

**“ARMENIA AFTER THE ELECTION”**

**WRITTEN MATERIAL SUBMITTED BY  
THE GOVERNMENT OF THE REPUBLIC OF ARMENIA**

**FOR INCLUSION IN THE RECORD OF THE HEARING OF THE US  
COMMISSION ON SECURITY AND COOPERATION IN EUROPE**

*/17 April 2007, Washington DC/*

**In addition to the testimony by:**

**Mr. Vigen A. SARGSYAN  
Assistant to the President of the  
Republic of Armenia**

## Contents

II. ASSESSMENT OF THE ELECTIONS.....	4
1. The electoral tradition in the Republic of Armenia has been progressively improving.....	4
a. Legislation: .....	4
b. Practices:.....	5
2. Supporters of Levon Ter-Petrosyan have exhausted legal remedies available to dispute the outcome of the elections, and their failure to accept the final judgment rendered by the Constitutional Court exasperates all chances for a constructive dialogue. ....	7
a. Recount .....	7
b. Administrative courts .....	8
c. The Constitutional Court .....	8
3. Levon Ter-Petrosyan’s Response to Electoral Processes and Results.....	9
a. Illegal nature of rallies.....	9
b. Non-peaceful character of rallies .....	10
III. VIOLENCE AND THE STATE OF EMERGENCY .....	11
1. March 1 <sup>st</sup> events signaled a major change in the character and nature of the rallies held by the supporters of Levon Ter-Petrosyan.....	11
a. Search for Weapons in Opera Square.....	11
b. Public Rally Near the French Embassy: Call to Violence.....	12
2. The State of Emergency Order Imposed the Minimal Limitations on the Rights and Freedoms of the Citizens.....	13
IV. Armenia’s Commitment to a Way Forward .....	14
a. Law on Rallies .....	14
b. Independent investigation .....	15
c. Political Dialogue.....	16
V. POSSIBLE IMPLICATIONS .....	17

1. US-Armenia .....	17
2. OSCE MG .....	18
3. MCC .....	18
<b>ANNEXES</b> .....	<b>20</b>
Serzh Sargsyan’s speech at the February 26 <sup>th</sup> rally .....	21
INAUGURAL ADDRESS BY THE PRESIDENT OF THE REPUBLIC OF ARMENIA HIS EXCELLENCY SERZH SARGSYAN .....	27
REMARKS BY THE PRESIDENT OF THE REPUBLIC OF ARMENIA .....	31
Examples of information that would be banned from publication in the newspapers under the revised version of the State of Emergency Order (with revision of March 13, 2008) .....	33
TER-PETROSSYAN URGED TO STOP HUNGER STRIKE .....	35

## I. INTRODUCTION

The Government of the Republic of Armenia recognizes that violent clashes between demonstrators and the police during riots, introduction of a state of emergency and imposition of even temporary limitations on rights and freedoms of citizens in an OSCE member state cannot be perceived as “business as usual”. It is not a normal state of affairs for Armenia either.

The decisions taken by President Kocharyan during the difficult days following March 1<sup>st</sup> were painful ones, motivated by the need to restore order and prevent a further escalation of violence and even more casualties, while also seeking, to the extent possible during these tense times, to put in place a durable foundation for constructive post-election political dialogue among all the key stakeholders in Armenia’s democracy.

The use of force was considered only as a last resort, as the only tool left to us to prevent civil unrest that would shake the pillars of new and growing democracy. The loss of life that resulted from this decision represents a source of profound regret and remains a deep wound that will take time and care to heal. This was a tragedy for all Armenians.

The scope and effectiveness of use of force by the police during those events are being fully assessed through a comprehensive investigation by the law enforcement agencies of the Republic of Armenia. Armenia would also welcome a further more-inclusive independent inquiry of events, through the use of existing political institutions and mechanisms in Armenia, which may include international participation. We hope that such in-depth investigations and inquiries will address numerous questions which remain outstanding among the greater public with regards to those events. We are committed, based on the conclusions of this examination, to putting in place safeguards to prevent similar situations in the future.

The Government of Armenia welcomes this effort by the US Commission on Security and Cooperation in Europe to explore the circumstances of the post-electoral developments and their implications for Armenia-US relations. Armenia greatly values its long-standing and extensive cooperation with the Government of the United States of America, and is genuinely interested in sharing with all interested parties in the United States its view regarding the events that occurred in Yerevan after the Presidential elections, as well as possible resolutions, intended to returning the country to its ongoing process of democratic progress, wherein Armenia has registered significant strides in the last decade.

This hearing provides yet another opportunity to extend a hand of cooperation to a faction of the political opposition mobilized by one of the contestants of the Presidential ballot, the former President, Levon Ter-Petrossyan. Unfortunately all

such attempts in the past, including public offerings of cooperation and dialogue initiated by the President Serzh Sargsyan<sup>1</sup> have been rejected by Levon Ter-Petrosyan and his associates.

## **II. ASSESSMENT OF THE ELECTIONS**

Notwithstanding shortcomings in Armenia's developing electoral process, the 2008 Presidential Elections in Armenia were a legitimate expression of the will of the people.

**Domestically** the results of the elections were duly published by the authorized body – the Central Electoral Commission of the Republic of Armenia on February 24, 2008. The Constitutional Court, after examining the complaint filed by two Presidential candidates – Mr. Tigran Karapetyan and Mr. Levon Ter-Petrosyan – on March 8<sup>th</sup> issued a verdict to validate the decision of the Central Electoral Commission, and according to the Constitution of the Republic of Armenia, the said decision of the Constitutional Court is final and binding. 7 out of 9 justices of the Constitutional Court of the Republic of Armenia were appointed by Ter-Petrosyan and his parliamentary majority in years of his Presidential tenure.

**Internationally**, elections were monitored by the OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR) the International Observation Missions (IOM) of which included observer groups from the Parliamentary Assemblies of OSCE and Council of Europe, as well as of the European Parliament. The IOM was present on ground with over 350 observers, who monitored all Territorial Electoral Commissions (TECs). The IOM concluded that the elections «mostly met international standards». Most of the shortcomings reported by the observers mirrored those identified by the CEC and the Office of the Prosecutor General.

### **1. The electoral tradition in the Republic of Armenia has been progressively improving.**

#### **a. Legislation:**

Since 1995 international institutions, including the Council of Europe (COE), and since 1996 the OSCE/ODIHR, have been in close cooperation with the Government of the Republic of Armenia with the common mission of improving the electoral legislation and practices. A number of effective programs have been implemented through funding provided by the Government of the United States, in cooperation with the CEC, and with the involvement of International Foundation for Election Systems (IFES) and other election-focused organizations. After the 2003 Presidential and Parliamentary elections, a major review of the Electoral Code was

---

<sup>1</sup> See public speech on February 26<sup>th</sup>, Inaugural Address and Remarks at the Inaugural Reception on April 9<sup>th</sup> enclosed under Annexes 1, 2, and 3.

undertaken. The amended Code incorporated virtually every recommendation of the COE Venice Commission and OSCE/ODIHR, which were communicated to the Government of the Republic of Armenia in a joint opinion of those two institutions. The amended Code is considered by these institutions as “creating a sound basis for the conduct of democratic elections.”<sup>2</sup>

The Government of the Republic of Armenia intends to continue its efforts aimed at further improvement of the Electoral legislation and in that it will be seeking contribution and support of all interested international partners.

b. Practices:

Proper implementation of the electoral legislation is the key to conducting free and fair elections. The 2007 Parliamentary elections marked a serious departure from previous track record, and the elections received a positive assessment of the international community as 'largely meeting international standards'. Between the 2007 Parliamentary and 2008 Presidential elections the Government of the Republic of Armenia has undertaken some major steps in improving the electoral practices, many noted by the OSCE/ODIHR reports.

- A major breakthrough has been achieved on the quality of voters' lists, which traditionally is a weak point in the elections held in most emerging democracies.
- Extensive training programs covered ALL members of ALL commissions across the country. This resulted in a major improvement in the speed of counting, quality of tabulation and posting of the results in the relevant PECs.
- In a significant step toward greater accountability, following the 2007 Parliamentary, and particularly during the last Presidential elections, numerous criminal cases were instigated against those members of the Precinct and Territorial Electoral Commissions, whose actions constituted breaches of the Electoral Code. A special working group, established by the Prosecutor General's office, has been tasked to examine and actively pursue any information dealing with election violations, whether directed to the office, or made public through other means, including the mass media. 38 criminal cases have been instigated. On ten of them courts have delivered conviction sentences. Three cases are still pending court verdicts.

---

<sup>2</sup> See Final Joint Opinion on Amendments to the Electoral Code of the Republic of Armenia by the Venice Commission and the OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR) adopted by the Venice Commission at its 70th plenary session (Venice, 16-17 March 2007), Final Report on Parliamentary Elections in the Republic of Armenia, May 2007; Needs Assessment Mission and 1st Preliminary Report on Presidential Elections in the Republic of Armenia, February 2008, all available at [www.osce.org/odihr/](http://www.osce.org/odihr/).

In three cases criminal charges were dropped and in seven cases have been suspended by the office of the Prosecutor General. On fifteen cases investigation is underway.

- Voter education was significantly improved. Public service announcements, commissioned by the CEC, were widely broadcast by all electronic outlets, informing voters of the election date, their rights, as well as about moral and legal consequences of seeking to manipulate the elections. The high voter turnout (70%) can clearly be attributed to such proactive and targeted voter education programs, as well as a highly competitive campaign, precipitated by the proper implementation of administrative and electoral legislation.
- Throughout the pre-election campaign period there have been no cases of interference by the police in numerous public rallies, which were organized by the presidential candidates
- Media has been one of the key issues. While the situation with media coverage of the campaign attracted different views and opinions, it is obvious that there has been a major progress in coverage compared to all previous elections. An overall positive evaluation of the media coverage was given by the media analysis report prepared for the European Foundation for Democracy by Brussels-based Echo Research.<sup>3</sup>

The Government of Armenia fully realizes that the administration of free and fair elections is a process, measured against internationally (OSCE) adopted benchmarks. We are committed to this process, and as demonstrated by the recent findings of the international observers, Armenia has considerably progressed along this process. We, however, also appreciate that much work lies ahead, and we are committed to the institutionalization of recommendations on election administration, empowerment of all stakeholders, strengthening of the civil society, as well as the engagement of every Armenian citizen in ensuring further progress in meeting our international obligations.. In light of this, the Government of Armenia wishes to thank the United States' government for assistance rendered through USAID to the electoral administration and intends to continue its consultations and close cooperation with all international partners interested in advancing democratic elections in Armenia.

---

<sup>3</sup> The report concluded that the Media were independent of improper government influence in terms of the spread of coverage of all candidates, the airtime and page space given to the front-runners , the platform given to opposition candidates in press articles – more than broadcast items – either, directly communicating that candidate's stance to readers or through the journalist's arguments. The full version of the report is attached to this written testimony.

In that regard, in order to foster a constructive environment for Armenia's efforts in becoming a full-fledged democracy, it is also essential that our partners focus on the progress made along this arduous process, despite and along with the shortcomings, which we also appreciate. Focusing only on the negatives, and voicing condemnations, without duly recognizing the strides made, detracts from the process and poses a disincentive for the Armenian people. For instance, if counting was evaluated as 'bad' in 16 percent of precincts observed (17 precincts from 104 observed), we must also recognize, acknowledge and appreciate that in 84 percent of precincts observed, no violations were registered.<sup>4</sup> There have been marked improvements since the 1996 Presidential elections<sup>5</sup> when OSCE/ODIHR and this very Commission concluded that the shortcomings and violations registered during observations could have impacted the final outcome; while after the 2008 Presidential elections, the same institutions qualified the elections as 'mostly in line' with international standards. Armenia's efforts towards democracy would benefit more from such recognition by our partners of positive strides, backed by an on-going expert dialogue aimed at a further improvement, rather than the trumpeting of the shortcomings, creating the false impression that instead of progress there has only been regress.

**2. Supporters of Levon Ter-Petrosyan have exhausted legal remedies available to dispute the outcome of the elections, fail to accept the final judgment rendered by the Constitutional Court, and continue to reject dialogue as the path toward national reconciliation.**

In any election, even in the most established democracies, there is portion of the society which will remain dissatisfied with the election results. However, in those democracies, the recognition and respect afforded by the minority to the majority's will is the catalyst which allows democracies to function properly. Without such acceptance of the results by the minority, every election in every country would turn into an ongoing battle of the political wills. In a small country such as Armenia, where politics is more personal, and where such sentiments can be more easily exploited, candidates, winning or losing, bear a greater responsibility in ensuring that such discontent is not utilized for their personal political ambitions.

a. Recount

---

<sup>4</sup> Despite numerous requests by the Government of the Republic of Armenia the OSCE/ODIHR IOM failed to name the 17 PECs were counting was evaluated as 'bad' or very bad or to cite the exact reason for such an evaluation. Instead the Government was given, as example, 4 such precinct details. A working group established by the Armenian authorities confirmed that in one out of the 4 mentioned PECs there have been no observers present.

<sup>5</sup> In September 1996, the then incumbent President Ter-Petrosyan, was declared a winner, prior to the closing of the polling stations, with a narrow margin of 1 percent over the 50% threshold, as well as in a close tie with the runner-up Vazgen Manukyan, who obtained 41% of the votes, based on the official figures of the CEC. See the Helsinki Commission report on Presidential Elections in Armenia (September 1996).



The Electoral Code of the Republic of Armenia allows for recount procedures per the request of any candidate, his proxy, or a member of the corresponding PEC.<sup>6</sup> Recounts were requested in 158 PECs, of which, within the time limit prescribed by law, 135 PECs (85%) were recounted. This includes 86 recounts in PECs requested by Levon Ter-Petrossyan and “Orinats Yerkir” party (2<sup>nd</sup> and 3<sup>rd</sup> runner-up candidates respectively), which is 65% of the total recounts. Only two recounts revealed cases of intended counting and tabulation manipulations. The Chairman of one PEC (9/31) has been convicted by the Court of law to two years prison sentence. With regards to the second case, the Chairman of TEC 13 has been detained, and the court proceedings are pending. In general, the recounts did not reveal any widespread and/or systemic irregularities that would have impacted the outcome of the elections

#### b. Administrative courts

The Electoral Code grants to the administrative courts the authority to adjudicate all disputes arising from the electoral process, in which a participant contests the actions or omissions of the electoral commissions. Not one such complaint has been filed against any PEC or TEC, and there have been no disputes filed with the administrative courts dealing with the conduct of the PECs and TECs. A few applications have been filed dealing with the omissions by the Central Electoral Commission; however those applications were dismissed after a carefully examination of the facts.

OSCE/ODIHR observers have noted that the administrative courts they visited before and after the elections appeared well-equipped and prepared to address electoral complaints.

#### c. The Constitutional Court

The Constitutional Court of the Republic of Armenia received applications from two candidates in the 2008 Presidential Elections: Mr. Tigran Karapetyan and Mr. Levon Ter-Petrossyan. Pursuant to the legislation of the Republic of Armenia, the deadline for the publication of the Constitutional Court’s verdict was by March 10, 2008. The Court issued its verdict on March 8<sup>th</sup>, whereby it confirmed the results of the elections. The said verdict, again pursuant to Armenian legislation, is final and binding upon the parties.

With the Constitutional Court’s decision, the candidates had exhausted all legal remedies for contesting the elections. The results of the elections were confirmed by the highest court, and the legitimacy of the elected president established. Nevertheless, Mr. Ter-Petrossyan, who declared himself the winner even two weeks prior to the elections, rejects the Constitutional Court’s verdict, and

---

<sup>6</sup> Article 40.2.1 of the Electoral Code.

continues to try to cast a shadow on the legitimacy of the newly-elected President. Such an unconstructive approach cannot be the basis for any dialogue; in fact it only reinforces the current political impasse.

We continue to seek political dialogue with all parties in Armenia, but continue to face special challenges in finding common ground with a candidate and constituency that, having exhausted all available legal remedies refuses to recognize the legal outcome of the elections and the legitimacy of the elected government. It would represent a disservice to Armenia's electorate to enter into a negotiation based on the factually unsupportable and patently undemocratic premise that, by virtue of assembling street protests, this element of the opposition has earned for itself the right to govern that it so demonstrably failed to win at the ballot box. This would set a dangerous precedent, for Armenia and many other countries in the region.

### **3. Levon Ter-Petrosyan's Response to Electoral Processes and Results**

As stated earlier, even two weeks before the elections, Mr. Ter-Petrosyan had declared himself the winner, noting that if the official results did not support such claim, then the elections were rigged. On the voting day Mr. Ter-Petrosyan announced his expectation of to receive 99 percent of votes cast and during a post-electoral rally on the day following the elections, he claimed that his 'real' votes were above 65 percent.

As has been noted in the OSCE/ODIHR report:

*Already prior to voting day Mr. Ter-Petrosyan called upon supporters to gather in Yerevan on 20 February for a "victory" or a "protest" rally. From 21 February to early morning on 1 March, protesters maintained assembly in Freedom Square in front of the Opera House. They also held numerous processions. On 21 February 2008, speakers announced that their intention was to reach annulment and repetition of the election. The authorities overall accommodated the protest actions.<sup>7</sup>*

#### **a. Illegal nature of rallies**

According to Armenian legislation, organizers of a public rally are required to notify the municipality of their intention to conduct a rally. If no restrictions and/or rejections are issued by the municipality within 24 hours from the date of the submission of the notification, the rally is considered as "authorized". During the last four years (prior to March 1, 2008), the City Hall of Yerevan has not rejected ANY applications for the organization of rallies. Nevertheless, Mr. Ter-Petrosyan

---

<sup>7</sup> See OSCE/ODIHR post-election interim report, at page 2.

refused to submit the legally required notification regarding any of the rallies he conducted, despite numerous attempts by the municipal authorities to alert them to the provisions of law and advise of the representatives of the international community.

When approached by police, organizers of the rallies would claim it was a 'spontaneous' gathering (which under relevant legal regulations does not require a notification'), while in their print media they advertised the rallies on a daily basis, every day between February 20<sup>th</sup> and March 1<sup>st</sup> through announcements placed in the most visible section of the front-page of newspapers and in fliers and posters.

#### b. Non-peaceful character of rallies

Rallies held by the supporters of Levon Ter-Petrossyan are widely referred to by international observers as 'peaceful'. The Government of the Republic of Armenia holds a position that there is a major difference between concepts of 'peaceful' and 'non-violent' rallies. It is true that rallies held by Levon Ter-Petrossyan supporters were 'non-violent', i.e., there were no attacks on police, use of force, or any rioting. However, those rallies were extremely aggressive in nature, and definitely not peaceful.

On February 23, 2008, President Ter-Petrossyan announced in a rally that two of the Deputy Ministers of Defense had joined his movement: "the army is with us." This sounded especially threatening when announced by a former Commander-in-Chief who in 1996 had himself brought army units to the streets of Yerevan (without announcing a State of Emergency) to validate the disputed presidential elections. There were numerous attempts to persuade the "Yerkrapah" Union of Veterans of the Karabagh War to get involved and take a stand in that political confrontation as well. The paramilitary character of that NGO as well as the possibility of possession of illegal arms by veterans of a recent war of self-defense raised serious concerns of public order and security.

Levon Ter-Petrossyan declared the square in front of the Opera House to be his "residence", and even used the mailing address of that square as his 'home address' in his application to the Constitutional Court. His supporters declared him an elected President. He 'signed' and 'promulgated' a number of 'Presidential Decrees' during the public rallies. Levon Ter-Petrossyan announced that he would not leave the square until he was taken from there by the people to the Presidential office on Bagramyan Ave.

Police and the National Security Service officers conducted numerous authorized searches of vehicles and residences of some of Ter-Petrossyan's key supporters and confiscated significant amounts of illegal arms and weapons. These facts were reported through and by the mass media in a timely manner.

The rally methodology employed and rhetoric used was extremely aggressive. For example, on January 28 (22 days before Election Day), Levon Ter-Petrossyan and his supporters organized an auto-rally throughout the city of Yerevan. About 100 cars in a single procession violated all traffic rules, attempted to run over a traffic-policeman, and only by chance escaped hitting the Presidential cortege when President Kocharyan was leaving his official residence to participate in the Army Day celebrations.

The non-stop rallies between February 20 and March 1 were held in the very heart of the city, at the square in front of the Opera House. While the political debate usually took place between 3 pm and midnight, the rest of the time the organizers played loud music and organized dancing floors. This disturbed public order in the highly populated center of the city and raised numerous complaints of inhabitants of the nearby buildings.

Meanwhile police showed restraint and while continuing to notify the participants of the rallies of the actions' illegal nature, did not interfere in the conduct of the rallies, and even facilitated the processions.

### **III. VIOLENCE AND THE STATE OF EMERGENCY**

#### **1. March 1<sup>st</sup> events signaled a major change in the character and nature of the rallies held by the supporters of Levon Ter-Petrossyan.**

Precipitated by a number of political developments and contrary to Mr. Ter-Petrossyan's expectations Orinats Yerkir Party candidate and 3<sup>rd</sup> highest vote getter Arthur Baghdasaryan's congratulatory statement to President-elect Serzh Sargsyan and his agreement to join a potential political coalition on the eve of March 1<sup>st</sup> struck a major blow to Mr. Ter-Petrossyan's activities.

##### **a. Search for Weapons in Opera Square**

The police and the National Security Service of the Republic of Armenia had received actionable and credible information about the existence of firearms and explosives in the tents at the Opera Square, where the on-going rally was taking place. At approximately 7:00 a.m. on March 1, 2008, when there were about 900 people at the Opera Square, unarmed police officers, without shields and helmets, approached the demonstrators in order to verify the intelligence by conducting a search of the tents. They requested the assistance of the rally organizers in order to organize the said search. The police officers did not intend to remove any demonstrators from the square.

The demand to conduct the search was swiftly followed by an assault by the sit-in participants against the police. The demonstrators started to throw stones, pieces of wood, iron rods, Molotov cocktails, and pre-fabricated "Hedgehogs" made of

iron rods. Due to the unpredictability and the nature of the offensive, a decision was made to support the unprotected policemen, as prescribed by law, and to deploy police forces armed with rubber batons, shields and helmets in the vicinity of the Opera in order to contain the unwieldy crowds. Police employed only rubber batons. No other special means were used during the action. As a result, the participants of the action were forced out of the square. A search was conducted, which confirmed the intelligence data about weapons and ammunition.

As a result of these events 25 civilians and 6 police servicemen asked for medical assistance. Only 10 of them needed a temporary hospitalization with minor injuries to their health, and were soon released from the hospitals.

#### b. Public Rally Near the French Embassy: Call to Violence

As rally participants fled the scene, they regrouped at the intersection anchored by the French Embassy, and Yerevan City Hall the afternoon of March 1<sup>st</sup>. National Assembly deputies, the Human Rights Ombudsman, and representatives of city authorities met with the organizers offering them different, more secure locations for a rally, particularly the plaza at the “Matenadaran” area<sup>8</sup>, the “Dynamo” stadium, or, alternatively, the square at the Railroad Station. Some other venues were also offered. However, after initial consent, when the police retreated, the organizers, particularly, Mr. David Shahnazarian and Nikol Pashinian, after contacting Mr. Ter-Petrosyan, received instructions from him to stay at the spot.

In an effort to mediate and to prevent any further development of the violence, the Catholicos of All Armenians, His Holiness Garegin II, and as well as Mr. Paruyr Hayrikyan, a well-known political official and one-time Soviet dissident, offered to meet with Mr. Levon Ter-Petrosyan, however, Mr. Ter-Petrosyan categorically refused to meet with them, and turned them away from his residence.

Organizers ordered the protesters to get stones, iron rods, wooden clubs, and Molotov cocktails. They also recruited their cohorts who possessed firearms and ammunition in order to attack the police forces and to spread the turmoil over the other sections of the capital.

The crowd around the Yerevan City Hall in the afternoon of March 1 was gradually getting uncontrollable. There are video-taps evidencing numerous organized attacks on police and incidents of group assaults on unarmed police officers.

In the evening riots started. The mob attacked the police forces equipped exclusively with rubber batons, shields and helmets with gun fire, Molotov cocktails, iron rods, iron “hedgehogs”, improvised fragmentation explosive devices and hand grenades. The clashes with the police took place 400-1000 meters away

---

<sup>8</sup> Which is traditionally one of the most popular spots for political rallies, and Ter-Petrosyan supporters have many times used it as their preferred venue.

from the venue of the rally. The police did not intend to use force or disperse the rally, but rather was at the site in order to maintain public order and to prevent the spreading of the turmoil by the rioters over the other parts of the capital.

In a few hours, small gangs burnt over two dozen private, police and ambulance vehicles, public transportation buses, devastated and looted public and private buildings within the vicinity.

## **2. The State of Emergency Order Imposed the Minimal Limitations on the Rights and Freedoms of the Citizens.**

At 9pm the President of the Republic was briefed about 8 police servicemen wounded with firearms and explosives. One police officer was killed. To prevent further uncontrollable developments and fatalities, the President, pursuant to Article 55, paragraph 14 of the Constitution, after consulting with the Prime Minister and the Speaker of the National Assembly, at 10:30 p.m. declared a 20-day State of Emergency in the city of Yerevan on March 1, which was then duly approved by the National Assembly.

When it became clear that there will be a need to impose State of Emergency, the President instructed that only the absolute minimum limitations should be imposed, which would allow the restoration of public order without affecting the regular life of the city and citizens. The possibility of introduction of a curfew was dismissed immediately.

The declaration of a State of Emergency in Armenia is regulated by the Constitution. In preparation of the State of Emergency order, the Legal Department of the Administration fully considered the limitations prescribed by Armenia's national legislation as well as its international commitments within the OSCE and under the European Convention on Human Rights.

The Presidential decree on the State of Emergency imposed a number of temporary limitations on the rights and freedoms of citizens. Those particularly included:

1. Banning meetings, rallies, demonstrations, marches and other mass events;
2. Banning strikes and other actions that could stop or suspend the activities of organizations;
3. Limiting the movement of individuals and the means for transportation and carrying out inspections by the law-enforcement bodies, as necessary;

4. Mass media outlets can provide information on state and internal affairs exclusively within the parameters of official information provided by state bodies;
5. Banning political propaganda through leaflets or other means without due permission from relevant state bodies;
6. Temporary suspension of the activity of political parties and other public organizations that impede the elimination of the circumstances that served as the grounds for declaring a state of emergency;
7. Removing from a given area those who violate the legal state of emergency regime and do not reside there.

No action was taken under points 6 and 7 of the Order. Within 20 days the President incorporated two sets of revisions into the State of Emergency Order, in order to curtail, as much as possible, any negative impact on the regular life of the population. On the 10<sup>th</sup> day points 6 and 7 enumerated above were eliminated. On the 13<sup>th</sup> day the President eased the limitations placed on mass media through a separate decree. While some hold a position that such revisions were ineffective, many media outlets (including Radio Liberty) decided to re-start their broadcast and publication after that. Attached in Annex 5 are examples of information that would be banned from publication under the revised Presidential Decree.

#### **IV. Armenia's Commitment to a Way Forward**

The Government of Armenia is committed to move forward in a constructive, participatory and inclusive manner.

In light of this, we reiterate that no one has been detained or arrested for his/her political views. All charges were brought on specific facts and instances of legal violations. The Republic of Armenia does not hold political prisoners. The preliminary investigation is being carried out by the Special Investigative Unit. All the charges are prescribed by articles 225, 300, 301, 316 of the Criminal Code of the Republic of Armenia. We are committed to seeing a fair, legal, and comprehensive solution to all of the pending cases in the courts of Armenia.

##### **a. Law on Rallies**

In an attempt to prevent a possible derogation of the situation after the end of the State of Emergency, the ruling party drafted and adopted through the National Assembly amendments to the Law of the Republic of Armenia on rallies and demonstrations. The amendments were drafted upon close examination of similar laws of a number of European states.

Due to the time pressure the amendments were adopted without a prior consultation with the Venice Commission of the Council of Europe, which is usually consulted by the Armenian parliament before adoption of legal texts that can be sensitive in terms of human rights issues. However, immediately after adoption of the text it was forwarded to the Commission by the Chairman of the National Assembly for a further review.

In his Inaugural speech on April 9, 2008 President Sargsyan stated:

*Limitations of fundamental rights, however, cannot be absolute, as they would simply render the fundamental right meaningless. Limitations should not undermine the essence of fundamental rights enshrined in the Constitution.*

*For any limitation of rights and freedoms, including the right to peaceful assembly, we must strike a fair balance between the public order and respect for the rights and freedoms of others, on the one hand, and the right to peaceful assembly, on the other.*

*Over a short period of time, along with dozens of other laws, we should revisit the legislation regulating the right to peaceful assembly with a view to safeguarding everyone's right to peaceful assembly in accordance with European standards and precluding any public event that is either not peaceful or does not pursue a legitimate aim".<sup>9</sup>*

On April 15-16 consultations are scheduled in Yerevan between the Commission and the National Assembly experts to address issues of concern. All recommendations of the experts will be carefully studied in full detail against Armenia's treaty obligations, as well as similar legislation of other COE member-states.

a. Independent investigation

A motion has been made in the National Assembly for the creation of an ad hoc parliamentary committee to examine the wider context of events related to the elections and the post-electoral developments. Currently, discussions are underway with various political forces with regards to the modalities.

Last but not least – the timetable for the inquiry. There are opposing opinions that such inquiry can contribute to the improvement or further damage the situation, depending on the speed with which it is launched. Some believe that the inquiry has to follow (chronologically) the legal investigation not to create political

---

<sup>9</sup> Attached in Annexes 2 and 3 please find the full text of the President's Inaugural Address and remarks at the Inaugural reception.



pressure on a legal process, while others think that the two should be conducted in parallel.

The authorities of the Republic of Armenia will request the support of internationally recognized experts who would be able to contribute to study of the methodological aspects of application of force by the riot police in similar situations.

b. Political Dialogue

The Armenian Government is ready to devote its full energies to promote dialogue, establish public confidence, and foster the growth of a pluralist and open political system. On February 26, days before the unfortunate developments of March 1 President Sargsyan, speaking at a public rally, offered cooperation to all opposition groups, particularly stressing supporters of Levon Ter-Petrossyan.

Later, on April 9<sup>th</sup>, in his inaugural address President Sargsyan stated:

*Although the election campaign was intense and did not do without insults, I wish to thank my opponents for the struggle, with a special thank you to those who accepted their defeat with dignity, those who reciprocated the extended hand of cooperation and accepted the offer to come together to develop the Republic of Armenia. I shall remain committed to all of my campaign promises, and we shall join our efforts in fulfilling them. I am ready to contribute all my strength for an atmosphere of confidence to prevail in our society, for us to overcome any polarization, rough confrontation, and discredit. Alone, no one can turn Armenia into a country of dreams. All structures, various political and non-governmental forces, and civil society need to unite. This is where the President should act as the key actor in uniting the nation, a man who must use all the tools and mechanisms of power available to him in order to promote the best ideas and to preserve, develop, and put to the best use our country's most precious capital, our human resources.*

*I shall seek means of cooperation with all the political forces. My efforts will focus on achieving the national objectives, strengthening the link between generations, combining the interests of different social groups, ensuring respect for ethnic minorities, and preserving the Armenian identity. Today, I urge to look forward, together to seek and find the path of reconciliation, that of development for the Armenia of future”.*

The President of the Republic of Armenia is willing to engage in dialogue on those issues of concern (including those raised by the opposition) to promote and implement an agenda of political and economic reforms, including those of media and electoral systems, and to find sustainable solutions on those critical issues.

As a symbolic sign of readiness for a dialogue all 8 candidates have been invited to take part in the inauguration ceremony. Unfortunately, Levon Ter-Petrosyan failed to accept that invitation only to circulate a statement, saying: “April 9 is not the end but the beginning of the sacred struggle the political expression of which will be visible to our society soon... ”<sup>10</sup>

President Serzh Sargsyan’s dialogue with Armenia’s civil society has begun and has already resulted in a signing of a coalition agreement, by which a wide political coalition was established by four out of five parliamentary factions. Those efforts will continue in the coming months and years, and the Government of Armenia believes that only through constructive dialogue, inclusion and tolerance of a variety of constructive ideas and solutions, will we be able to shed light on past events, and learn to make better choices and policies both domestically and internationally.

The Government of the Republic of Armenia stands ready to make good on its commitment in collaboration with all of its allies and sincere partners inside and outside of the Republic of Armenia.

## **V. POSSIBLE IMPLICATIONS**

### **1. US-Armenia**

Relations between the Armenian and American people have flourished in the framework of mutual respect and support, and the collaborative partnership of our two countries has seen palpable progress since Armenia declared independence.

Armenia has actively participated in numerous bilateral and multilateral initiatives with the United States, and has enjoyed the continuous support of the United States in strengthening of its statehood. From security and military to military cooperation and from dynamically increasing exchanges in the fields of arts, culture, education and science this has been an exemplary relationship.

Through its foreign policy of complementarity, Armenia has been attempting to accommodate its own national interests with all legitimate interests of other countries in the South Caucasus and beyond. Armenia has been attempting and continues to attempt to bring its own contribution to easing all existing and potential tensions in and around this historically volatile region.

The Government of the Republic of Armenia is a true believer of the idea of regional cooperation and has many times declared that is ready for a full cooperation with all of its regional neighbors without any preconditions.

---

<sup>10</sup> See attached the whole statement, annex 3.

Armenia looks forward to further its ties with the European Union through the European Neighborhood Policy and highly values its participation in the Euro-Atlantic security system through its involvement in EAPC, dynamically increasing participation in the PfP, obligations, undertaken through IPAP with NATO. Armenia is a proud contributor towards international security efforts in Kosovo and Iraq.

Post-electoral events in Armenia, while very regrettable, do not represent a departure from Armenia's fundamental commitment to democratic development. The Government of Armenia will explore the ways to extend its cooperation with all of its international partners, including the US government, to address the challenges presented by those developments and to work out proper exit strategies for them.

## **2. OSCE MG**

The Government of the Republic of Armenia highly values the political format in which the Minsk Group is designed and believes that it has developed an unsurpassed expert base allowing it to facilitate the ongoing process of negotiations.

The Government of the Republic of Armenia strongly regrets that authorities of Azerbaijan have attempted to take advantage of the post-electoral tension in Armenia to harm the existing negotiations form and content. It also strongly condemns the violation of the fragile cease-fire regime in what Armenia believes to be an inappropriate military probe at the time of an internal instability. We believe, that the post-electoral developments in Armenia do not affect the ongoing negotiations process and calls on all parties involved to continue the discussion on the basis of the document prepared by the co-chairs and transmitted to the parties before the OSCE Madrid ministerial.

The problem of Karabagh is a case of a fight for self-determination. Any solution to the problem shall be based on the principle of allowing the people of Karabagh to decide on the final status of their Homeland. Post-electoral developments in Armenia shall affect neither the format of dealing with that conflict, nor and especially the substance of the negotiations underway.

## **3. MCC**

The Government of the Republic of Armenia has been very scrupulous in selection of its priorities for the Millennium Challenge Corporation program. It has identified and included in the program the poorest, the most vulnerable communities in the country to benefit from projects from water supply to road construction and alike. Moreover, it has placed the MCC projects in a wider context of its political programming. The choices for MCC have been identified on the basis of the

Poverty Reduction Strategy Paper, and a wider Rural Development Program implemented by the Republic of Armenia.

The Government of Armenia realizes that events in the post-electoral period have placed Armenia and its socio-political process at the center of attention of its international partners and will do everything to restore country's reputation as a proactively advancing democracy. To this end, the President has identified a special contact point in the Cabinet, who is responsible for regular consultations with MCC office on the eligibility indicators.

The character of the socially-oriented programs of MCC Armenia creates serious concerns over possible implications in case of withdrawal of MCC support: from possible negative environmental impact, to psychological harm that can be done to the prospective beneficiaries in the neediest communities. Interruption of construction projects will result in serious financial wasting of public funds. The Government of Armenia will do its best to assure its continuous eligibility for the program and its uninterrupted implementation.

## **ANNEXES**

## Serzh Sargsyan's speech at the February 26<sup>th</sup> rally

Dear compatriots,

I welcome all of you and congratulate you with the successful conduct of the elections for the President of the Republic of Armenia. Rest assured that we are living through historic times. For the first time in the history of the newly independent Armenia we have succeeded in organizing two consecutive elections, and received positive appraisals in both cases. We enjoy a brilliant opportunity today to resolve issues that loom large before us, we have all the necessary foundations today to look ahead in confidence and wage an unyielding war against all the disgraceful phenomena that exist amongst us.

We are bound together today not only by the elation of victory but also by our concern for the future of our country.

As I speak these words, our soldiers entrenched along the country's borders are defending their homeland schoolteachers are educating a whole generation in our schools and right at this moment our doctors are healing the wounds of our brothers and sisters.

**Today we have come together to heal another wound, a wound inflicted upon our nation's body by these elections. We have to prevail over this test and we must do everything for this wound to heal as soon as possible. I am saying this with pain in my heart. With pain, because I am weary of seeing only scars on our nation's body, with pain, since the time is long overdue for our country and our nation to move ahead. With pain, because some people have failed to thoroughly grasp the value of our accomplishment.**

The value of democracy.

The value of forming the authorities through elections.

The value of the opinion of the majority.

Dear citizens of the Republic of Armenia, I am grateful to you for the high trust you have placed in me. I swear to do everything to justify your trust with a clean breast.

I assure you that you will never have to regret casting your vote for Serzh Sargsyan in these elections.

**I also thank all those who have voted for other candidates. We respect the opinion of our citizens and do not divide the society into "our people"**

and “theirs” or, as some woeful democrats put it today, into “us and the scum of the nation.” Fascism and revanchism are alien to us.

Do not doubt that every piece of criticism voiced by the candidates in the course of the campaign will be analyzed in detail. Sound criticism shall be differentiated from spite and shall be factored into our policies. I am certain that this electoral process we have gone through together shall only make us stronger and shall contribute to our country’s further rise and the rooting of true democracy.

**From this podium I call on the former candidates and the political forces that support them to let us cooperate. Up to and after the formation of a coalition government. It is my purpose, amongst others, to incorporate all constructive and productive forces to the benefit of Armenia’s development.**

Today I want to speak to you about the future of democracy in our country, about the dignity of a person, of every citizen in the Republic of Armenia. Dignity that may only exist in a country where government is formed through elections. Dignity we cannot afford to waste.

You came to own this dignity by participating in the elections. And I address my words of gratitude today to you, all citizens of the Republic of Armenia. I thank you for becoming a part of the vehicle for the development of democracy in our country.

Every victory signifies the end of a quest. For me this victory of all of us is just a beginning. The beginning of triumphs to come, victories of our state, of our entire nation. Through our joint efforts we turn the history of the Armenian people into a story of triumphs that our coming generations shall take pride in. These pages of our history, which we are writing together, shall bear witness only to victories.

I have promised you victories and we have won. I promise yet newer victories and we shall win! We shall defeat poverty, we shall defeat meanness and we shall defeat apathy. Humaneness, compassion, and optimism shall triumph in our country.

**Today, however, we witness a different scene. We see the society divided and broken apart. We see an aggressive cluster sparing no means to attain its goal, “to defile,” as they have termed it themselves. We witness a development unprecedented in its danger. Today I do not see a problem of “our people” and “theirs,” no issue of incumbents and opposition. The issue at stake today is that of Armenia, the permanence of our statehood, protection of our values, an issue we have come together here to resolve. And this is why I appeal to all of you, regardless of your political views and**

**your ideological approaches: to overcome this artificial divide introduced into our nation!**

**Together we shall overcome this divide!**

**We, each and every citizen of the Republic of Armenia, shall win as will the entire Armenian nation!**

**I ask you not to succumb to meanness, because it is our sisters and brothers in the other square over there. I am certain that they were driven to the square by a desire to have a better Armenia but alas, they are no longer allowed to notice how they have been turned into an instrument of vengeful and power-hungry aspirations of a handful of people. I am aware how upset you have become these days watching everything that occurs. I know that there are many people today who are ready to go out in the street to defend their vote. I know all this very well. But I ask you to curb your temper and, if you have something to say, let it only be pleas for seeing reality and if you want to revert to action let it be by steps of tolerance and goodness. Please, always remember that it is our sisters and brothers that are out there in the other square.**

Dear friends, these elections have demonstrated that we have indeed succeeded in resolving many issues on the way to organizing good elections. These elections have demonstrated that we still have to travel further. First and foremost to increase our trust towards the electoral process.

These elections demonstrated that we have succeeded in establishing the institution of “dignified victory” among us. But these elections also demonstrated that we still have a long way to go towards the formation of the institution of “dignified defeat.”

These elections have shown us that the time has come for “Ahead, Armenia!” The time for tireless work and struggle against disgraceful practices that muddy our life. This has been very well perceived by several individuals, buried in filth up to their eyes, who hurried to trumpet their adherence to ambiguous ideas and the launch of the so-called struggle. Today many describe these people as turncoats, defectors in the camp. I, for one, have a good understanding of their rationale: they know me well, they know that I am not the kind of person to keep tolerating the conduct they have grown to consider acceptable, who will turn a blind eye to the shady aspects of our reality. They know that I shall wipe out brazen behavior, non-payment of taxes, arm-twisting and gun slinging attitudes. For those who could only envision their lives in murky nooks there was no choices left but to flee and start verbalizing off the podium about democracy, something they are as far away from as from the worries and concerns of our people.



What is most unacceptable for me in all this, dear compatriots, is the ignoble stance of a few of my friends in combat, whom the devil succeeded in tempting with promises and foul language. Hypocrisy, groundless aspirations, unrealistic cravings, unfounded demands, these are all unacceptable to me. I have always done this and shall continue, with pain in my heart, but unwaveringly nonetheless, to restrain those who cross the line, lose the sense of reality, regardless of their merit in combat, rank and decorations. Armenia's interest supersedes everything else.

The presidential elections of 2008 are now history. Positive appraisals have been published of our presidential elections by observers and officials from all European institutions, The Commonwealth of Independent States, and the US State Department. Our pre-election, election and post-election processes were conducted on quite a high level. I assure you that all this was really very important for Armenia.

I am also content that people in our country enjoyed every possibility to freely express their ideas and opinions, hold rallies in the period following the elections. Unfortunately people once again failed to take adequate advantage of their freedoms and once again exceeded all boundaries of correctness, losing the sense of measure. Nevertheless I shall continue to duly protect the rights of our citizens.

I shall protect the right to freedom of speech. Though free speech does not license slander and foul language.

I shall protect the right of free assembly. Though the freedom to hold rallies does not imply that the metropolis has to grind to a standstill.

I shall protect the right to protest but the right to protest shall not mean that constitutional and other rights of our citizens have to be trampled upon. It does not mean that the right of the majority to form a government must be overridden.

Dear compatriots, sisters and brothers, our presidential elections became pivotal in the history of our newly independent state. As a result of the elections an exceptional opportunity has presented itself in our country to strengthen true democracy. I believe that this seriously contributes to the implementation of our goal of having strong authorities and a powerful constructive opposition.

**We are not afraid of strong opposition. On the contrary, we maintain that we may succeed in assuring our country's progressive development only upon the existence of powerful constructive opposition.**

I highly value the stability that our nation has acquired at the cost of great suffering. I consider it a historic feat that we have accomplished this through persistent hard work.

Admittedly, economic growth does not immediately translate into improved standard of living for the people, however we may wish it. And yes, overcoming poverty takes time. We have an issue in this country with competitiveness, having to shed for good the oligarchic system that inevitably straddles economies in the post-soviet period. But we are also much stronger today to properly address these issues.

**I make a call for co-operation to all political forces and public associations in the country. I reiterate over and over that the authorities are ready to work with all opposition forces in the name of Armenia's development and for the prosperity of the people of the Republic of Armenia.**

At the same time, however, I declare with full responsibility that most decisive measures will be taken in the direction of strengthening the existing political stability in this country, maintaining public law and order and assuring the normal functioning of society.

Dear compatriots, we are destined to live in difficult but also interesting times. The dilemmas we are facing mostly have imposed outcomes, for example the choice we had between war and peace. As a result we went to war and came out victorious in the name of peace and progress.

Today we are facing the dilemma of unity versus fragmentation. We are facing the choice between democracy and a takeover of power through force.

We are the defenders of this democracy today.

I assure you that the arsenal of democracy is not exhausted in our country. It is there since very few have had the courage to use it. It is not exhausted because democracy means being able to confidently look straight into the people's eyes. It is not exhausted, because democracy tolerates no lies or falsehood it is not exhausted because in a democracy one may not re-emerge without asking one's own people for forgiveness.

Democracy means that the rights of our citizens shall be protected. And the right to form government through elections, first and foremost among them. Today we are defending this right. I pledge to protect fundamental human rights. I shall protect them throughout my life.

Today, a week after the elections, I claim that the time for electoral slogans is gone as is the time for campaigning and the time for blame. We are facing

different challenges now. We have to translate the expectations of our compatriots into reality, address their grievances and continue to work and create.

The Holy Scripture says: "There is time for everything."

Today is not the time to gather stones. Today is the time to let the stone drop from our lap.

Today is not the time for spite and jaundice. Today is the time for peace.

Today is not the time to draw new watersheds. Today is the time for unity.

Today is the time for work.

Today is the time for new victories.

The time for dignity and democracy.

Today is the time to overcome our disagreements and today is the time for the entire nation to say:

"We are able to withstand any ordeal," and we shall!

"We can move ahead fast," and we shall!

"We can have the Armenia of our dreams," and I give you my word: we shall have it!

So let us move ahead,

Ahead, towards Armenia of new triumphs!

Ahead, Armenia!

**INAUGURAL ADDRESS BY THE PRESIDENT OF THE REPUBLIC OF  
ARMENIA HIS EXCELLENCY SERZH SARGSYAN**

April 9, 2008

**Distinguished President Kocharyan,  
Your Holiness,  
Fellow Citizens of the Republic of Armenia,  
Dear Friends,**

Today is an extremely responsible day for me. A few minutes ago, I swore an oath to our people to unconditionally follow the provisions of our Constitution. On this historic day, we all swear an oath: I do it aloud, and ask you to do it silently. I am confident that each of you has an oath of your own to serve our fatherland and people.

We all swear this oath for a brighter future of our country, for development, for democracy, for the rule of law, for a stronger and more prosperous Armenia.

May the Lord give me strength to not disappoint anyone of my supporters! May the Lord give us all strength to overcome difficulties, to find the cure for all the problems that worry the disappointed or disillusioned ones, the ones who today need hope, faith, and optimism.

**Dear compatriots, dear guests;**

I recognize the enormous responsibility I have assumed. I know that I will be the one whom you will consider responsible for everything. I pledge not to avoid the responsibility, the magnitude of which I realized when joining the Republican Party and declaring that I would agree to be nominated for the presidential elections only in case the Republican Party won the largest number of votes in the parliamentary elections. I realize the magnitude of the responsibility now, and I shall recognize it every day for the next five years. I shall bear with honor the responsibility of being the President of all citizens of the Republic of Armenia.

On this day, I wish to thank my supporters, all the individuals that have voted for my program. I am grateful for the confidence. I assure you that together we can improve life in our country. Today, I call for a change. Once again, we are proclaiming a new beginning for change. Everyone must be ready to start change from one's own self.

A part of our people supported other candidates, and I now appeal to them: it was your right to vote for someone other than me, but I do not have the right not to be your president. We should not part, should not create division between various parts of our people, should not disregard each other's concerns and pain, and

should not go beyond each other's reach. Even if a wall of misunderstanding stands between us, I urge you to join us in eliminating that wall.

I express my gratitude to President Robert Kocharyan, a man who will have a solid place in the Armenian history, as the decade of his presidency were years of significant achievements for our country, achievements based on which we have set ambitious targets for the future. President Kocharyan has performed an invaluable role in the establishment, advancement, and protection of the Republic of Mountainous Karabagh. I am confident that generations will duly appreciate his service and contribution to the development and strengthening of our statehood.

**Dear Friends:**

Although the election campaign was intense and did not do without insults, I wish to thank my opponents for the struggle, with a special thank you to those who admitted their defeat with dignity, those who reciprocated the extended hand of cooperation and accepted the offer to come together to develop the Republic of Armenia.

I shall remain committed to all of my pre-election promises, and we shall join our efforts in fulfilling them.

We shall build the Armenia that brings together all Armenians, one that will be the fatherland of any Armenian.

We shall build the Armenia where mutual respect, love, and tolerance will prevail.

We shall build the Armenia where our citizens and families will live and realize their potential in security and dignity.

We shall carry out a proactive foreign policy, and do everything to find a just, peaceful, and favorable solution to the Artsakh issue.

We shall build a strong, proud, and democratic state of Armenia, where everyone shall be equal before the law.

I am confident that you, our fellow Armenians and friends, also hold the key to the success of all of our initiatives. To accomplish this historic mission, I once again urge us to unite. Unity will be the platform for fundamental value creation and progress along the path of democracy and freedoms.

I shall do all of this, because I wish to be a president who will fully implement his program, bring peace and stable development to Armenia, enhance the reputation and image of our country, overcome all of the major problems we currently face, and be capable of foreseeing and responding to all of the potential challenges. This is the type of President I can and shall be.

I am ready to contribute all my strength for an atmosphere of confidence to prevail in our society, for us to overcome any polarization, rough confrontation, and discredit. Alone, no one can turn Armenia into a country of dreams. All

structures, various political and non-governmental forces, and civil society need to unite. This is where the President should act as the key actor in uniting the nation, a man who must use all the tools and mechanisms of power available to him in order to promote the best ideas and to preserve, develop, and put to the best use our country's most precious capital, our human resources.

I shall seek ways of cooperating with all the political forces. My efforts will focus on achieving the nation-wide objectives, strengthening the link between generations, combining the interests of different social groups, ensuring respect for ethnic minorities, and preserving the Armenian identity.

I shall encourage a change of attitude towards the intelligentsia in our country. It is long time for the state to treat seriously our culture, scientific and educational potential, and every individual engaged in intellectual and creative work.

I shall make my humble contribution to the strengthening of the Armenian Apostolic Church, which will continue to remain a pillar of the Armenian soul and national identity.

**Dear Friends:**

This ceremony takes place about a month after painful events, which inflicted wounds that are still fresh. These wounds caused pain and bitterness to all of us. Today, I urge to look forward, together to seek and find the path of reconciliation, that of development for the Armenia of future. I am confident that we cannot have real and tangible success, unless we learn lessons from the past. What happened should teach all of us a lesson of vigilance and sobriety, compelling us to work with greater vigor and devotion.

Unchecked freedom can result in conflict with the public interests and the rights of others. To prevent such conflicts and to reconcile various rights and interests, the state may interfere with the exercise of certain fundamental rights.

Limitations of fundamental rights, however, cannot be absolute, as they would simply render the fundamental right meaningless. Limitations should not undermine the essence of fundamental rights enshrined in the Constitution.

For any limitation of rights and freedoms, including the right to peaceful assembly, we must strike a fair balance between the public order and respect for the rights and freedoms of others, on the one hand, and the right to peaceful assembly, on the other.

Over a short period of time, along with dozens of other laws, we should revisit the legislation regulating the right to peaceful assembly with a view to safeguarding everyone's right to peaceful assembly in accordance with European standards and precluding any public event that is either not peaceful or does not pursue a legitimate aim.

**Dear friends:**

Our people have given me their vote of confidence, and I must implement my program during the next five years. Our people have confided in me to overcome the challenges faced by our country and to meet everyone's expectations. Five years is a rather short period to do all of this, hence it will be a period of everyday hard work. During this time, we shall manage to do what is possible and beyond, to address the development challenges faced by our country. That is why I consider this ceremonial day a working day for me and my political team.

So thank you, and let us get to work!

Let us get to work, and forward, Armenia!

**REMARKS BY THE PRESIDENT OF THE REPUBLIC OF ARMENIA  
HIS EXCELLENCY SERZH SARGSYAN AT THE INAUGURAL RECEPTION**

**/April 9, 2008/**

**Distinguished President Kocharyan,  
Your Holiness,  
Dear Guests:**

Perhaps, what I say now will not sound like a toast, but, on this festive day, I wish to speak about the importance of words.

In the pre-election period, we all spoke; much was spoken about the problems our people face, the solutions to these problems, division and unity, and our dream of Armenia.

We have instilled hope in our fellow Armenians, and they now have serious expectations of us.

We have given promises and stated that, unlike some, our promises will not be hollow.

Today, I wish to reiterate everything I have said during the election campaign. For me, the value of words does not change, regardless of whether they are pronounced in a campaign rally or in a friendly circle.

I thank you for supporting me; more than thanking you, I wish to urge you to be persistent and committed to your work in this new period of our partnership, so that all of us together, each one of us in his place, can take this country forward.

The time for making promises is over; it is time to act. Today's slogan is "let us get to work!"

We constantly solve problems, but the number of problems does not decline; their number may never decline, but their quality may change. We still face many problems. We must solve these problems today, tomorrow, and every day, simply because we know what our people expect from us. Their desire is clear: to live in a just society, a fair society in which no one will feel alienated.

Several months ago, when I spoke about the Armenia of which I dream, many found it surprising. When I promised not to spare efforts to achieve this dream, many were skeptical. However, we defeated this skepticism with our arsenal of persistent hard work.

Today, I say: we are going to defeat poverty, malice, and apathy. Our country will see the victory of philanthropy, compassion, and optimism.



We live in a historic period, when integration and globalization are becoming especially important. No country in the world can live as a self-supporting island; no country can develop in isolation. We want the near future to become a period of active and proactive foreign policy for our country, a policy aimed at strengthening Armenia's unique place, role, and significance in the world family of nations. I am confident that we can not only take from, but also give to the world.

I would now like to address our foreign partners present here: thank you for the relationship with and support to developing our country. We see and appreciate all of it. I hope to further strengthen relations with our friendly and partner states in the years ahead. We will deepen our cooperation with countries that for years have supported the progress of and consider themselves true friends of Armenia.

In conclusion, I wish to toast to our fatherland, to the Armenian people, to the future of our country, and to the Armenia we dream of.

**Examples of information that would be banned from publication in the newspapers under the revised version of the State of Emergency Order (with revision of March 13, 2008)**

Please find below extracts from the newspapers presented for printing on March 14, 2008: the “Haykakan Zhamanak,” the “Chorod Ishkhanutun,” the “Zhamanak Yerevan,” the “Hayk,” and the “Taregir”. The printing of these newspapers in the print-run specified for each newspaper was suspended by the RA National Security Service for the breach of the RA President’s Decree of March 13 2008. Thus various articles on the domestic political situation contained obviously false statements.

**The “Hayk”:**

“... Most detainees were subjected to battery and violence at police precincts.”

“... persecutions of the proxies and supporters of RA presidential candidate Levon Ter-Petrossyan continue.”

**The “Zhamanak Yerevan”**

From an interview with Ohan Durian: “They are afraid to tell the number of casualties, they are afraid of uttering condolences.”

From an interview with Arkady Vardanian: “Savagery committed by violation of constitutional norms. It was done willfully... It was the authorities’ provocation. It was committed by a special group of provocateurs. He (Robert Kocharyan) is a big state criminal.”

“The destiny of tens of nameless victims is still unknown.”

The pictures of the detainees apprehended for criminal charges are presented as the pictures of political prisoners.

**the “Taregir”** “... There was only one crime: there was a RA presidential candidate, the first RA President Levon Ter-Petrossyan’s proxies or cohorts who most frequently appeared on the platform on the Freedom Square.”

**The “Haikakan Zhamanak”** (04.03.2008 and 14.03.2008) Nearly all the materials in this issue either contain obviously false information or are based on such

information. For that very reason we will confine ourselves to just few examples and present the rest in the form of the original material.

“... an illegal decree on the state of emergency.”

“...the police attacked as soon as they arrived.”

“the police jeep rammed into the crowd at a high speed inflicting heavy injuries to numerous people.”

“... the servicemen also fired live ammunition.” “a few hundred thousand people have gathered in 1-2 hours.”

In addition, an interview with Nikol Pashinyan, containing numerous willful calls for destabilization and incitements, is presented.

Also, all the newspapers as well as the “Chorod Ishkhanutun,” printed the extract from the interview given by Levon Ter-Petrossyan to foreign mass media correspondents which contained blatant lies: “... the elections were held very savagely. The OSCE has already condemned them in its third report. All the reports ranging from 1995 to 2007 taken together were not as harsh and strict.”

The suggestion of the RA National Security Service to omit the extracts that were in breach of the Order was rejected by the representatives of these newspapers.

Friday, 11 April, 2008

### **TER-PETROSSYAN URGED TO STOP HUNGER STRIKE**

On April 10 Levon Ter-Petrossyan made an appeal to those in prison and at large to stop their hunger strike. “On April 9, with the blessing of the “civilized” world, the chief of the bandit regime established in Armenia was replaced by another. He replaced through total election fraud, unprecedented violence, and persecution and petrifying slaughter of peaceful demonstrators. The West made some seemingly decisive but in reality void and irresponsible statements, intentionally or unintentionally fostering the reproduction of the criminal government. Out of political intentions and using double standards, the European organizations took to the side of the illegitimate regime rather than the new civil society of Armenia upholding democracy, freedom, and legal state. Pretending to be interested in stability but secretly aiming to weaken the position of Armenia in the settlement of the conflict over Karabagh, the West preferred a tyranny with shaky legitimacy rather than a government enjoying the confidence of people. However, despite this infuriating behavior of the West, it is obvious that the Armenian people are committed to freedom and democracy, and have never and will never accept this violation of their will. It is not accidental that the inauguration of the new usurper took place under the bayonets of the police and army battalions on the one hand, and mass popular protests and fury on the other hand. Among those actions of protest was the hunger strike of innumerable political activists and azatamartiks in prison and at large. Acknowledging the importance of this extreme form of political struggle and appreciating the heroism of those on hunger strike, I nevertheless urged them to stop the hunger strike immediately. Your health, strong will and determination is necessary for more effective participation in the future havens of the popular struggle. April 9 is not the end but the beginning of the sacred struggle the political ways of expression of which will be visible to our society soon. I have no doubt that the continuity of the popular movement will make the international community change its opinion on our state.

Levon Ter-Petrossyan

April 10, 2008