

Flygtningenævnets baggrundsmateriale

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ARMENIA

ACCESS TO ADEQUATE FOOD

Pink continued providing social and humanitarian support to LGBT people affected by the COVID-19 pandemic, particularly during the first half of 2021. As a result, more than 50 LGBT people received assistance for food, accommodation and medical expenses this year. Pink carried out a needs assessment in the community in June, identifying the high and detrimental impact of COVID-19, the war and the post-war situation on the mental health and well-being of LGBT+ people.

ACCESS TO GOODS AND SERVICES

In 2018, two trans people and a cisgender gay man were banned from attending the Mali Sports Club. Three years later, in March 2021, the courts finally established that denying them access, the sports club was discriminatory on the basis of sexual orientation and gender identity. The Court highlighted that SOGI falls under the open list of discrimination grounds in the Constitution.

RightSide documented a case this year where a trans person was denied her prescribed hormones at a pharmacy.

BIAS-MOTIVATED SPEECH

In 2020, the Criminal Code was amended to sanction hate speech. Although SOGIESC grounds are not explicitly included in the law, Pink continued documenting instances of anti-LGBTI hate speech and reported them to the police. Pink filed four cases in 2020 and another five in 2021. All nine were initially dropped by law enforcement authorities, who argued that no crime took place and cited freedom of speech as a reason. Pink appealed eight decisions and three are now filed as criminal cases.

In December, Pink held a camp that was attended by 25 LGBT people and was held at a hotel. The organisers and participants were verbally harassed and threatened by other guests of the hotel. The hotel cooperated with Pink to prevent any violence, and Pink changed the camp schedule to avoid further harassment.

Right Side documented online hate speech against a trans activist, Monica, and reported the case to the authorities. Monica posted about her brother whom she lost in the 2020 war, but was told in the following comments that no trans person should mention Armenian heroes.

BIAS-MOTIVATED VIOLENCE

In 2020, the Criminal Court of Appeal ruled that the rights of the victims of the 2018 Shurnukh case, where nine LGBT activists were attacked by a group of 30, were violated when the investigator decided not to prosecute. The Court ordered a new investigation, which must consider the grounds of the attacks as SOGI and the severe harm caused. On 9 February 2021, the body conducting the investigation decided to close the criminal case, arguing that the statute of limitations expired. The decision was appealed, and the case is with the local courts.

In February 2021, the Yerevan First Instance Court found a perpetrator guilty for setting a trans woman's apartment on fire after learning about her trans status. Although the initial verdict called for over three years in prison, the defendant was granted amnesty on the "occasion of the 2800th anniversary of the founding of Erebuni-Yerevan and the 100th anniversary of the declaration of independence of the First Republic of Armenia". The appeal was denied in May 2021.

Pink documented 27 cases of physical and sexual violence, and threats of violence towards LGBT people during 2021, 14 of which were committed by the family members. These included beatings, stabbings, and other serious attacks. 18 cases of domestic violence (physical, psychological, economic) on grounds of SOGI were recorded. In three cases, the victims were minors. Of the 18, 14 were lesbian or bisexual women, four were gay or bisexual men. In most cases, the parents learned about the LGBT identity of the victims, and then beat, harassed, threatened, or locked them up.

In June, for instance, a trans woman and her friends were physically attacked in public. They were too frightened to file a police report.

A trans person, Diana, was physically assaulted and suffered several injuries. The criminal case is pending.

EDUCATION

Civil society reported that a college student was allegedly physically assaulted by his peers due to his sexual orientation and suffered serious bodily injuries. He reported the violence to the school, to no avail, and later to the police. The police detained him and refused to start a criminal investigation.



Several trans people continued reporting discriminatory treatment in higher education, to Right Side NGO.

EQUALITY AND NON-DISCRIMINATION

Pink documented 37 cases of discrimination based on SOGI this year, of which nine were reported to law enforcement bodies. Some of these were rejected, and others have not been processed in a meaningful way. Only one case is at court.

Trans people have increasingly suffered from discrimination and violence during the COVID-19 quarantine, according to [interviews](#) conducted by Right Side NGO.

The Ombudsman's 2020 annual report [mentioned](#) five discrimination cases based on sexual orientation. Civil society reports that the section on LGBT people should be more comprehensive and in-depth.

The NGO Center for Legal Initiatives [published](#) the first ever report on the [situation](#) of LGBT prisoners in the country.

FREEDOM FROM TORTURE, CRUEL, INHUMAN OR DEGRADING TREATMENT

A criminal case was [launched](#) in April 2021 after H.A., a soldier, was physically [assaulted](#) and threatened with a gun by his superior and peers, and locked up in a cell, after they found out about his sexual orientation. The investigation is ongoing.

In May, the Criminal Court of Appeal [agreed](#) with ending the criminal investigation in the case of A.M., who was beaten, verbally abused, and threatened during his arrest and detention, due to the police's bias towards his sexual orientation. In 2020, the prosecutor dropped the criminal investigation to hold the police officers accountable, but the courts [called for](#) a new investigation.

Civil society reported an [extortion](#) case this year. The victim was too scared to report the incident to the police in fear of being outed.

HEALTH

People living with HIV faced [difficulties](#) accessing medications and treatment due to the ongoing COVID-19

pandemic and the restructuring of healthcare services. In January, RightSide NGO [organised](#) consultations and exams for 18 trans people to facilitate their access to hormone therapy, which is unavailable in Armenia.

PARTICIPATION IN PUBLIC, CULTURAL AND POLITICAL LIFE

In 2020, Pink Armenia declared 3 August to be the National Day to Fight for LGBT+ Rights and [celebrated](#) for the second time in 2021.



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