

Testimony of Matthew Bryza
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before the
Commission on Security and Cooperation in Europe
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“Armenia after the Election”

Thank you, Chairman Hastings and Members of the Commission, for organizing today’s hearing. I am honored to be with you today. We respect and appreciate the Commission’s sustained commitment to human rights and democracy across Europe, and are grateful to you, Mr. Chairman and other members of the Commission, for your leadership and collaboration in support of democracy in Armenia. We welcome this opportunity to discuss with you the recent elections in Armenia and their ramifications for Armenia and U.S.-Armenian relations.

The U.S.-Armenian relationship is firmly rooted in our shared values: a belief in basic human rights and liberties, in human dignity and in the importance of democracy as both a guarantor and product of freedom. Throughout history, the Armenian people have shown their resilience and determination to weather great adversity. They have always managed to find strength in their community; through democracy, they have found a powerful vehicle to shape their future. Armenia was the first republic in the Soviet Union to stand up for independence, in massive public protests, in a movement that spread throughout many of the other Soviet republics.

Given the values that we and Armenia share, it is with great concern for all the people of Armenia that we have followed the unfortunate events of the past few months. We see the serious irregularities in the recent Armenian presidential election and the election's violent aftermath as a significant setback for Armenian democracy. We deplore the killing of at least eight Armenian civilians and two Armenian policemen on that tragic day. Although we may never know who was ultimately responsible for triggering the violence in Yerevan on March 1, we condemn the devolution of a peaceful protest into violence. It is the responsibility of the government to avoid the use of lethal force even when peaceful protests descend into violent clashes.

We are disappointed Armenia found itself in such a tense situation, in which civilized dialogue did not prevail, and which resulted in a post-election tragedy

unprecedented in the South Caucasus. Restoring democratic momentum requires the government of Armenia to ensure that all Armenians enjoy the right to express peaceful dissent in line with international standards; democracy also requires all Armenians to exercise that right in accordance with the rule of law.

Even as we lament this loss of life and the troubled election, we must also look ahead. What happens in Armenia matters to the United States. We have vested interests in Armenia's security, regional economic integration with key partners, and above all, in the freedom of the Armenian people to exercise their internationally recognized human rights to shape their own future.

On security, our partnership with Armenia has been fruitful on many fronts. Armenia has sent troops to Iraq and Kosovo; the Armenians have been partners in counterterrorism and in preventing the proliferation of weapons of mass-destruction; working together, we have helped Armenia improve its border security. Armenia has approached us to partner on the prevention of pandemics and other biological threats. Armenia has excelled in implementing its Individual Partnership Action Plan with NATO, in the context of a policy of "complementarity" that allows Armenia to deepen its ties to the Euro-Atlantic community and maintain its historically close relations with Russia.

Speaking as a Minsk Group Co-Chair nation, the single most important step toward bolstering peace and prosperity in Armenia as well as Azerbaijan would be a peaceful, just and lasting settlement of the Nagorno-Karabakh conflict. During the past two years, the parties have moved closer than ever to a framework agreement based on a set of Basic Principles developed through intensive negotiations. The Minsk Group Co-Chairs remain fully committed to helping Armenia and Azerbaijan finalize these Basic Principles, and hope to see a meeting in coming months between Presidents Sargsian and Aliyev. The Co-Chairs support the territorial integrity of Azerbaijan and hold that a peaceful settlement requires a negotiated compromise on the issue of Nagorno-Karabakh's future status.

Armenia lies at a crucial geographic crossroads, with Russia and Georgia to the north, Iran to the south, and closed borders with Turkey and Azerbaijan to the west and east. We would like to see a normalization of Armenia's diplomatic and economic relations with Turkey. That would mean a resumption of trade, the expansion of electricity and transportation ties, and greater access to regional markets. Normalization of Armenia's relations with Azerbaijan would also

provide impetus for Armenia to scale back its energy cooperation with Iran. We call on Armenia to reinforce the international community's demands that Iran abide by UN Security Council Resolutions demanding that Iran cease its nuclear enrichment and weapons development programs.

Finally, and perhaps most germane to today's hearing, we should note the vast amount of work and resources we have invested in helping Armenia achieve internal reform to advance democratic and economic freedom. There have been successes. We have helped Armenia reduce rural poverty and achieve double-digit rates of economic growth. We will continue to work with a flourishing civil society to promote democracy and protect fundamental rights. Armenia's receipt of a Compact from the Millennium Challenge Corporation (MCC) was a powerful signal of our conviction that Armenia was moving in the right direction on democratic and market economic reform. We are disappointed that the results of that reform effort have been mixed – and in the wake of the tragic violence that followed the February election – below the MCC criteria.

There were some positive signs before the election, such as the invitation of a robust election observation mission from OSCE's Office of Democratic Institutions and Human Rights (ODIHR), and certain electoral reforms. However, our worries began during the lead-up to the Armenia's February 19th poll, when we noted that the media environment appeared biased, with the state media vilifying controversial former President Levon Ter-Petrossian and other key opposition candidates. Media outlets that provided balanced or favorable coverage to opposition candidates faced intimidation and harassment. This was the case with our own Radio Liberty broadcasts. Opposition-supporting Gala TV continues to be investigated, ostensibly for tax reasons, in what was widely seen as a government move to silence coverage viewed as unfavorable to the ruling party. Furthermore, international observers alleged misuse of "administrative resources" before and during the campaign and subsequent election.

The elections themselves, while originally deemed by ODIHR to be "mostly in line" with OSCE standards, were later seen to be marred by credible claims of ballot stuffing, intimidation (and even beatings) of poll workers and proxies, vote buying, and other irregularities. Recounts were requested, but ODIHR observers noted "shortcomings in the recount process, including discrepancies and mistakes, some of which raise questions over the impartiality of the [electoral commissions] concerned." OSCE observers were also harassed in the period following the election.

Mass protests followed the disputed vote. For ten days, crowds of up to 100,000 people gathered in Yerevan's main square day and night. The United States and others pressed continuously during the demonstrations for the Government of Armenia to refrain from violence, and for more than a week the authorities allowed the protests to continue. However, within hours of formal assurances by the Armenian Ministry of Foreign Affairs that the Government would avoid a confrontation, police and military entered Freedom Square on March 1, ostensibly to investigate rumors of hidden weapons caches. At some point, clashes erupted between demonstrators and security personnel and continued throughout the day and evening, leading to at least ten deaths and hundreds of injuries. Mr. Ter-Petrossian was taken to his residence by security forces, where he appeared to remain under de facto house arrest for weeks. A State of Emergency (SOE) was declared in Yerevan. Freedom of assembly and basic media freedoms were revoked. Opposition newspapers were forced to stop publishing and news websites were blocked, including Radio Liberty. The government then filled the information void with numerous articles and broadcasts disseminating the government version of events and attacking the opposition.

This was followed by mass arrests of opposition activists, especially demonstration organizers. Other people are in hiding; some have fled the country. Numerous activists have been imprisoned on questionable charges, inviting the assumption that the arrests were politically motivated. Of the cases that have come to court, several defendants have been given harsh sentences for seemingly small offenses.

Shortly after March 1, I spent several days in Yerevan, meeting with all sides, including many hours with then-President Kocharian, President-elect Sargsian and Mr. Ter-Petrossian. Since then, we have sought to foster dialogue between the parties with the aim of restoring full freedom of speech and assembly, and securing the opposition's pledge to ensure protests will remain peaceful. We have sharply criticized the government's crackdown and call for the immediate release of all those who have been detained for political reasons. The CEO of the Millennium Challenge Corporation, Ambassador Danilovich, sent a public letter to President Kocharian warning that the March 1 events threatened Armenia's eligibility for MCC funding absent a demonstrated commitment to democratic practices.

The past month has seen some signs of progress. The Armenian government allowed the SOE to expire after 20 days, which allowed re-establishment of most media freedoms. However, many of the SOE's restrictions were hastily written into law before the SOE expired, giving the government vast latitude to prohibit and prevent gatherings and protests. The Venice Commission and the OSCE/ODIHR Expert Panel on Freedom of Assembly deem these legislative developments as unacceptable and excessive restrictions on the right of assembly contrary to the European Convention on Human Rights. Furthermore, Armenia's tax authorities have recently begun intimidating investigations of four opposition newspapers.

As recently as late March, surreal scenes played out in Yerevan's streets, as protesters, intently engaged literally in nothing, reading newspapers, or just standing along downtown Yerevan sidewalks in a form of quiet protest against the new laws, were randomly snapped up by police and taken in for questioning.

While the military presence on the street has significantly diminished, the police presence remains heavy, and reports of intimidation and arrests of opposition activists continue, and have spread to the provinces.

How do we move forward? We condemn the March violence and anyone who would seek to use violence for political gain. We call for the impartial investigation and prosecution of anyone who used violence, on either side. We seek full restoration of all basic freedoms in both law and practice. We seek a national dialogue between the government, opposition, and civil society leaders to chart new electoral reforms and perhaps conclude a "contract for democracy" that will ensure freedom of assembly in exchange for a pledge to protest lawfully and peacefully. Those who have been arrested for political reasons must be released. And we seek renewed and dramatic steps by the Government of Armenia to resurrect democratic reforms that the past two months demonstrate are so vitally needed.

Banning demonstrations will not quell the anger of the aggrieved. Silencing the voices of dissent will not achieve unity of opinion. Crippling the institutions of democracy will not achieve lasting stability. We have reiterated these truths to President Sargsian, we believe he has heard them, and we hope the leadership of his government will bear this out.

I attended President Sargsian's inauguration last week in the spirit of our commitment to working with the Armenians through this difficult period. President Sargsian outlined a hopeful vision in his inaugural address of renewed reforms and pursuit of a national climate of tolerance. We hope Armenia's new President will indeed hear and address the grievances of the Armenian people and exert his leadership to restore Armenia's democratic momentum. We look forward to working with him and many others to create a lasting foundation for democracy in Armenia and peace and stability in the region. Thank you for the opportunity to appear before you today; I look forward to your questions.

