extent of the problem, in a 2001 survey, 45 percent of the (female) respondents acknowledged that family members subjected them to psychological abuse, and 25 percent considered themselves victims of physical abuse. Most cases of domestic violence were not reported to police because victims were afraid of physical harm, were apprehensive that police would return them to their husbands, or were embarrassed to make family problems public. Several NGOs in the Yerevan and Gyumri areas provided shelter and assistance, including psychological and legal counseling, to battered women.

Rape, including spousal rape, is a criminal offense and carries a maximum penalty of 15 years' imprisonment. In the first nine months of the year, authorities registered 31 cases of rape and attempted rape; however, societal stigma contributed to the underreporting of those crimes. Authorities prosecuted and convicted 14 individuals involved in seven cases of rape, and five individuals involved in three cases of attempted rape during the year. In 2005 authorities prosecuted 21 individuals charged with these offenses.

Prostitution and sex tourism are not illegal, but operating brothels is prohibited. Operating a brothel and engaging in other forms of pimping are punishable by one to 10 years' imprisonment. According to the NGO Hope and Help, there were fewer than 5,000 prostitutes, approximately 1,500 of them in Yerevan. Police and other security forces were complicit in, or tolerated, prostitution.

Trafficking in women for sexual exploitation was a problem (see section 5, Trafficking).

The law does not specifically prohibit sexual harassment, although it addresses lewd acts and indecent behavior. Society generally did not consider cases of sexual harassment important enough to justify legal action. Although there were no official statistics, sexual harassment appeared to be widespread.

Men and women enjoy equal legal status, although gender discrimination existed and was a continuing problem in the public and private sectors. According to a survey conducted 2005 in Yerevan, women earned on average 40 percent of what men earned. Women generally were not afforded the same professional opportunities as men and often were relegated to more menial or low-skill jobs.

#### Children

The government was committed to protecting children's rights and welfare, but it did not allocate resources sufficient to fulfill this commitment.

Education is free, universal, and compulsory through age 14; secondary education is provided through the complete secondary level. According to the UN Development Program, in 2003, 84 percent of students completed schooling through age 14, and 36 percent studied through age 16. Many facilities were impoverished and in poor condition. Access to education in rural areas remained difficult, and work in the fields during harvest season took precedence over school for many children. Lack of funding to provide heat prompted school officials in many areas to extend winter school breaks by as much as an additional month. Many teachers demanded bribes from parents in return for good or passing grades.

In 2005 the government began to focus on education reform, and the 2005-2006 national budget included an allocation for increases in educators' salaries.

A 2004 survey commissioned by the UN Children's Fund (UNICEF) found that school drop-out rates were high for children from poor communities. NGOs reported that school absenteeism was also on the rise.

A high percentage of children in the Yezidi community did not attend school, partly for economic reasons and partly because schools lacked Yezidi teachers and books in their native language. In September the government published and distributed Kurdish-language primary school textbooks for Yezidi schoolchildren. The government also published Assyrian-language primary school textbooks during the year.

Free basic health care was available to boys and girls through age eight but often was of poor quality, and officials often demanded overt or concealed payment for services.

Physical abuse of children was not believed to be a serious problem, and the prosecutor general's office did not report any cases during the year. UNICEF reported that psychological abuse was widespread and that in 2004 there had been a few registered cases of sexual abuse in special education schools.

Experts believed child marriage was a problem among the small Yezidi and Kurdish ethnic minorities, but there were no specific reports of this practice during the year.

Trafficking in girls for the purpose of sexual exploitation was a problem (see section 5, Trafficking).

Observers did not believe that child labor was a serious problem (see section 6.d.).

UNICEF reported that the number of children begging or working on the street appeared to be on the decline. Abuse of street children did not appear to be a serious problem.

#### Trafficking in Persons

Authorities reported that the country was a source and transit point for women and girls trafficked primarily for sexual exploitation to the United Arab Emirates and Turkey. It was also, to a lesser extent, a destination for women trafficked for sexual exploitation. There were also reports of men being trafficked to Russia for labor.

According to the general prosecutor's office, at least 40 persons were victims of trafficking during the year, including four victims exploited within the country and 36 exploited in the United Arab Emirates, Turkey, and Russia. The general prosecutor's office also reported that 99 persons were victims of pimping during the year, including 38 exploited within the

country and 61 exploited in the UAE and Turkey. Trafficking organizations typically recruited victims who were already engaged in local prostitution. The majority of identified victims were aware that they were being recruited to work in the sex industry in other countries; however, they were unaware of the traffickers' intent or the true exploitive circumstances of the conditions in destination countries. Once in the country of destination, victims were deprived of their travel documents, locked in hotel rooms, and told that they must "repay" their expenses. This initial consent, unfortunately contributed to an overall lack of identification of trafficking by authorities. There were reports that traffickers encouraged women to become recruiters, promising them that they could keep a percentage of their recruits' earnings. Women engaged in prostitution, orphans who had outgrown their institutions, the homeless, and those in difficult financial situations were at particular risk of being trafficked. Trafficking victims, who came largely from impoverished communities, were at greatly increased risk of contracting sexually transmitted diseases, and there were some reported incidents of physical violence.

The law prohibits trafficking in persons. On July 16, the National Assembly adopted legislation that toughened trafficking penalties. The new law made trafficking in persons punishable by imprisonment for three to 15 years, depending on whether there were aggravating factors such as the death of victims or involvement of a minor.

During the first nine months of the year, eight defendants were convicted under the trafficking statute, according to the prosecutor general's office. During that same period, courts convicted 18 defendants under the pimping statute.

On December 12, a court in Gyumri ruled on the country's first labor trafficking case, sentencing the trafficker, Ararat Muradyan, to five years' imprisonment. The court also ordered the defendant to provide financial restitution to the victims, the first order for restitution in any trafficking case. In April 2004 the three male victims, including a 16-year-old boy, had been sent to the Russian republic of Tatarstan for construction work; they were held against their will and forced to work for 16 months before the Tatarstan authorities freed them.

In November 2005 the prosecutor general's office opened a criminal case on charges of trafficking against Ashot Hovsepyan, and Sos Meliksetyan, a local nightclub manager. They were

charged with trafficking four victims for work in a nightclub. This was the first clear indication that the country was a destination for trafficking. The NGO Hope and Help took the victims into its shelter. On January 8, a court sentenced Meliksetyan to two years' correctional labor, and a warrant for Hovsepyan's arrest was outstanding at year's end.

A governmental interagency commission, the national police, the prosecutor's office, and the NSS are responsible for coordinating and implementing antitrafficking policy and for combating trafficking. The government actively sought bilateral cooperation with several trafficking destination countries and regularly shared information with these partners.

Victims reported that Russian and Armenian border guards were easily bribed. Some prosecutors were also reportedly complicit in trafficking. Allegations of official complicity with traffickers continued to hurt the credibility of the government's antitrafficking efforts. There were persistent allegations that senior members of the prosecutor general's office were susceptible to outside influence. Some observers asserted that agreements between corrupt court officials and traffickers were also common. Unlike in previous years there were no reports that police employees and employees of the country's international airport assisted traffickers with transportation of victims to and through the country.

In February the government established a task force to investigate allegations of misconduct against an investigator in the prosecutor general's antitrafficking unit. After a cursory investigation, the task force reported no evidence of wrongdoing. In August a group of alleged trafficking victims, assisted by an NGO, brought new allegations of corruption and complicity against the same investigator and another official. A few days after the allegations were brought to the government's attention, tax inspectors launched an investigation into the NGO's finances (see section 4). The prosecutor general created a task force that included members of antitrafficking NGOs to investigate the officials, who remained in charge of the original case during the internal investigation. The internal investigation commission found no evidence of wrongdoing; however, the investigators were transferred out of the antitrafficking unit, and one was demoted from senior investigator to investigator.

Upon their return from abroad, many trafficking victims feared societal stigma and discrimination and were reluctant to help

locate and prosecute their traffickers. Government officials did not require victims to provide such assistance, but they worked with victims who were willing to do so. Judges did not prosecute victims in trafficking cases for violating laws but often denied them counsel and subjected them to humiliating treatment during trials.

The International Organization for Migration (IOM) and the NGOs Hope and Help, the United Methodist Committee on Relief (UMCOR), and Democracy Today, operated assistance programs for trafficking victims with funding from foreign governments. Between March and November 14, UMCOR and Hope and Help shelters assisted 23 victims, more than in all of 2005. The government did not offer financial assistance but increasingly referred victims to these organizations. The NGOs maintained two hotlines for trafficking victims.

NGOs, international organizations, and the government conducted trafficking prevention activities, primarily educational and mass media programs to raise public awareness. International organizations trained the government's consular corps to identify signs of trafficking, and in June the government, with international assistance, published a manual with guidelines for interviewing and repatriating trafficking victims for use by consular officers abroad.

#### Persons With Disabilities

The law prohibits discrimination against persons with disabilities in employment, education, access to health care, and the provision of other state services; however, discrimination was a problem. The law and a special government decree mandate accessibility to buildings for persons with disabilities, but in practice very few buildings and other facilities were accessible to them.

In September the government allocated about \$33,000 (12 million drams) for the printing of Braille textbooks.

Institutionalized patients often lacked medication, and care was substandard. Hospitals, residential care, and other facilities for persons with serious disabilities were also substandard.

The Ministry of Labor and Social Affairs was responsible for protecting the rights of persons with disabilities, but the government provided insufficient resources to the ministry to permit fulfillment of this responsibility.

### National/Racial/Ethnic Minorities

The Yezidi community, which numbers between 30,000 and 40,000 persons according to its leaders, speaks a dialect of Kurdish and practices a religion derived from Zoroastrianism, Islam, and animism. Unlike in previous years, Yezidi leaders did not complain that police and local authorities subjected their community to discrimination. However, on December 7, a woman and three teenagers set themselves on fire in front of the presidential palace to protest the lack of local government response to the November murder of one of their relatives. Other Yezidi villagers involved in the protest said they believed the lack of response resulted from local government corruption rather than from discrimination.

### Other Societal Abuses and Discrimination

Persons who were openly gay were exempted from military service, purportedly because of concerns that they would be abused by fellow servicemen. The local Helsinki Association and other observers reported cases of police harassment of homosexuals through blackmail, extortion, and, on occasion, violence.

On August 9, an openly gay businessman was found dead in his apartment. The police investigation focused mainly on the man's possible sexual partners. Local observers reported that in the course of the police investigation, officers indiscriminately rounded up gay men in a city park for questioning.

Many employers discriminated by age, most commonly requiring that job applicants be between the ages of 18 and 30. After the age of 40, workers, particularly women, had little chance of finding jobs appropriate to their education or skills.

### Section 6 Worker Rights

#### a. The Right of Association

The law provides workers, except for those serving in the armed services and law enforcement agencies (see section 2.b.), with the right to form and to join unions of their choice without previous authorization or excessive requirements, but most workers did not exercise this right in practice. Labor organizations remained weak because of employer resistance, high unemployment, and poor economic conditions.

The Confederation of Labor Unions (CLU) estimated there were 441,000 members of 24 trade unions. There were also other labor unions that did not belong to the CLU. Labor unions were generally inactive, with the exception of those connected with the mining industry. However, some mining enterprises, including some financed by foreign capital, discouraged employees from joining labor unions with the implied threat of loss of employment.

b. The Right to Organize and Bargain Collectively

The law allows unions to conduct their activities without interference. Although the law provides for collective bargaining, in practice there was none. Factory directors generally set pay scales without consulting employees. Regular or economic courts arbitrated labor disputes.

The law provides for the right to strike, except for members of the armed services and law enforcement agencies, but workers rarely went on strike. The law also prohibits retaliation against strikers, although it sometimes occurred.

In June 2005 the Ararat Gold Recovery Company (AGRC) fired 24 employees at its gold mining facility near Zod, allegedly for organizing a May 2005 strike over wages and workplace safety. AGRC initially dismissed 463 employees and required them to reapply for their positions; it did not rehire 11 employees who were members of the Lernagorts labor union and 13 unaffiliated employees. Four sued AGRC for reinstatement. One won the court case and was rehired but was fired again soon after. The other three lost their cases. AGRC maintained it fired the employees on legitimate grounds.

There are no export processing zones.

c. Prohibition of Forced or Compulsory Labor

The law prohibits forced and compulsory labor, including by children; however, there were reports that such practices occurred (see section 5).

d. Prohibition of Child Labor and Minimum Age for Employment

There are laws and policies to protect children from exploitation in the workplace. The minimum age for employment is 16; children may work from age 14 with parental and labor union

permission. The Armenian State Labor Inspectorate is responsible for child labor law compliance, but the inspectorate, community councils, unemployment offices, and, as a final board of appeal, the courts, enforced the law unevenly. Children under the age of 18 are prohibited from working overtime or in harmful and dangerous conditions, at night, and on holidays.

According to the Employment Service Agency, some children were involved in family businesses, as well as in other activities not prohibited by law. Observers also reported seeing children in Yerevan selling flowers and working in local markets after school hours.

e. Acceptable Conditions of Work

The government sets the minimum wage by decree. The monthly minimum wage of approximately \$55.60 (20,000 drams) did not provide a decent standard of living for a worker and family. While businesses generally observed the law for their registered employees, there were reports that employers did not register some employees and paid them lower than minimum wage. In 2004, the most recent year for which information was available, 6.4 percent of the population lived on less than \$1 per day, while 34.6 percent lived on slightly more than that amount. The government did not enforce the minimum wage law effectively.

The law sets the workweek at 40 hours and provides for mandatory rest periods and overtime compensation. In the mining sector, employers allow limited sick leave with the presentation of a medical certificate. There were reports that employers fired employees who took extended sick leave.

In April 2005 the Employment Service Agency officially replaced the Ministry of Labor and Social Affairs as the government's chief enforcement agency for workers' rights, occupational health, and safety standards. In its second year, the inspectorate made little progress toward implementing an inspection regime or the requirements of the labor code.

Workers had the legal right to remove themselves from work situations that endangered health and safety, but they were unlikely to do so because such an action would place their employment at risk, and jobs were scarce. The law requires the government to set occupational and health standards, but by year's end the government had not done so.