

Hate crimes in Armenia – UPDATE in 16 August

ILGA-Europe

As previously reported, a grave hate crime was carried out against 9 people LGBTQ community, among which several activists, on Friday 3 August 2018 by a group of over 30 attackers in the village of Shurnukh, in Armenia, leaving two victims with serious injuries needing hospitalisation. One of the perpetrators of the crime had previously committed hate crimes against one of the victims, but the respective case was dismissed by the police.

In this instance, we have been informed that the police are cooperating with victims and several perpetrators have been called in for questioning. The Ombudsman's office is also in contact with law enforcement officials following the incident. ILGA-Europe welcomes the cooperation of both institutions.

At the same time, however, hate speech, including from political leaders has escalated since the incident, leading to a rising wave of intolerance. NGO Right Side reports that member of Yerevan Municipal Council Naira Nahapetyan, has posted messages on social media boasting about the attack her and her husband perpetrated against activists of the NGO last year – an attack which was reported to authorities, but the two cases against her and her husband were closed. This post has spiralled out of control with comments asking for the addresses of LGBTI people and openly inciting readers to violence.

NGO PINK Armenia reports that victims of the August 3 hate crime are receiving daily threats, in person and on line, including, for some, from family members. Most of the victims are unable to go home for fear for their safety, and are having to relocate at least temporarily. Meanwhile a nationalist initiative called “take a step in the name of the nation” has been celebrating the “victory” of the perpetrated hate crime with officially sanctioned street celebrations. Another anti-LGBTI event took place in Yerevan on August 15 for ‘traditional family values protection’. **The blind eye turned to such hate speech, and the permissions granted to such events give a green light to violence against LGBTI people.**

This is the latest in a [series of disturbing incidents](#) this year; a trend that cannot be allowed to continue. This case is a stark **reminder of the necessity of having explicit protections for LGBTI people enshrined in legislation**. The Constitution of Armenia, the Freedom of Speech Law and Criminal Code do not include the grounds of sexual orientation and gender identity (SOGI) as protected grounds. While the constitution prohibits discrimination on all grounds, this has never been applied to a case of discrimination against an LGBTI person in Armenia. Similarly, in cases of hate crimes and hate speech against LGBTI persons, law enforcement and judiciary institutions do not apply the criminal code to protect and prevent such crimes and offences towards LGBTI persons. Furthermore, NGO PINK Armenia note that the Ministry of Justice has clearly stated they do not intend to amend the draft anti-discrimination law to include grounds of SOGI.

As such, we call international institutions to:

- *Push Armenian authorities for a **proper investigation of this hate crime**, including appropriate measures taken against perpetrators, and effective remedy for the victims, and to condemn in the strictest sense any hate speech against LGBTQ people.*

- **Condemn in the strongest terms the hate speech perpetrated against LGBTI people, especially by authorities.**
- **Impress upon the new Armenian authorities that the still pending draft of anti-discrimination legislation is not in line with international standards and needs to be amended with, among other changes, inclusion of sexual orientation and gender identity grounds, in order to be in full compliance with international standards.**
- **Encourage authorities to initiate amendments of Freedom of Speech Law and Criminal Code as to include the grounds of sexual orientation and gender identity as grounds prohibited for hate speech (including, specifically, online hate speech), incitement to discrimination, and incitement to violence and hate crimes.**