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ANNUAL REVIEW

OF THE HUMAN RIGHTS SITUATION
OF LESBIAN, GAY, BISEXUAL, TRANS
AND INTERSEX PEOPLE

2019



Annual Review

of the Human Rights Situation of Lesbian, Gay, Bisexual, Trans, and Intersex
People in Armenia covering the period of January to December 2018

Armenia

Bias-motivated speech

Former social affairs minister and current member of the parliamentary human rights committee Gevorg Petrosyan (Tsarukyan Faction) said in March, that treating people differently on SOGI grounds is not discrimination. MP Vardan Bostanjyan ("Prosperous Armenia" Party) compared LGBT people to viruses and suggested that the 'virus' should be isolated to avoid making other people sick.

In July, the justice minister Artak Zeynalyan (Yelk Faction, Hanrapetutyun party) publicly reacted to a homophobic Facebook post featuring a photo of him, saying he "wants to legalise 'faggots'". It also called on supporters to "join our fight". Zeynalyan's ignored the offensive language and instead denied that he was working on any legislative initiatives related to the Criminal Code.

Following the 3 August attack in Shurnukh (see **Bias-motivated violence**), LGBTI NGOs reported an increase in anti-LGBTI hate speech. The victims received daily threats, in some cases from family members. Some victims were relocated for their own safety.

Naira Nahapetyan, member of Yerevan's Municipal Council boasted online about attacking LGBTI people, in August. Comments on the post incited violence against LGBTI people.

Police is cooperative, but said unofficially that the whole country is against the community and they cannot guarantee 100% protection. No official statements from Armenia stakeholders have followed.

Bias-motivated violence

On 18 January, Armenia became the 45 th Council of Europe member state signing the Istanbul Convention on preventing and combating violence against women and domestic violence.

On 27 February, a trans woman was attacked in her apartment in Yerevan. Trans rights NGO Right Side reported that she was assaulted, then locked up by her attacker, who then set the apartment on fire. Criminal proceedings were launched and the case is pending at the First Instance Criminal Court.

A 15-year-old was stabbed in Yerevan on 1 April. The perpetrator told the police that he had assumed the victim was gay. The parents dropped the charges, to prevent further bullying against their son.

Following a series of LGBTI-phobic attacks in the first few months of the year, LGBTI activists and allies protested in front of the Government Prosecutor's Office on 5 April, calling for immediate and thorough investigations.

A member of Right Side NGO's staff was threatened and insulted by military service workers during a visit to the Arabkir military commissariat station on 11 April.

On 15 April, a trans woman living in Yerevan was attacked. Her throat was cut and she required hospitalisation. The case was dismissed as the perpetrator died by suicide.

Nine members of the LGBTI community, including activists, were attacked on 3 August by a group of over 30 people in Shurnukh. Two victims required hospitalisation. Police officers did not reach the scene of the incident until an hour after the attack. LGBTI NGOs and the Non-Discrimination and Equality Coalition condemned the violence. The perpetrators asked for amnesty and the case was later dismissed. PINK appealed.

The first report documenting hate crimes against trans people over a two-year period was published by Right Side in June.

The report includes 100 cases of hate crime or other hate motivated violence reported in 2016 - 2017. The survey found that most incidents took place in cruising areas or other public spaces, mostly at night. Victims were more likely to seek support from friends or LGBTI NGOs, rather than a victim support group or medical professionals. Only a small number of respondents said the police were supportive.

Equality and non-discrimination

Following the publication of a new draft anti-discrimination law in February, human rights groups, including LGBTI NGOs, expressed concern that it does not meet international standards. The draft law 'on ensuring equality' contains no references to SOGI in its list of protected grounds in Article 4. The equality law had not come into effect at time of writing.

LGBT NGO PINK Armenia launched the latest edition of their 'Human Rights Situation of LGBT people in Armenia' report on 11 July. Representatives from the Human Rights Defender's Office, the health ministry, the police and NGOs also attended. PINK Armenia's ED Mamikon Hovsepyan noted that similar offences and discrimination keep happening each year. The report documented 30 discrimination and violence cases, on grounds of SOGI. Eight of those cases were still being processed at time of writing, 14 of the cases did not receive any legal follow-up.

Freedom of assembly

The second Trans Camp and the fourth annual Rainbow Forum both took place without any issues. The European Forum of LGBT Christian Groups and "New Generation" Humanitarian NGO had to cancel the Forum of LGBT Christians of Eastern Europe and Central Asia, was due to take place in Yerevan between 15-18 November. On the eve of the forum, a wave of extremist and homophobic acts and protests by nationalistic groups took place, targeting the event. To maximise their chances at the upcoming elections, political parties mobilised right-wing conservatives against the Forum. In the end, the organizers decided to cancel the event to ensure everyone's safety.

On November 6, New Generation NGO, the organisers of the annual Eastern European and Central Asia Conference of LGBTI+ Christian, had to cancel the event scheduled to take place in Yerevan on 14-18 November after information about the event became public and the organisers received multiple threats from hostile groups, including death threats, vandalism and homophobic acts directed at (perceived) LGBTI people in Armenia.

Local host organisation 'New Generation' had to suspend its work after staff members were intimidated by anti-LGBTI activists and its director's car was vandalised. Several tourists who were thought to be Forum attendees were violently assaulted on the street in early November and Forum participants received hundreds of death threats on social media. No reports from the community about hate crimes or incidents have been registered.

Police are cooperative, but said unofficially that the whole country is against the community and they cannot guarantee 100% protection. No official statements from Armenia stakeholders have followed.

Freedom of expression

The Administrative Court heard arguments on 19 July from both LGBT NGO PINK Armenia and the Ministry of Culture regarding advertising campaigns on LGBTI equality. This case began in 2017 when the Ministry refused to recognize PINK Armenia's poster campaign as social, stating that it does not have public importance and that it was merely an attempt to advertise the organisation. The First Instance Administrative Court of Armenia rejected PINK's claim, making a reference to the "Law on Social Ads", which does not actually exist. PINK is going to appeal the judgment.

On 1 October, Republican Party representatives initiated legal changes about children's protection, proposing to forbid "LGBT propaganda" amongst minors. The government gave negative feedback to the amendments and Prime Minister Nikol Pashinyan stated that children can find all kinds of information online, thus the law will not be effective. He also said that the fight against sexual minorities is in a way propaganda for them. He suggested a secret vote.

Legal gender recognition

Two trans people were able to change their name in December, without presenting a psychiatric diagnosis. Although this is a positive development, no legal change has taken place to ensure this will be consistently applied in practice in the future.

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