



**5 June 2017**

### **Information submitted to the UN SOGI Expert regarding Armenia**

Sadly, homophobic discourse is commonplace in Armenia, whether on television or in the spheres of power. For example, Edward Sharmazanov, one of the strongmen of the ruling Republican Party, declared himself to be openly "anti-gay" in the Aravot daily newspaper. After the Molotov cocktail attack targeting DIY, the only "open" bar of the Armenian capital in 2012, the same Sharmazanov declared that he found the attack "justified".

Less than two weeks ago, the municipal authorities of Armenia's capital ordered the removal of LGBT-themed posters from scroller billboards, which had been posted thanks to the NGO PINK Armenia. The local authorities (from the ruling Republican party) justified the removal, saying they had not been "authorised"<sup>1</sup>. A few days earlier, the British embassy in Yerevan raised the rainbow flag to mark IDAHOT. This led to a flurry of homophobic comments on social media. On 19 May, members of the public movement "For the Law" gathered in front of the British Embassy, demanding the resignation of the British Ambassador. The demonstrators were holding posters with slogans demanding to stop the "LGBT propaganda"<sup>2</sup>.

In fact, although homosexuality was decriminalized in 2003 (it should have been only a first step for a variety of other legislative reforms), there is still no legal protection for LGBT people whose rights are regularly violated. Many fear violence in the workplace, on the street or in their families, and do not file complaints on violations of their rights because impunity prevails.

While the government failed to address hate speech or discrimination against LGBT people, limiting legal recourse for many crimes against LGBT people, the LGBT community continues to face discrimination, harassment, and physical violence.

In terms of destigmatization, sociocultural inclusion, or promotion of education and empathy, no real progress can be reported. In schools for instance, "sex education is at the discretion of the school and is a voluntary service, and education on sexual diversity or sexual orientation and gender identity and expression is non-existent"<sup>3</sup>.

---

<sup>1</sup> <http://gayarmenia.blogspot.ch>

<sup>2</sup> <http://www.eng.kavkaz-uzel.eu/articles/39440/>

<sup>3</sup> [http://www.coe.int/t/Commissioner/Source/LGBT/ArmeniaSociological\\_E.pdf](http://www.coe.int/t/Commissioner/Source/LGBT/ArmeniaSociological_E.pdf)

**HYESTART**

Hyestart Association CH - 1200 Geneva . [contact@hyestart.org](mailto:contact@hyestart.org) . [www.hyestart.org](http://www.hyestart.org) . CCP - 14-809507-5



## Reports:

For more, please refer to two recent reports issued in particular by Pink Armenia:

- *Hates Crimes against LGBT People in Armenia* (November 2016). <http://www.pinkarmenia.org/en/2016/11/hatecrime2016/>
- *Kissing in public in unacceptable: A study of attitudes towards LGBT people in Armenia* (June 2016). <http://www.pinkarmenia.org/en/2016/06/prejudice-tolerance/>

## Recommendations:

Nine years ago, Armenia was one of the 66 nations supporting a groundbreaking UN Declaration confirming that international human rights protection included sexual orientation and gender identity.

Following Armenia's Universal Periodic Review (UPR) in early 2015, the government stated its commitment to providing effective protection against discrimination to LGBT people, combatting hate speech and training law enforcement officials in how to deal with bias-motivated crimes against LGBT people<sup>4</sup>.

Yet, according to the ILGA Rainbow Europe Index 2016, Armenia is 47th out of 49 countries for LGBT rights (neighbours: Russia is 48th, Azerbaijan 49th, Turkey 46th, while Georgia is 30th)<sup>5</sup>.

It is therefore high time for Armenia to live up to its international commitments by:

- Amending existing legislation by adding "sexual orientation" in the following articles: Article 14.1 of the Constitution, Article 3 of the Labour Code, etc.
- Amending the Penal Code so that hate crime and hate speech become separate offenses.
- Educating the general population and training civil servants on LGBT issues.
- Instructing the Human Rights Defender of the Republic of Armenia to cover LGBT issues and accept complaints from the LGBT community<sup>6</sup>.
- Creating a Press or Media Council, which would take action when media coverage is homophobic or incites hatred.
- Adopting legislation recognizing and protecting human rights defenders (HRDs)<sup>7</sup>; in the meantime, immediately investigate all cases of threats, take appropriate steps to protect HRDs and ensure attacks are publicly condemned.

---

<sup>4</sup> <http://www.upr-info.org>

<sup>5</sup> <http://www.ilga-europe.org/resources/rainbow-europe/2016>

<sup>6</sup> <http://www.ombuds.am/en/faq.html>. E.g.: Ask him to include "sexual orientation" under FAQ/Who can apply to the Human Rights Defender?

<sup>7</sup> See: <http://www.ishr.ch/news/groundbreaking-model-law-recognise-and-protect-human-rights-defenders>