

Armenia

BIAS-MOTIVATED SPEECH

In February, a Yerevan court ruled that *Iravunk*, a news website, used discriminatory and inciting language when it claimed in 2014 that two singers supported the “international homosexual lobby”.

In April, the Criminal Code was supplemented with Article 226.2, criminalising calling for, justifying, or promoting violence against a particular group. The list of grounds is not exhaustive, allowing for the implicit inclusion of sexual orientation and gender identity under “other personal or social circumstances”. Between May-June, Pink documented several social media posts falling under Article 226.2 and submitted four applications to the police. The police denied all four. Three were appealed and one is now filed as a criminal case.

A working group on hate speech prevention, initiated by the governing party, was established in January. The group, including Pink as a member, held its first meeting in May, bringing together civil society and MPs with the aim of introducing hate speech legislation.

BIAS-MOTIVATED VIOLENCE

In April, far-right organiser, Narek Malyan posted photos of two trans women’s passports and personal information. RightSide NGO reported the case to the General Prosecutor, who initiated a criminal investigation.

On 4 August, the Criminal Court of Appeal ruled that the rights of the victims of the 2018 Shurnukh case, where nine LGBTI people were attacked by a group of 30, were violated when the investigator decided not to prosecute. The investigation will have to start anew, and consider the bias motif of the attack on grounds of SOGI, and the severe mental and physical harm caused. Another similar ruling was passed on 16 September by the Criminal Court of Appeal.

Pink documented 21 cases of physical and sexual violence, and threats of violence towards LGBT people during 2020, 11 of which were committed by the family members. These included beatings, stabbings, and other serious attacks. 16 cases of domestic violence (physical, psychological, economic) on grounds of SOGI were recorded. In six cases, the victims were minors. Of the 16, six were lesbian or bisexual women, seven gay or bisexual men, and three trans and non-binary persons. In most cases, the parents learned about the LGBT identity of the victims, and then beat, harassed, threatened, or locked them up.

Armenia was in armed conflict between September-November. Many LGBT people were also mobilised to protect the borders. Opinion leaders, including Naira Zohrabyan, Head of Human Rights Committee of National Assembly, spoke about LGBT people in a discriminatory manner. Zohrabyan stated that if LGBT people were deployed and injured in armed conflict areas, the international community would react immediately. Zohrabyan’s mandate was terminated by a secret vote (78 to 4) on 29 December.

EDUCATION

A lesbian student was expelled from the military university because of her sexual orientation, as stated by the Director.

EMPLOYMENT

A bisexual woman was fired this year, presumably because of her sexual orientation. In Armenia, many are employed without a contract in place, which makes it difficult to process discrimination cases. The woman did not want to pursue the case.

EQUALITY AND NON-DISCRIMINATION

Pink documented 41 cases of discrimination based on SOGI this year. 21 victims reported their cases to the police. Some of these were rejected, and others have not been processed in a meaningful way. Trans people have increasingly suffered from discrimination and violence during the quarantine, according to interviews conducted by Right Side NGO.

Armenia’s third Universal Periodic Review (UPR) took place in January. Civil society highlighted that Armenia had failed to implement its earlier UPR recommendations on adopting comprehensive anti-discrimination and hate crime legislation (see under **Bias-motivated crime**).

The Ombudsperson published his annual report in April, failing to highlight the situation of LGBT people.

The Court of Appeal sided with Pink, striking down the ruling of the First Instance Court that found no violation by the government in not considering Pink’s social advertisements in 2017. The First Instance Court will now have to re-examine the decision of the Ministry of Culture.

HOUSING

Pink documented three cases between January and October, where trans people were evicted from rentals due to their

gender identity. In two cases, the landlords explicitly said they did want trans people living in their properties. None of the victims pressed charges, partly because rent contracts are rarely concluded in Armenia.

HUMAN RIGHTS DEFENDERS

Pink launched a social support initiative when lockdown measures deprived LGBT people, who lived on daily wages, from their income and ability to cover the costs of food, accommodation and healthcare. Pink used some of its own resources, and further grants were secured from the Urgent Action Fund, the Women's Fund Armenia, and Open Society Foundations-Armenia. A total of 85 people received financial support and the support activities are ongoing. The LGBT+ Shelter showed its support by providing shelter to victims of domestic and gender-based violence.

Right Side NGO launched a similar initiative to support a total of 400 trans people with food, medicine, hygiene items, and financial support for rent costs. Some were supported in accessing trans healthcare. Right Side also held a webinar on the rights of sex workers and trans people and their situation during the pandemic.

In June, Pink Armenia and the Women's Resource Centre launched an online fundraiser to support LGBT people and women, who have been worst affected by the COVID-19 pandemic, in terms of economic resources.

Having exhausted all domestic remedies, the case of Lilit Martisoyran, a trans human rights defender who was targeted by hate speech and death threats by politicians and the public in 2019, was filed at the European Court of Human Rights.

PARTICIPATION IN PUBLIC, CULTURAL AND POLITICAL LIFE

On the occasion of IDAHOBIT, Pink Armenia launched a "Queerantine" photo competition about equality and non-discrimination. The winning photos will be featured on leaflets and postcards.

Pink Armenia declared 3 August to be the National Day to Fight for LGBT+ Rights.

"We have decided to accentuate the struggle for equality of LGBT people, which has been lasting for decades in Armenia. [...] This struggle is sometimes discouraging and exhausting, but we are sure that only this struggle

can lead to a society, where every person's rights are defended equally, and everyone is free regardless of their sexual orientation and gender identity." - Pink Armenia

POLICE AND LAW ENFORCEMENT

Pink conducted a brief study on police attitudes towards LGBT people, finding that most officers lack knowledge about SOGI issues. Some were quite neutral, but others mocked and insulted LGBT people.



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