



THE HUMAN RIGHTS  
SITUATION OF LGBT+  
PEOPLE IN ARMENIA  
DURING 2024  
ANNUAL REPORT



The image on the cover features a photograph from  
The Blue of High Zenith, an event organized in Yerevan  
by Untitled Tbilisi.  
Photo by: Viktor Zatikyan



Annual Report: The Human Rights Situation of LGBT+ People  
in Armenia During 2024

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# GLOSSARY OF TERMS AND ABBREVIATIONS

“Conversion practice”	■ Refers to any action taken by others with the intent of changing a person’s sexual orientation and/or gender identity from non-heterosexual to heterosexual or from a non-heteronormative gender identity and expression to a heteronormative one. It’s recommended to use this term in quotation marks.
Bisexual	■ A person who is emotionally and/or sexually attracted to persons of more than one gender.
CoE	■ Council of Europe
ECtHR	■ European Court of Human Rights
ECRI	■ European Commission against Racism and Intolerance
Gay	■ A man who has a set of deeply emotional, sensual, and intimate attractions, as well as a desire for sexual relation and/or relationships with another man.
Gender expression	■ The expression of a person’s own (or perceived) gender identity.
Gender identity	■ It is each person’s deeply felt internal and individual experience of gender, which is a category of social identity and refers to the identification of an individual as a man, woman, or another gender.
Heterosexual	■ A person who has a set of deeply emotional, sensual, and intimate attractions, as well as a desire for sexual relation and relationships with another gender.
Homophobia	■ The fear, unfounded anger, intolerance, and hatred towards homosexuality. It is an umbrella term and often includes transphobia (see below).
Homosexual	■ A person who has a set of deeply emotional, sensual, and intimate attractions, as well as a desire for sexual relation and relationships with the same gender.
Lesbian	■ A woman who has a set of deeply emotional, sensual, and intimate attractions, as well as a desire for sexual relation and/or relationships with another woman.
LGBT, LGBT+, LGBTI	■ Lesbian, gay, bisexual, transgender (Intersex; plus is used to be inclusive of all types of non-heteronormative identities)

Queer	<ul style="list-style-type: none"> <li>Formerly used as an umbrella term encompassing individuals with non-heterosexual lifestyles. However, its meaning has evolved to represent an anti-identity associated with actions that defy accepted norms, legitimacy, and dominance. It now signifies a resistance to, rejection of, deconstruction of, and subversion of normality and heteronormativity, acting as a form of pressure against prevailing systems. It is currently also considered as a person's identity.</li> </ul>
RA	<ul style="list-style-type: none"> <li>Republic of Armenia</li> </ul>
Sex	<ul style="list-style-type: none"> <li>It is the classification of a person as male, female, or intersex. A person's sex is a combination of bodily characteristics including chromosomes, hormones, internal and external reproductive organs, and secondary sex characteristics.</li> </ul>
Sexual orientation	<ul style="list-style-type: none"> <li>The totality of a person's deeply emotional, sensual, and intimate attractions, as well as a desire for sexual relation and/or relationships with another person.</li> </ul>
SOGI	<ul style="list-style-type: none"> <li>Sexual orientation and gender identity and/or gender expression.</li> </ul>
Trans or transgender	<ul style="list-style-type: none"> <li>A person whose gender identity and gender expression differ from the sex assigned at birth. It can also be used as an umbrella term that includes other non-heteronormative gender identities.</li> </ul>
Transphobia	<ul style="list-style-type: none"> <li>Negative cultural and personal beliefs, opinions, attitudes, and behaviors based on prejudice against transgender people or gender identity and variations in gender expression, and are also based on disgust, fear, and hatred.</li> </ul>

# INTRODUCTION

In 2024, Pink Human Rights Defender Non-Governmental Organization continued its activities aimed at advocating for the rights of LGBT+ individuals. This was achieved through human rights advocacy and service provision on one hand, and community empowerment and public awareness-raising on the other. This report serves as an annual summary document, presenting data gathered during the organization's legal and social support services for beneficiaries, as well as the results of ongoing monitoring of public discourse targeting LGBT+ individuals.

Thus, the first part of the report addresses cases of human rights violations and analyzes the patterns reflected in them. Each subsection describes the essence and scope of the respective right, based on which the recorded cases have been assessed. This is followed by case descriptions and their analysis, along with relevant conclusions.

In 2024, violations were recorded concerning the right to be free from inhuman or degrading treatment and punishment, the right to respect for private and family life, the right to education, and the right to work. These violations were driven by the victims' sexual orientation or gender identity and are therefore considered cases linked to the violation of the right to be free from discrimination.

In 2024, the number of requests for legal and social assistance received by the organization was 365. Among these requests, the total number of documented violations was 65, of which 38 were cases of domestic violence. As every year, this year as well, cases of domestic violence constituted the majority. There were also 5 cases of physical violence, 2 cases of sexual violence, 3 cases of psychological coercion, 5 cases of extortion, 4 cases of other violations of the right to respect for private life, 3 cases of pressure in educational institutions, 4 cases of discrimination in labor relations, and 1 case of robbery. It should be noted that 8 of these cases were documented by the organization at the beginning of 2025 but occurred during 2024, which is why they are included in this report.

It is important to note that although the number of recorded violations has increased compared to previous years, the willingness to report them to law enforcement has decreased. Specifically, only 10 victims sought assistance from law enforcement authorities. Among these, 3 were cases of domestic violence, where the perpetrators received warnings. In one of these cases, the victim filed an official complaint, but the status of the investigation remains unknown. Another reported case involved stabbing, which is still under investigation. Three other cases involved psychological coercion. For one of them, there is no available information on the investigation's progress, while the other two remain at the pre-investigation stage. Two victims of extortion also turned to the police. One later withdrew their complaint after reaching an agreement with the perpetrator, while in the other case, law enforcement provided no assistance, leading the perpetrator to follow through on their threats. The final case involved a robbery, but the victim ultimately withdrew their complaint after reaching an agreement with the perpetrator. Therefore, out of the 65 recorded cases, only three are currently under investigation.

This situation, as repeatedly highlighted on various platforms, is primarily driven by distrust in the law enforcement system due to the following factors:

- Prolonged investigation timelines and lack of outcomes,
- Instances of mockery and degrading treatment of victims by law enforcement officers,
- Cases of dissemination of data related to victims' private life.

The report also describes the nature of Armenia's commitments and the reports submitted to international human rights bodies regarding these obligations. The commitments include, on one hand, legislative reform commitments, and on the other hand, their effective implementation in practice and the adoption of specific policies. A brief overview of legislative developments in 2024 is also provided.

The second part of the report focuses on hate speech. This section, in particular, describes the concept of hate speech and the necessary regulatory framework, the current domestic regulations, and various manifestations of hate speech recorded throughout the year, differing in severity and level of danger. Hate speech is especially prevalent on social media and in media publications, often following any incident or event related to LGBT+ individuals.

*When presenting and quoting instances of hate speech, only a portion of speech containing hatred and intolerance, including calls for violence or the justification of violence, has been selected. Examples of similar comments with similar content have been presented. Expressions containing profanity have not been included.*

*In the second section of the report, we seek the reader's understanding as we quote examples of hate speech, acknowledging that they can potentially cause psychological stress and depression.*

# **PART 1**

# **VIOLATIONS OF THE HUMAN RIGHTS OF LGBT PEOPLE**

## State Obligations to Protect Human Rights and Prevent Discrimination

Human rights are universal, inalienable and non-transferrable. Ever since birth, every individual is entitled to human rights and freedoms regardless of any personal or social circumstance. The Republic of Armenia, as a state governed by rule of law, must ensure the unobstructed enjoyment and exercise by all persons present on its territory of their rights. At the same time, the state safeguards to the enjoyment of human rights imply not only oversight over various state bodies, prevention of human rights violations within these bodies, but also adequate response to violations committed by third parties. The international human rights instruments, the judicial or extrajudicial bodies and other mechanisms operating on the basis of these instruments have developed through their practice actions that states must undertake in order to ensure the enjoyment of human rights. These actions entail both negative obligations, when the state is obliged to refrain from any infringement of human rights and freedoms, and positive obligations, when the state must undertake actions towards safeguarding human rights. As such,

**The state is obliged to observe and respect human rights, that is,** to refrain from violating human rights (this is the negative obligation of the state). State bodies, including law enforcement officers and others holding state authority are not permitted to infringe upon the rights of the individual.<sup>1</sup>

The state also holds the positive obligation of **protecting the rights of the individual from infringement by third parties.** Under this obligation, the state must prevent violations of human rights committed by various individuals and entities. This entails the establishment of effective legal mechanisms for duly investigating human rights violations, redressing the violated rights, and paying reparations for the harms suffered.

The next positive obligation of the state is **to establish an environment conducive to enjoyment of rights.** The state authority must establish such legal mechanisms and a social environment where everyone is able to exercise their rights in an unobstructed manner.

The primary safeguard for the protection of human rights in the Republic of Armenia is the supreme law of the country, the Constitution, which stipulates that human rights apply directly.<sup>2</sup> The supremacy of human rights in Armenia is also recognized by international treaties and covenants ratified by the state.<sup>3</sup>

With its accession to international organizations, such as the United Nations and Council of Europe, and ratification of these organizations' key instruments, the Republic of Armenia has committed to clear obligations, the implementation of which should be regularly reported to these international bodies. To be more specific, there are 10 human rights treaty bodies within the UN that were created based on various human rights covenants. These committees review national reports on treaty implementation, but also individual complaints from private individuals about violations of their rights. There are also special procedures and independent experts within the UN who are mandated to request information from national states on the human rights situation within their jurisdiction and measures taken by the states. Non-governmental organizations submit

<sup>1</sup> RA Constitutions, amended in 2015, Article 3. <https://www.primeminister.am/en/constitution/>

<sup>2</sup> RA Constitutions, amended in 2015, Article 3, Clause 3. <https://www.primeminister.am/en/constitution/>

<sup>3</sup> RA Constitutions, amended in 2015, Article 5, Clause 3. <https://www.primeminister.am/en/constitution/>

reports to these bodies as well. Based on the presented information and subsequent communication with the state, treaty bodies present recommendations to states on addressing the issues.

### **The State of Monitoring the Human Rights Situation in Armenia by International Organizations and Mechanisms in 2024**

Pink human rights defender NGO closely follows the monitoring cycles of international human rights bodies and submits thematic reports on the human rights situation of LGBT+ individuals in Armenia. These reports cover the measures taken by the state to protect human rights, as well as existing shortcomings and failures. Additionally, the organization monitors the implementation of recommendations issued to the state through international human rights mechanisms and seeks opportunities for collaboration to support the state in fulfilling its obligations.

In 2024, the organization submitted a report to the *UN Committee on the Rights of the Child* regarding the rights of LGBT+ children in Armenia. The report specifically addressed domestic violence against minors, violations of the right to education, and the state's inaction in addressing these issues.

As evident from this and previous reports, the majority of recorded cases throughout the year involved domestic violence. Notably, domestic violence against minors remains a particularly concerning issue, as providing legal support to victims is nearly impossible. This is due to the fact that the minor's legal representative - who, in cases of domestic violence, is often the perpetrator, must authorize a lawyer to represent the victim before law enforcement authorities. Moreover, cases involving LGBT+ individuals frequently encounter incompetence and homophobic attitudes from guardianship and custodianship bodies or child welfare centers. In previous years, there have been recorded instances where children who suffered domestic violence were subjected to humiliating treatment by staff members of these institutions. The state's neglect of such incidents not only harms the victims directly involved but also contributes to systemic inefficiency, legal violations, and financial mismanagement.

For many years, LGBT+ individuals in the education sector have faced pressure and discrimination from both peers and teaching staff. Despite this issue being repeatedly raised, the state has yet to take any effective measures to address it. Particularly concerning is the fact that, due to persistent harassment, mistreatment, and lack of protection, many children voluntarily drop out of school, ultimately facing lifelong social and economic challenges. The long-term consequences of violations of the right to education are already evident within the LGBT+ community. Many have been denied access to professional education, which has further limited their employment opportunities, leaving them in socially and economically vulnerable situations.

A report on the socio-economic rights of LGBT+ individuals in Armenia was submitted to the *UN High-Level Political Forum on Human Rights*, which reviews the implementation of measures derived from the UN Sustainable Development Goals (SDGs). The report specifically addressed LGBT+ individuals' access to education, employment, and housing,

the severe conditions resulting from violations of these rights, and the necessary steps the state must take to effectively address these issues.

A report was also submitted during the 7th cycle of the UN Universal Periodic Review (UPR), emphasizing discrimination, hate crimes, and hate speech based on sexual orientation and gender identity in Armenia. The report addressed both legislative gaps and practical challenges that arise in these areas. Additionally, it highlighted the lack of legal regulations concerning the specific needs of transgender individuals and the consequences of these gaps. It is important to note that this is the third time the organization has engaged with this mechanism. During the previous two UPR cycles, recommendations were presented to the state regarding the adoption of legislation ensuring effective legal protection against discrimination for LGBT+ individuals, the regulation of hate crimes, and the effective investigation of such cases. However, the state has not made any legislative or practical changes in response to these recommendations. The only exception is the new provisions in the Criminal Code, which allow crimes committed on the basis of sexual orientation or gender identity to be classified as aggravated offenses. Nevertheless, in practice, the situation remains unchanged. The UPR discussions will take place in 2025, and the final report will be made available later that year.

*The Organization for Security and Co-operation in Europe (OSCE) Office for Democratic Institutions and Human Rights (ODIHR) annually publishes data on hate crimes reported by member states and civil society organizations. This report specifically reflects the situation of vulnerable groups, analyzing criminal offenses motivated by hatred or bias against personal or social characteristics.*

According to data published on November 16, 2024, the number of hate crimes recorded in Armenia in 2023 was 52, of which 49 were crimes committed against LGBT+ individuals based on their sexual orientation, gender identity, and/or expression.<sup>4</sup> It is important to note that the situation remained almost unchanged compared to the previous year. In the previous ODIHR report, data was submitted on 53 recorded cases, 52 of which were crimes targeting LGBT+ individuals.

Although the state submits recorded data to the OSCE/ODIHR, case descriptions indicate that these crimes are often not classified as hate crimes. ODIHR has noted that Armenian law enforcement authorities fail to recognize bias indicators in hate crime cases. Additionally, ODIHR emphasizes that Armenia would benefit from strengthening its cooperation with civil society, particularly in providing support to victims. According to Ministerial Council Decisions 9/09 and 13/06, OSCE participating states are committed to adopting an active and inclusive approach toward civil society, which plays a key role in comprehensively addressing hate crimes. ODIHR is ready to provide technical assistance to Armenia to support the implementation of these commitments. This includes access to comprehensive resources for hate crime documentation and data collection, as well as further resources and support to enhance effective cooperation between state authorities and civil society in combating hate crimes.

*In December 2024, the Committee of Ministers of the Council of Europe once again reviewed Armenia's progress in fulfilling its obligations arising from the Oganosova v. Armenia case ruling.*

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<sup>4</sup> OSCE/ODIHR hate crim report: Armenia. <https://hatecrime.osce.org/armenia>

On May 17, 2022, the European Court of Human Rights published its judgment on the *Oganezova v. Armenia* case, concerning the 2012 explosion at the “DIY” bar.<sup>5</sup> The ECtHR found that Armenia had violated the applicant’s rights to be free from torture, inhuman and degrading treatment, and to be free from discrimination. These violations were attributed to legislative gaps and the ineffectiveness of case investigations.

The Republic of Armenia is currently in the process of implementing the Court’s judgment, with the Committee of Ministers of the Council of Europe overseeing this process. Recommendations for necessary actions resulting from the execution of the judgment were not only submitted to state bodies but also to the Committee of Ministers to ensure effective control over the execution process.

On June 6, 2023, the Committee of Ministers of the Council of Europe reviewed the implementation of the judgment of the European Court of Human Rights in the case of *Oganezova v. Armenia*, assessing the effectiveness of the measures taken, giving the State two years to implement the action plan. The Committee obliged the authorities to inform the Committee of Ministers about the relevant developments of the reopened criminal proceedings.<sup>6</sup> As regards general measures, the State is to:

- Invited the authorities to establish a system of disaggregated data collection on hate crime, including crimes committed on grounds of sexual orientation or gender identity (SOGI), and to provide updated statistical data on the number of complaints submitted on hate crimes and hate speech on SOGI grounds, the number of investigations initiated, the number of cases sent to court and their outcome.
- Further invited the authorities to provide examples of practice of law-enforcement authorities and domestic courts showing how the Criminal Code provisions on hate crimes and hate speech against LGBTI people are being applied.
- Called on the authorities to continue taking determined action by conveying a clear zero-tolerance message towards any form of discrimination, hate speech and violence, in particular against LGBTI persons, and continue raising awareness at the highest level and among the general public about discrimination and prejudice experienced by LGBTI persons in order to help foster their acceptance and with a view to eliminating barriers against their full inclusion into society.

The Committee of Ministers has also welcomed the capacity-building initiatives for the police in this field, the adaptation and translation of relevant CoE guidelines on combating hate crimes and discrimination, as well as the authorities’ intention to incorporate these guidelines into the police’s permanent training programs. Additionally, the Committee encourages further cooperation with the CoE in this regard.

The Committee has welcomed the progress made in drafting the Law on Ensuring Equality but has encouraged the authorities to prioritize the protection of LGBTI individuals within the draft law, ensuring its alignment with international standards and the ECtHR’s conclusions in this case. The Committee has also requested updates on the draft law’s adoption process. The review of the implementation progress for these measures will continue in future meetings until 2026.

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<sup>5</sup> *Oganezova v. Armenia*, ECtHR judgment. <https://hudoc.echr.coe.int/eng?i=001-219523>

<sup>6</sup> Decision of the Committee of Ministers of the Council of Europe regarding the implementation of the judgment in the case of *Oganezova v. Armenia*, 1514th meeting, 3-5 December 2024. [https://search.coe.int/cm/#{%22CoEIdentifier%22:\[%220900001680b29654%22\],%22sort%22:\[%22CoEValidationDate%20Descending%22}\]](https://search.coe.int/cm/#{%22CoEIdentifier%22:[%220900001680b29654%22],%22sort%22:[%22CoEValidationDate%20Descending%22}])



*And so, the state must continue working towards the effective implementation of the new Criminal Code to ensure it serves as a mechanism for effective legal protection for LGBT+ individuals. Additionally, the adoption process of the Draft Law on Ensuring Equality must progress, aligning it with international standards and recommendations. The case analysis presented in this report provides insight into the level of legal protection for LGBT+ individuals in Armenia throughout 2024.*

# RIGHT TO BE FREE FROM DISCRIMINATION

*Discrimination based on sex, race, skin color, ethnic or social origin, genetic features, language, religion, world view, political or other views, belonging to a national minority, property status, birth, disability, age, or other personal or social circumstances shall be prohibited.*

*RA Constitution, Article 29<sup>7</sup>*

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The right to be free from discrimination is an absolute human right and is not subject to any restriction. It is recognized both by international human rights instruments and by the RA Constitution.

All the major human rights instruments lay out observance of human rights without discrimination. By this, they underscore the universal and invaluable nature of the right to be free from discrimination.<sup>8</sup>

In international law, discrimination is defined as any distinction, exclusion, restriction or preference which is based on particular circumstances or features, and which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise by all persons, on an equal footing, of all rights and freedoms.<sup>9</sup> In other words, discrimination is the treatment of persons in analogous situations in a differentiated manner without any reasonable or objective ground.<sup>10</sup>

In international law, direct discrimination is defined as a form of discrimination, when an individual is treated differently from others in an analogous situation based on a particular personal, social, or other characteristic.<sup>11</sup> Indirect discrimination is a seemingly neutral provision, standard, or practice whereby unfavorable conditions are set for individuals from a specific group compared to others.<sup>12</sup> Another type of discrimination is associative discrimination – when, not having a protected characteristic, a person is associated with another person with such a characteristic, e.g. is their husband, mother, father etc., and is therefore subjected to discriminatory treatment.<sup>13</sup>

Discrimination is based on a personal characteristic, which is called the ground of discrimination. Neither the Constitution of the Republic of Armenia and domestic laws, nor most international treaties directly mention SOGI as a protected ground against discrimination. Nonetheless, the list of protected grounds in Armenia's domestic law

<sup>7</sup> RA Constitutions, amended in 2015, Article 29. <https://www.primeminister.am/en/constitution/>

<sup>8</sup> Articles 1 (3) and 55 of the UN Charter, Article 7 of UDHR. Article 2, 4 (1) and 26 of ICCPR, Article 2 of ICESCR, Article 2 of CRC, Article 14 of ECHR, Protocol No. 12 of the ECHR

<sup>9</sup> HRC, General Comment No. 18, § 7. <https://www.refworld.org/docid/453883fa8.html>

<sup>10</sup> ECtHR, judgment of 23 July 1968, Case of Certain Aspects of the laws on the Use of Languages in Education in Belgium. *Willis v. United Kingdom*, No. 36042/97, § 48, ECtHR 2002-IV, *Virabyan v. Armenia*, No. 40094/05, 02/01/2013.

<sup>11</sup> Non-Discrimination in International Law A Handbook for Practitioners, 2011 Edition, p. 17-18. <https://www.interights.org/handbook/index.html>

<sup>12</sup> Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin, (b) point of Article 2 (2). <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32000L0043>

<sup>13</sup> *Molla Sali v. Greece* [GC], 2018; *Guberina v. Croatia*, 2016, § 78; *Škorjanec v. Croatia*, 2017, § 55; *Weller v. Hungary*, 2009, § 37

is non-exhaustive, meaning that, other than the directly outlined characteristics, the legal acts do not preclude other circumstances of personal or social nature based on which a differentiated treatment may have occurred. This means that SOGI can and must be treated as personal and other social circumstances and must act as a protected ground on an equal footing as gender, race or disability. Human rights treaty bodies have repeatedly reaffirmed this assertion, stating that the SOGI fully fall under protected grounds.<sup>14</sup>

This being stated, the Republic of Armenia is obliged to respect a person's right to be free from discrimination. It should protect LGBT+ people from abuse committed by government officials, including government officers, police and investigators. Ensuring equality is not just about state bodies refraining from committing violations, the state must create an environment in which private individuals would not violate the rights of LGBT+ individuals on the grounds of their sexual orientation or gender identity. Moreover, such violations must be investigated in a due manner, and the perpetrators must be punished.

While a number of thematic legislative acts contain prohibition of discrimination,<sup>15</sup> Armenia still does not have a separate law on non-discrimination which would define the notion and types of discrimination and would set out an effective remedy for the protection of groups most vulnerable to discrimination. A law with an effective remedy mechanism, should primarily:

- include sexual orientation and gender identity in the grounds protected against discrimination given the large number and scope of human rights violations based on this ground,
- lay out a comprehensive list of types of discrimination,
- prescribe legal standing for non-governmental organizations to seek protection for their beneficiaries in courts,
- lay out a mechanism of establishing an equality body with vested with a clear-cut mandate, outside the scope of the Ombudsperson,
- prescribe remedy mechanisms against discrimination committed by private entities,
- set forth a differentiated approach in laying the burden of proof in trials of discrimination cases by obliging alleged perpetrators to prove lack of a discriminatory motive.

The draft Law on Ensuring Equality has been in development for many years but still does not meet international standards and remains incomplete, particularly with respect to the protection of LGBT+ rights. In 2024, attempts to advance discussions on the draft law were largely unsuccessful. Civil society has not had access to the latest opinion of the CoE on the draft, and any new proposals or discussion initiatives have gone unanswered. At the same time, it is known that the draft law is expected to be submitted to the Armenian National Assembly in early 2025. In the draft law, several key issues

<sup>14</sup> *Identoba and Others v. Georgia*, 2015, § 96; *Salgueiro da Silva Mouta v. Portugal*, 1999, § 28; *Fretté v. France*, 2002, § 32; *Vejdeland and Others v. Sweden*, 2012, § 55; Committee Against Torture, General Comment No.2: Implementation of Article 2 by State parties, § 21, 22. <https://www.ohchr.org/en/documents/general-comments-and-recommendations/catcg2-general-comment-no-2-2007-implementation>

<sup>15</sup> Study on whether a separate non-discrimination law is needed for the domestic legal system of Armenia, Vahe Grigoryan, Ara Ghazaryan. <https://epfarmenia.am/document/ls-it-expedient-to-adopt-separate-non-discrimination-law>

remain unresolved, including the absence of SOGI as protected characteristics against discrimination, the lack of legal standing for organizations to bring public interest litigation, the ineffective status and formation process of the equality body, among other concerns.

The human rights violations outlined in this report are intertwined with discrimination. In essence, the documented offenses occurred due to the victim's sexual orientation or gender identity.

The examples provided below categorize human rights violations by offense, all of which are linked to discrimination based on gender identity or sexual orientation.

# RIGHT TO BE FREE FROM TORTURE OR INHUMAN, DEGRADING TREATMENT

1. *No one can be subjected to torture, inhuman or degrading treatment or punishment.*
2. *Corporal punishments are prohibited.*
3. *Prisoners have the right to human treatment.*

*RA Constitution, Article 26, Part 1<sup>16</sup>*

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Torture is any act by which a state official or a person acting in an official capacity, or by their incitement and knowledge or tacit consent, intentionally inflicts severe pain or suffering, whether physical or mental, to gather information or a confession from a person or a third party related to a crime committed by that person or a third party, as well as intimidation or coercion of a person or a third party, or for any other reason based on discrimination of any kind. This characterization does not include pain or suffering arising from lawful sanctions, inseparable from those sanctions or derived from them inadvertently.<sup>17</sup> A person's freedom from torture and ill-treatment is an absolute right and cannot be subject to limitation.<sup>18</sup> If the ill-treatment is to fall within the scope of violation of the above-stated right, it must attain a minimum level of severity. It must consider the circumstances of the case, such as the nature of ill-treatment, the context within which it occurred, the duration of the treatment, its physical and mental effects, and, in some cases, the sex, age, and state of health of the victim.<sup>19</sup> It is essential to make a distinction between torture, inhuman treatment, and degrading treatment, wherein torture is qualified by the intention of the perpetrator and the intensity of suffering, i.e. it is the deliberate inhuman treatment that causes very serious and cruel suffering. Whereas ill-treatment is the treatment that causes the person to feel fear, threatened or in danger, and debasement,<sup>20</sup> harms the agency and reputation of the person, their human dignity and makes the person act against their will or conscience.<sup>21</sup> When causing physical or mental suffering has not attained a minimum severity or did not pursue an intention as defined by torture, then the act is inhuman treatment. In some cases, discrimination and threats based on sexual orientation or gender identity can be considered degrading treatment.<sup>22</sup> In these cases, it is not necessary to establish the intent on behalf of the state to recognize the violation of the right to be free from inhuman or degrading treatment.<sup>23</sup>

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<sup>16</sup> RA Constitutions, amended in 2015, Article 26. <https://www.primeminister.am/en/constitution/>

<sup>17</sup> Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Article 1. 1984.

<sup>18</sup> *Pretty v. The United Kingdom*, ECtHR judgment No. 2346/02, §4.

<sup>19</sup> *Price v. UK*, ECtHR judgment No. 33394/96, *Costello-Roberts v. UK* ECtHR judgment No. 13134/87, §30.

<sup>20</sup> *Aydin v. Turkey*, ECtHR judgment No. 23178/94.

<sup>21</sup> *East African Asians v. United Kingdom*, ECtHR judgment No 4715/70, 4783/71, 4827/71.

<sup>22</sup> *Smith and Grady v. United Kingdom*, ECtHR judgment No. 33985/96, 33986/96.

<sup>23</sup> *Pears v. Greece*, ECtHR judgment N 28524/95, as well as UN Special Rapporteur on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment 2001 Report, UN Doc No A/56/156, 2001.

### Case 1

In February 2024, in one of Armenia's cities, a gay individual met two men through the Grindr app with the intention of engaging in sexual relations. Upon arriving at the agreed location, the individual was met by one young man, who immediately struck him, took his phone, and called the others. Soon after, more people arrived, including someone the victim had previously been intimate with. The victim was then taken into one of the attackers' cars, where they drove him to a remote, dark area. Once there, they hit him again, pointed a weapon at him, and told him he needed to "correct himself". They then forcibly took his second mobile phone and accessed personal data, including the contact details of his relatives. They also took his passport from him. The attackers threatened that if he didn't pay them 1,000,000 AMD the next day, they would expose his sexual orientation to his family and friends. Having no way to pay the demanded amount, the victim began contemplating suicide, wrote farewell letters, and left them in different locations. However, the perpetrators found and took one of the letters, warning him not to commit suicide and instead proposed an alternative: paying them 30,000 AMD per month instead of a lump sum.

### Case 2

A gay man was targeted in his neighborhood by a group of local young men. They learnt about his sexual orientation and, using force, restrained his hands against his will, and took him to the basement of one of Yerevan's buildings, where they assaulted him, delivering blows to his face. Afterward, one of them forcibly took his mobile phone and accessed his photo gallery. Upon discovering intimate photos of the victim and his partner of a sexual nature, they shared these images within their group. Following this, the perpetrators threatened to make the photos public. They further distributed the victim's intimate photos among other young men in the neighborhood and demanded money from him. They threatened to take his phone or his car and demanded that he either provide them with money or give them 50% of his salary. However, the victim managed to escape from the basement and flee. He chose not to report the incident to the police, as the perpetrators are known as local crime figures, and he is convinced that they will not be held accountable.

### Case 3

At the age of 13, the individual informed their mother that they were attracted to people of the same sex, hoping for her support. However, the mother reacted with anger and attempted to take the child to various specialists in an effort to "correct" them. After a visit to a psychologist, everything they had shared was disclosed to their mother by the psychologist, while a neurologist promised to "cure" them. In April 2024, the person sought help from a social worker at the organization but did not report the situation to law enforcement authorities.

### Case 4

A lesbian girl was staying in a temporary care center, where she engaged in self-harm. Following this, she was transferred to a mental health facility, where she remained for 10

days. After being discharged, she was sent back to the temporary care center. However, newly admitted minors there refused to interact with her. One of the children at the center revealed that the director had informed all the children that she had come from a mental health facility and labeled her as “sick”. Additionally, the director disclosed her sexual orientation and forbade the other residents from interacting with her. In July 2024, the individual sought help from a social worker at Pink and also reported the situation to law enforcement authorities. As a result, she was relocated to another shelter.

#### Case 5

A man visited the premises of an NGO in one of Armenia’s regions to receive psychological support. During one of the counseling sessions, when he shared that he had experienced same-sex relationships but had since separated from his former partner, the psychologist told him that he was “on the right path,” that same-sex relationships were wrong, and that they could continue working on this issue together. The individual refused further services and sought help from a social worker but did not report the incident to law enforcement authorities.

#### Case 6

In November 2024, the organization learned through the friend of a boy that after revealing him being gay, his parents subjected him to violence - beating him, humiliating him, and confiscating all means of communication. The friend also reported that, at the time of reaching out, the individual was in one of the clinics in Nork Marash. Additionally, the friend stated that the boy had been forcibly taken to the clinic by his parents to “correct” him. He managed to secretly call his friend using the clinic psychologist’s phone number and informed him about the situation. During the conversation, he expressed feeling very unwell and urged his friend to help him as soon as possible. When the friend later called the individual’s father, pretending to be a former classmate to get information, the father simply stated that his son was in the hospital due to serious health issues. The friend, being a minor, refused to report the incident to the police.

### Sexual Violence

#### Case 7

A gay man fled Russia due to the war and the restrictive laws targeting LGBT+ people. In Armenia, he lived and worked in a regional city. Overworked from performing multiple roles, he eventually became exhausted. When he informed his employers that he wanted to take two days off to rest, they responded by firing him. After arriving in Yerevan, he met a man through Grindr to discuss the possibility of renting an apartment together and splitting the rent. However, during their meeting, the man secretly put a substance in his drink, which he unknowingly consumed. After that, he remembered nothing. When he regained consciousness, he discovered that his belongings had been stolen.

His underwear and pants were lowered, and there were signs of sexual violence on his body. The man did not report the incident to law enforcement authorities.

### Case 8

A woman participated in a program as a volunteer, which involved attending a gathering organized in one of the regional cities. To take part in the gathering, she went to the address of a house that had been assigned to her. There, she was subjected to sexual harassment. Following the incident, she repeatedly heard offensive remarks and sexually explicit comments in public. When she openly spoke about her diverse sexual orientation and attractions and shared her recent experience with the organizers, she was mocked and laughed at. In July 2024, she reached out to the organization's social worker but did not report the incident to law enforcement authorities.



This section presents cases that, while also involving domestic violence, extortion, or other forms of abuse, are deemed particularly severe based on the current analysis of known circumstances. These incidents have either already led to serious consequences or have the potential to escalate, further aggravating the nature of the offense.

For instance, in one case, an individual who was subjected to extortion attempted suicide. Notably, throughout 2024, there has been a significant increase in cases of extortion, a crime that has become increasingly common in the region due to the vulnerability of LGBT+ individuals. Perpetrators obtain information about a person's sexual orientation through various means and, knowing that the victim is likely willing to pay to prevent this information from being exposed, act with greater confidence and impunity. Moreover, victims often refrain from reporting to law enforcement authorities because the sensitive data held by the perpetrator could end up in the hands of the authorities, in whom they lack sufficient trust.

This section also includes cases of domestic violence where family members have attempted to "cure" or "correct" the victim through different specialists. Such interventions can cause severe psychological harm, preventing individuals from living in harmony with their identity. Professionals offering such services must be held accountable in these cases, as they exploit their professional status, engage in harmful practices, and profit from them. In Armenia, these services are provided not only by psychologists and psychiatrists but also by religious institutions.<sup>24</sup>

The lack of willingness among survivors of sexual violence to seek legal protection further reflects their distrust in the law enforcement system. Often, victims experience secondary victimization, while the perpetrators remain unpunished. Aware of this vulnerability, offenders act with even greater confidence, knowing that they are unlikely to face consequences. This climate of impunity reinforces cycles of violence, leaving survivors without justice or protection.

<sup>24</sup> Pink Human Rights Defender NGO, "Study on Conversion Practices and Therapies," 2019. <https://pinkarmenia.org/wp-content/uploads/2024/02/conversion-therapy.pdf>

To effectively tackle these issues, the state must address several systemic challenges:

- Authorities should thoroughly examine the scope of services provided by psychologists and psychiatrists. Necessary measures must be taken to halt harmful practices that cause serious damage to individuals and fall outside professional ethical standards.
- Law enforcement agencies must adopt a more sensitive and inclusive approach when dealing with crimes committed against LGBT+ individuals, whose vulnerabilities are often exploited by perpetrators.

# RESPECT FOR PRIVATE AND FAMILY LIFE

1. *Everyone shall have the right to inviolability of his or her private and family life, honor, and good reputation.*

2. *The right to inviolability of private and family life may be restricted only by law for state security, economic welfare of the country, preventing or disclosing crimes, protecting public order, health, and morals, or the basic rights and freedoms of others.*

*The RA Constitution, Article 31<sup>25</sup>*

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The right to private and family life defines the right of every person to recognition before the law, as well as the right to privacy.<sup>26</sup> It includes the duty of the state to recognize the person's accepted sex and gender identity<sup>27</sup> as a means of ensuring the exercise of the person's right to private life. "Private life" is a broad concept, which includes the physical and psychological integrity of the person. In some cases, it includes aspects of a person's physical or social identity. Circumstances, such as gender identity, name, sexual orientation, and sex life, fit in the context of protections of the right to privacy and family life.<sup>28</sup> A person's body is considered the most intimate component of their personal life.<sup>29</sup> The right to private and family life also provides for the right to the self-development of a person, the right to establish and develop relationships with other people, the right to the effective realization of personal relationships, and the right to have a safe environment in the given community.<sup>30</sup>

In a number of its judgments, the ECtHR has taken the position that state authorities bear a positive obligation in relation to the protection of the right to physical and mental integrity from assaults by private individuals under the Convention's Articles 2 or 3, in other cases, under Article 8 (separately or in conjunction with Article 3) to create and ensure an adequate framework of legal norms that enable protection of private individuals from violent acts.<sup>31</sup>

Despite the fact that internationally declared human rights are guaranteed by the Constitution, their effective operation is ensured by mechanisms provided in legislative acts. In Armenia, intentional physical injury to a person is a set of offences punishable under the Criminal Code.<sup>32</sup> Punishment is prescribed for offences of physical influence (injury) of various degrees of graveness and various types of injury. At the same time, it is necessary to distinguish harm, which is considered a violation of the right to private life, from such influence, which can be considered inhumane, degrading treatment, and up to torture. There is often a fine line between the violation of the right to private life

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25 RA Constitutions, amended in 2015, Article 31. <https://www.primeminister.am/en/constitution/>

26 International Covenant on Civil and Political Rights, 1966, Article 16.

27 Articles 16 and 17, HRC General Comment 16.

28 *Pretty v. The United Kingdom*, ECtHR judgment No. 2346/02, §49.

29 *Y.F. v. Turkey*, ECtHR judgment No. 24209/94.

30 *Connors v United Kingdom*, ECtHR judgment No. 66746/01.

31 ECtHR judgment *Osman v. the United Kingdom*, §§ 128-130; *Bevacqua and S. v. Bulgaria*, § 65; *Sandra Janković v. Croatia*, § 45; *A v. Croatia*, § 60; *Đorđević v. Croatia*, §§ 141-143; *Söderman v. Sweden [GC]*, § 80.

32 RA Criminal Code: Article 194, 195, as well as crimes against health.

<https://www.arlis.am/documentview.aspx?docid=153080>

and degrading treatment.

This subsection includes:

- cases of domestic violence,
- cases of physical violence by strangers,
- threats to life or health,
- cases of extortion,
- cases of dissemination of information about private life.

In many cases, of course, the actions can be present in parallel, when, for example, domestic violence followed the dissemination of information about a person's sexual orientation or gender identity, physical violence was combined with threats, etc.

## **Domestic Violence based on Sexual Orientation and Gender Identity**

### **Case 9**

The minor who identifies as lesbian has been subjected to domestic violence by her father and mother due to her sexual orientation. According to her, her parents have known about her sexual orientation since she was 13 years old, which led to ongoing physical abuse, threats, and beatings. In 2024, another violent incident occurred at home when her father started an argument over her sexual orientation and physically assaulted her, delivering multiple blows to different parts of her body. As a result, she left home. Upon learning that she had left and was staying with her girlfriend, her father and uncle threatened both her and her girlfriend via phone calls, saying that if she did not return home, they would kill them. However, the victim chose not to report the incident to the police, primarily because she is 15 years old and cannot legally authorize a lawyer to represent her or defend her rights. Additionally, she lacks trust in the police system.

### **Case 10**

A woman was subjected to psychological pressure by her parents because she is a lesbian. For about a month, her parents restricted her freedom of movement, often not allowing her to leave the house and threatening that if she did not change her sexual orientation, they would move her to a village and she would no longer be able to live in Yerevan. In January 2024, her parents once again prevented her from leaving the house and kept her locked inside. As a result, she contacted a social worker from the organization, who then alerted the police. Law enforcement officers arrived at her residence and filed a report stating that her parents should no longer restrict her freedom. However, after the incident, she left home and chose not to file a complaint against her parents, as she lacks trust in the police system.

### Case 11

In February 2024, in an apartment in Yerevan, the father of a lesbian woman started an argument regarding her sexual orientation. During the dispute, he punched her in the head and face, causing physical injuries, including bruises and hemorrhages around her eye. The individual managed to leave the house after the incident but chose not to report it to law enforcement authorities due to her lack of trust in the legal system.

### Case 12

In February 2024, a woman was subjected to domestic violence by her parents due to her hair color, homosexual sexual orientation, and clothing choices. Earlier, in late December 2023, a similar dispute occurred, during which her parents forced her to go to their village against her will and kept her confined in their house for two weeks. They only promised to return to Yerevan if she cut ties with her friends, changed her hair color, and complied with their demands. In February 2024, another argument broke out over the same issues related to hair color and being a lesbian, leading to physical violence. Her parents beat her, causing bodily injuries. Following the incident, the individual reported the case to the police, who applied an urgent intervention measure in the form of a warning against her parents. However, she chose not to file a formal complaint.

### Case 13

A minor girl contacted the organization and reported that in early June 2024, during the night, her father found out about her being a lesbian and started an argument with her. During the confrontation, he grabbed her by the neck with both hands and threatened to kill her. She managed to break free and escape from the house. She also revealed that since the age of 13, she had been regularly humiliated and physically abused by her father, who spat on her, beat her, and caused her to engage in self-harm by cutting her wrists. Her relatives and family members frequently questioned her sexual orientation. Her aunt once asked her: "Why are you hanging out with those lesbians? Are you one of them too?" On one occasion, her aunt and uncle saw her in a park where lesbian women were believed to gather, and they physically assaulted her. After her sexual orientation was revealed, her mother told her to leave the house, and that she didn't want to see her face. She was also subjected to violence from her mother after revealing her sexual orientation. Due to constant abuse and pressure, she repeatedly ran away from home. Previously, due to the abuse inflicted by her father, she had attempted suicide. Regarding the June 2024 incident, the head of the Malatia-Sebastia Police Juvenile Division issued a warning to her parents. However, only four days later, the police placed her in a childcare center. During her questioning at the Malatia-Sebastia Investigative Department, in the hallway after the interrogation, her father called her "trash" and in the presence of a police officer, her mother physically attacked her, hitting her and forcibly taking her phone. Additionally, after the incident, her parents denied her access to her prescribed psychiatric medication, causing a deterioration in her health. The Malatia-Sebastia Police Juvenile Division issued a warning to the perpetrators of domestic violence. However, regarding the official report submitted to the Malatia-Sebastia Investigative Department, the victim has not received any decision or update to this day.

### Case 14

In September 2024, a trans woman contacted the Lori regional police, reporting that she had been subjected to physical violence by her parents due to her gender identity. Her parents had discovered that she was a trans woman. In response, her father urged her to change her behavior and stop associating with LGBT+ friends. When she refused, her father began physically assaulting her, delivering multiple blows to different parts of her body. She managed to break free from her father's attacks and locked herself in her room. She then called the police for help. The police arrived at her residence and issued a warning to her parents as an official response to the incident.

### Case 15

In November 2023, at the initiative of her cousin, a lesbian woman had her phone confiscated by her parents. After reading her messages, they decided to send her to Russia to "correct" her sexual orientation. Before sending her to Russia, she was subjected to domestic violence - her mother physically assaulted her and repeatedly mocked her appearance, particularly her hair and clothing choices. During this time, her mother frequently told her: "This is just a deviation; you are only influenced by someone, that's why." "You have no right to live in this house. We will not tolerate you unless you change." However, as her sexual orientation "remained unchanged" in Russia, she was sent back to Armenia. After returning, she continued to suffer physical violence at home. Her DJ console was sold, and the money was withheld from her. Her mother told her: "I have only one child; from now on, you do not exist." "All lesbians should be eliminated." The woman did not report the abuse to law enforcement authorities. In January 2024, she sought support from a social worker at the organization.

### Case 16

A bisexual woman sought support from the organization's social worker in January 2024 after experiencing ongoing abuse from her mother. Her mother has repeatedly subjected her to physical and psychological violence and has threatened to kill her if she attempts to leave the house, saying: "If you try to leave, I will slit your throat until you choke, and I will get rid of your other deviant friends too." The mother also stated that she has warned all of her daughter's friends to inform her immediately if they see her with someone. Additionally, both her mother and sister frequently mocked her, ignored her, and refuse to respond when she speaks to them. The woman has not reported the abuse to law enforcement authorities.

### Case 17

After discovering their child is a lesbian, the parents subjected her to physical violence. They also cut up and burned her belongings. Additionally, her mother took and hid her passport. In the past, her parents had kept her locked up for extended periods. In January 2024, she sought support from the organization, reporting that she was in a state of extreme stress and feared that she would be locked up or beaten again. The woman did not report the abuse to law enforcement authorities.

### Case 18

A woman was threatened by a young man who claimed to know that she is a lesbian. He told her that if she did not marry him, he would inform her family. After rejecting him, the man sent photos of her and her girlfriend to her mother. When she returned home, her mother kicked her legs, knowing she had serious knee problems, and also pulled her hair. For two years, she also experienced domestic violence from her girlfriend. Every time she tried to break up, her girlfriend physically assaulted her. She was also subjected to sexual violence by her girlfriend. In January 2024, she sought help from the organization's social worker but did not report the abuse to law enforcement authorities.

### Case 19

The family members of a woman attempted to keep her locked up. Her sister discovered that she is a lesbian and, aiming to "cure" her, suggested taking her to a psychologist and a psychiatrist. Her family kept her locked inside for a month before deciding to relocate her to one of the regional cities. When she called the police, her family provided false information to the officers, accused her of being gay, and physically assaulted her. One of the policemen made an inappropriate comment, saying: "You're such a beautiful girl, how did you end up like this?" The police did not proceed with the complaint.

### Case 20

The sister and parents of a bisexual man took his phone and read his messages, including semi-nude photos exchanged with his ex-boyfriend. His father slapped him in the face and insulted him, while his mother and sister also hurled verbal abuse. His family is forcing him to marry a woman and continuously insults him, demanding that he meet and introduce women to them. He sought help from the organization's social worker but did not report the abuse to law enforcement authorities.

### Case 21

A woman's father had been abusing her mother for years, sometimes also physically harming the children. Since November 2023, he and her mother began suspecting her homosexual sexual orientation and started pressuring her. In February 2024, her aunt - who has positive attitude towards LGBT+ people, informed her parents that she was a lesbian. This led her father to physically assault her, hitting her head and legs. She had previously tried to escape from home, but her family brought her back, promising things would improve, only to beat her again. The last time they told her: "If you don't change, you should leave." In February 2024, she only reached out to the organization's social worker and did not report the abuse to the police.

### Case 22

A lesbian woman's mother and sister persuaded her to return home despite past arguments and violence, claiming they wanted to reconcile for New Year's. However, after her return, her mother maintained a tense atmosphere. During January, she did not leave the house, but her mother and sister separated her food and laundry. When she

asked why, her mother responded: "That's how it should be; your things shouldn't touch ours." She was also subjected to physical violence - her mother threw an object at her face. Later, when her aunt visited them, her mother grabbed her arms, and her aunt beat her. After this, she left home. In February 2024, she reached out to the organization's social worker but did not report the abuse to law enforcement authorities.

### Case 23

A lesbian woman sought help from the organization's social worker in February 2024. She had been subjected to abuse for years by her guardians due to her sexual orientation. She was regularly beaten and had frequently run away from home, spending nights in parks. However, due to a lack of financial resources, she eventually returned home, where the physical abuse continued. She did not report the abuse to law enforcement authorities.

### Case 24

After coming out, a lesbian woman was physically assaulted by her mother, while her father attacked her with a knife and repeatedly beat her. When she ran away from home, they convinced her to return, only to beat her again, forcing her to flee and sleep outside for three days. Due to lack of food and money, she returned home, where she was once again abused. Her mother burned her belongings. In February 2024, she sought help from a social worker at the organization but did not report the abuse to the police.

### Case 25

A gay man returned home, and upon seeing his piercing, his mother initiated another conversation about his sexual orientation. She threatened to tell his father, stating that when he returned home, he would kill him. In February 2024, he contacted a social worker at the organization but did not report the threat to law enforcement authorities.

### Case 26

In February 2024, a woman reached out to the organization's social worker. After her father and brother learned that she is a lesbian, they repeatedly hurled sexually explicit insults at her and verbally abused her. Since she had no alternative place to live, she was forced to stay with her parents, avoiding encounters with them within the household. However, her father continued to direct insults at her, ensuring that she could hear them. The woman did not report the incident to law enforcement authorities.

### Case 27

After her homosexual sexual orientation became known, a woman frequently argued with her mother, who physically assaulted her. On her 18th birthday, her mother called her and told her to collect her belongings, as she was no longer allowed to live in the house. As a result, she became homeless. In February 2024, she reached out to a social worker at the organization but did not report the case to law enforcement authorities.

### Case 28

A lesbian woman left home after someone informed her parents about her “other sexual orientation” in exchange for money. Following this, her mother and father subjected her to severe physical and psychological abuse. The woman stated that she had always experienced an abuse, but it became worse after the revealed information. Her mother hit her head and pulled her hair, while her father slapped her, leaving a bruise under her eye. Afterward, she left home, hoping to avoid further abuse. In March 2024, she sought help from the organization’s social worker but did not report the abuse to law enforcement authorities.

### Case 29

A lesbian woman’s brother, unaware of her sexual orientation, attempted to reconcile her with their mother and invited her to return home, claiming that their mother wanted to see her. Upon her return, after her brother left the house, her mother dragged her into a room, insulted her, and told her she would lock her up until she ‘corrected’ herself. She further stated that if she did not change, she did not want to see her in the house. In March 2024, the woman sought help from the organization’s social worker but did not report the incident to law enforcement authorities.

### Case 30

A trans woman experienced continuous physical and psychological violence after her family members learned about her gender identity, which was revealed by military enlistment office staff. Her father repeatedly insulted her and even offered people to have sex with her, allegedly to make her feel ashamed of her gender identity. In April 2024, she sought help from a social worker at the organization but did not report the abuse to law enforcement authorities.

### Case 31

A trans woman’s gender identity was exposed at school, leading to mockery and psychological abuse. School staff informed her mother about her gender identity, who subjected her to psychological violence at home, shouting at her and saying: “If you are like that, you shouldn’t live with us.” Fearing physical violence, she ran away from home, but her family members attempted to find her. She later returned home, but a few days later, under continued psychological pressure, they cut her hair against her will. She did not report the abuse to law enforcement authorities.

### Case 32

In April 2024, a lesbian woman sought help from a social worker. Since January, her father had repeatedly insulted her with sexually explicit slurs, criticizing her smoking, tattoos, and hairstyle. He grabbed her arm, squeezed it tightly until it bruised, and threw her out of the house. After seeing her tattoos, he threw a beer bottle at her and questioned her sexual orientation. She did not report the abuse to law enforcement authorities.

### Case 33

A lesbian woman's father, under the influence of alcohol, had repeatedly beaten her. After discovering her sexual orientation, the physical violence continued. Her father also tried to control her life, insulted her, and during family arguments in front of others, repeatedly humiliated and hit her. Unable to endure further abuse, she left home. In April 2024, she contacted a social worker at the organization but did not report the abuse to the police.

### Case 34

A queer person frequently had conflicts with their uncle due to appearance and gender expression. He repeatedly beat them, often arguing about coming home late. During one such argument, the mother and grandmother were present but could only attempt to intervene to prevent the uncle from hitting the person further. The uncle even attempted to strangle the person. In June 2024, the person sought help from a social worker but did not report the abuse to law enforcement authorities.

### Case 35

After a gay man came out, he had frequent arguments with family members, who insulted him over his sexual orientation. His aunt shouted at him and demanded that he leave the house, accusing him of being a "pedophile" and claiming she did not want him around her 10-year-old child. She justified this by saying, "Gay men are pedophiles." In June 2024, he sought help from a social worker at the organization but did not report the incident to law enforcement authorities.

### Case 36

A lesbian woman's mother frequently insulted LGBT+ people in her presence, often questioning whether she belonged to the LGBT+ community. She also threatened to kill her if she ever found out she was a lesbian. In June 2024, she contacted a social worker at the organization but did not report the threats to law enforcement authorities.

### Case 37

In July 2024, a lesbian woman sought help from a social worker after enduring continuous physical and psychological abuse from her mother for being gay. The day before seeking help, her mother forced her out of the house early in the morning. Her mother forbade her from seeing her girlfriend, saying: "She is promiscuous and a lesbian." Her mother repeatedly threatened and hit her, using the excuse that her acquaintances had seen her with other lesbians. She explicitly threatened to have her killed, saying: "If I find out about this again, I will tell someone influential to get rid of you." During one conversation, when she sat silently in a corner, emotionally exhausted from the constant arguments, her mother and sister accused her of using drugs. She did not report the abuse to law enforcement authorities.

### Case 38

Following the adoption of laws restricting LGBT+ rights in Russia, a gay individual relocated to Armenia with his partner. However, his partner repeatedly abused him, threatened him, and as a form of punishment, engaged in sexual activity with other people in his presence, saying that it will be a usual practice if he doesn't obey him. During their last argument, his ex-partner threatened to stab him. As a result, he left home and became homeless. He avoided reporting to the police, as his ex-partner was involved in a criminal case in Russia.

### Case 39

A lesbian woman's partner took her phone without permission, read her messages, and accused her of cheating. She then forcefully grabbed her wrists and refused to let go. During the struggle, she felt severe pain, and her wrists became bruised. She was unable to move as her partner threatened to take her phone and leave. Feeling fear and distress, she cried. After some time, her partner noticed her tears and let her go, but the bruises remained for a long time. She did not report the abuse to law enforcement authorities.

### Case 40

After a gay man's sexual orientation was revealed, his family physically assaulted him and insulted him. At the time, he was still a minor. He was forced to flee home, but his parents reported him missing to the police. Seeing his information on the police's website, he presented himself to the police station, where an officer shouted at him. At the station, officers said: "Your parents are suffering, but you're not a real man." and "You are not a good guy; you must give us your number." His parents arrived soon at the station, worsening the tension and emotional distress. Eventually, they decided to relinquish custody of him.

### Case 41

A gay man decided to come out to his mother about his sexual orientation. After learning about it, his mother doubted the truth of his words and, a few days later, suggested that he undergo conversion therapy to change his sexual orientation. She claimed to have read about its effectiveness and believed it could help "cure" him. He did not report the incident to law enforcement authorities.

### Case 42

The father of a gay man took his phone and saw his photos and messages. While the man was asleep, his father hit him, pushed and shook him. Both his mother and father gave him time, telling him that he needed to change. The man did not report the incident to law enforcement authorities.

### Case 43

As a result of constant pressure from her mother and brother, the woman took a large quantity of medication and was hospitalized due to poisoning. While at the hospital, her mother told her that if she did not stop being a lesbian, things would get even worse. After learning about his sister's sexual orientation, her brother went to her workplace and, in her presence, cut his veins, stating that his sister could not be a lesbian. The woman did not report the incident to law enforcement authorities.

### Case 44

After seeing a fiction book about same-sex relationships in his son's bookshelf, the minor boy's father beat him. One of the family members believed that being gay was a hormonal disorder. As a result, the parents took him to the school psychologist, who shared their discussions with the parents and told the boy that all homosexual people should be burned. The father also took his son's salary to prevent him from ordering books about homosexual individuals. The boy did not report the incident to law enforcement authorities.

### Case 45

A transgender girl, who is a minor, shared about her sexual orientation and gender identity with a psychologist. The psychologist disclosed everything to her father. As a result, her father beat her and later took her to a mental health center. Physical violence against her repeatedly occurs within the family, and she is also not allowed to wear the clothing of her choice. Her parents insist that it will pass with age. At school, she also experiences bullying due to her gender identity. The transgender girl did not report the incident to law enforcement authorities.



Despite the fact that domestic violence in Armenia affects not only LGBT+ individuals but also heterosexual women and children, the state has been slow and inconsistent in addressing the issue or implementing meaningful changes. The adoption of the Domestic Violence Law was a significant step in this direction. A particularly positive development in 2024 was the amendment to the law, which introduced the concept of a "partner". As a result, the law now provides protection for LGBT+ individuals who experience domestic violence at the hands of their partners. However, gaps remain in the Criminal Code. Specifically, the Criminal Code considers violence committed by a close relative as an aggravating factor, but partners are not included in this definition. This means that while a victim of violence by partner can seek protection under the Domestic Violence Law, the perpetrator's identity is not considered an aggravating factor in legal classification. Consequently, such cases are treated as ordinary offenses. Another key issue is the lack of trust in the law enforcement system. So far, none of the recorded victims have been willing to approach law enforcement authorities or disclose details about their personal lives. In the three cases where survivors reported violence by their parents, the police issued only warnings. It remains unclear how effective this measure is and to what extent it reduces the risk of repeated violence. Victims who seek help from law enforcement should have access to professional support, including,

when necessary, temporary housing. The state must allocate resources to ensure the effective implementation of these protective measures. However, given the shortage of resources, cooperation with and referral to civil society organizations becomes even more critical.

While legal reforms are necessary to address domestic violence, they are not sufficient on their own. The state should conduct awareness campaigns throughout society to condemn and prevent violence. Additionally, the state should offer support to adult survivors of domestic violence, helping them to escape abusive environments and achieve stability before they file formal complaints. For minors, the need for support must be assessed in schools and through cooperation with civil society organizations to ensure that minors affected by domestic violence do not remain without legal protection and professional assistance. By taking these steps, the state will demonstrate its commitment to supporting victims and ensuring their protection.

One of the documented cases also highlights police mistreatment of the victims, a common issue when individuals attempt to report abuse without legal representation. This is just one example of the broader systemic failure, which has led to widespread distrust in law enforcement and a climate of extreme impunity.

## Physical Violence

### Case 46

A U.S. citizen, a gay man residing in Yerevan, met a guy through the same-sex dating app Grindr at midnight in February 2024. Through the app, they arranged to meet in the city center. However, later, the man suggested meeting at his apartment instead. Thirty minutes later, he sent his location coordinates via the Grindr app, and the stranger responded, stating that he can come with a friend. About 30-40 minutes after that, they arrived at his residence and contacted the victim, informing him that they were outside and asking how to enter the building. The victim replied that he would come down to meet them and went outside. Upon meeting, they greeted each other, and in Armenian, the victim said, "Let's go." He then turned towards the entrance to lead them to his apartment. At that moment, he felt a sharp pain in his left arm. Turning back towards the two men, he saw that one of them was holding a knife and realized that he had been stabbed. After stabbing the victim, the attackers shouted loudly, hurling insults referencing his homosexual sexual orientation. They then fled the scene, abandoning their car in the courtyard. The attackers inflicted four stab wounds on the victim, which required surgery. The victim reported the incident to the police the same day, and a criminal case was initiated under charges of causing moderate bodily harm (Criminal Code, Article 167, Part 2, Points 7, 8, 15). The case is currently in the trial phase.



One key aspect of this case is that the victim is a citizen of the United States. Another significant aspect is that this is the only known case in which the perpetrators' motive of hatred has been considered an aggravating circumstance when classifying the act. Specifically, the attackers stabbed the victim based on his sexual orientation. These two

factors are likely interconnected. In practice, no citizen of the Republic of Armenia has previously received adequate legal protection in similar cases. Therefore, it is evident that the correct legal classification of this incident is directly linked to the victim's citizenship. This case also highlights that legal qualification of incidents by law enforcement bodies in Armenia is applied arbitrarily. However, when there is a willingness to act, the necessary professional capacity exists to investigate hate crimes and apply appropriate legal classifications.

## Psychological Coercion: Disclosure or Threat Related to Personal Life

### Case 47

In February 2024, a trans woman who is engaged in sex work arranged over the phone to provide sexual services to two men. At their request, she met them in person and introduced the services she offers. However, during the interaction, the men began mocking her. Realizing that she was being ridiculed due to her identity as a trans person, she attempted to leave the location. The men, however, did not allow her to leave, restricting her freedom of movement. They then grabbed her clothes and physically restrained her. She was only able to leave the hotel after calling the police and after officers arrived at the scene. According to the trans woman, when the patrol officers arrived, instead of detaining the perpetrators, they mocked her for being trans. The trans woman immediately reported the incident to the police. To date, there has been no update regarding the progress of the case.

### Case 48

In June 2024, a gay man filed a report with the Shirak Regional Police, stating that an acquaintance, identified as "Anyuta," gained unauthorized access to his computer. Without his knowledge or consent, this person accessed a private folder containing personal photos and videos related to their intimate life with their partner. Subsequently, "Anyuta" uploaded his intimate and nude photographs into social media platforms such as TikTok, Instagram, and Facebook, thereby publicly revealing the sexual orientation of both the complainant and his partner. As a result, the complainant's partner faced rejection from his family members, who, after seeing the images, rejected all kinds of contact with him. The complainant also suffered significant emotional and psychological distress. Additionally, "Anyuta" made sexually explicit derogatory remarks about the complainant and their partner on these platforms and further threatened to disclose their sexual orientation to their family members. These images and videos circulated widely online, reaching thousands of viewers, which led to the complainant experiencing severe psychological distress. Following the report, the Shirak Regional Investigative Department of the Investigative Committee of Armenia launched a criminal investigation under Article 204, Part 2 of the Armenian Criminal Code. The preliminary investigation is currently ongoing.

### Case 49

A gay man's semi-nude photos were taken from their Instagram account without consent and disseminated on the Telegram channel "xaytarak.am." Along with these images, the post publicly disclosed information about the person's sexual orientation and gender identity or expression. The Telegram post was accompanied by offensive and threatening statements. Due to a lack of trust in law enforcement authorities, the individual chose not to report the incident to the police.

## Extortion

### Case 50

A gay man met another man through the Grindr dating app, who invited him to meet in person. However, upon arrival, the man was accompanied by another individual who was armed with a gun. The two men began threatening the victim, using offensive and derogatory language, and demanded 600,000 AMD from him. They then seized the victim's phone, searched through his photos, and attempted to take out an online loan in his name. However, since the loan application required identification documents for verification, they were unable to complete the process. At the same time, they threatened to publicly disclose the victim's personal information unless he "corrected himself," implying that he should stop being gay.

### Case 51

A gay man used a taxi service and engaged in sexual activity with the driver inside the vehicle. As a result, the driver became aware of his place of residence and workplace. The taxi driver then proposed continuing their interactions under the condition that the individual "treat him well"—implying financial support. On one occasion, the individual gave the driver 50,000 AMD. A week later, the taxi driver demanded an additional 100,000 AMD, but the individual refused. In response, the driver threatened to disclose the person's sexual orientation to their workplace and family members. He also claimed to have a secret audio recording of their encounter in the car, which he would share unless he was paid. The individual chose not to report the incident.

### Case 52

A gay man got acquainted with a foreigner through the Grindr dating app for gay people. During a video call, the foreigner secretly recorded the conversation and later threatened to expose the individual's sexual orientation online unless they paid an amount equivalent to \$15,000 in Armenian drams. The individual kept screenshots of all communications containing the threats as evidence. but chose not to report the incident.

### Case 53

A gay man announced in a TikTok live stream that they were looking for people with cars to participate in a video recording. In early March 2024, later that evening, an offender contacted the man via the Telegram messaging app and arranged to meet for the video shoot. The offender then drove to one of the apartment buildings in Yerevan, where he met the person. Together, they headed to a hill in Yerevan for the filming. Upon arrival, the individual exited the car to shoot the video, leaving their mobile phone and two bank cards inside the vehicle. At that moment, the offender, drove away, openly seizing the victim's mobile phone, worth 50,000 AMD. The following evening, using Telegram, the offender attempted to blackmail the victim, threatening to share the personal data found on the stolen phone - including intimate recordings of the victim's sexual activities - with their family members and other acquaintances. The blackmailer demanded that the victim hand over another mobile phone worth 480,000 AMD in exchange for not disclosing the private materials. The victim refused to comply and reported the incident to the police. A criminal case was opened. However, the victim later withdrew from legal proceedings and reconciled with the offender, opting out of further legal support.

### Case 54

A transgender woman and her girlfriend earned money through sex work. Later, one of their clients began threatening them and demanding money. He warned that if they refused, he would disclose their address. The transgender women reported the threats to the police, but the officers responded by saying, "If someone comes and knocks on your door, then call the police." Eventually, when the perpetrator did not receive the money, he carried out his threat and shared their address.

## Other Cases of Violation of the Right to Respect for Private Life

### Case 55

A gay man was at a café in Gyumri when the café's manager addressed one of the employees, saying, "You're the one who brought him here." The manager then openly disclosed the individual's sexual orientation in front of everyone present. Shouting at the individual, the manager said, "I better not see this one here again, or I'll beat him up with my feet," and proceeded to hurl sexually explicit insults at him. Following this verbal assault, the individual left the café. As a result of the incident, the Shirak Regional Investigative Department of Armenia's Investigative Committee initiated a criminal investigation under Article 194, Part 1 of the Armenian Criminal Code. The case is currently in the preliminary investigation stage.

### Case 56

A gay man rented an apartment and signed a rental agreement with the landlord, though the contract was not notarized. After moving in, he decorated the refrigerator

with gifted and bought souvenir magnets, including a replica of Michelangelo's David statue that he had brought from Rome. Two other tenants, who were also renting the apartment, noticed the David magnet and asked him to remove it, claiming that the presence of a nude male statue made them uncomfortable. They also assumed that because he had chosen to display a statue of a male figure, he must be gay, and they reported their assumption to the real estate broker, who agreed with their concerns. A few days later, the broker called the tenant and asked him to vacate the apartment, citing the landlord's supposed need to house visiting relatives from Europe. When the tenant reminded the broker that he had a signed rental agreement and could not be evicted arbitrarily, the broker responded, "Well, what kind of magnet did you put on the fridge? Do you even know what country you're living in?" At that moment, the tenant realized that the eviction request was not due to the arrival of the landlord's relatives from Europe but rather because of his sexual orientation. Despite recognizing the discrimination, he chose not to pursue legal action to defend his rights.

### Case 57

A gay man has been subjected to persistent discrimination and ridicule from fellow villagers due to his sexual orientation. He has worked as a shoemaker for many years, earning a living with the support of his mother. After his mother's passing, the discrimination worsened. When he leaves his house, he is frequently subjected to verbal abuse. Additionally, villagers have stopped bringing their shoes to him for repair, effectively cutting off his source of income. The individual fears that this social exclusion and hostility may also affect his son. In July 2024, he sought help from a social worker at the organization but did not report the situation to law enforcement authorities.

### Case 58

In February 2024, a gay man met another man through the Grindr dating app who later suggested continuing their conversation on the Telegram messaging app. After several meetings, in mid-February, the offender invited the victim to meet again late in the evening. They met near a restaurant in Yerevan, after which the offender drove them to an intersection in the city. Parking nearby, they engaged in sexual activity inside the vehicle. Following this, the offender tricked the victim into stepping out of the car under the pretext of closing the trunk. As soon as the victim exited, the offender sped off, stealing the victim's belongings, which included a mobile phone worth 475,000 AMD, earphones, a charger, 5,000 AMD in cash. The total loss amounted to 480,000 AMD. The victim reported the incident to the police, and a criminal case was opened. However, after some time, the victim withdrew from legal proceedings and reconciled with the offender, choosing not to pursue legal assistance further.



The right to respect for private life encompasses a broad range of protections, as it aims to safeguard an individual's physical and mental stability, personal integrity, and sense of harmony. In cases where an act does not reach the threshold of inhuman treatment or does not meet the criteria for degrading conduct, it still falls under the protection of the right to private and family life. It is important to note that the cases described here are presented in a summarized manner, and a more detailed examination of their

circumstances and consequences could influence their legal classification.

A key concern remains the heightened vulnerability of victims, which emboldens perpetrators. This is primarily due to two factors: the fact that victims often hesitate to report incidents to law enforcement, fearing that doing so would expose their sexual orientation, and the ineffective handling of such cases by law enforcement, which further reassures offenders that they will not face consequences for their actions.

However, in contrast to previous years, no reported incidents of physical violence by strangers in public spaces have been recorded this year.

# RIGHT TO EDUCATION

1. Everyone shall have the right to education. The programs and duration of compulsory education shall be prescribed by law. Secondary education within state educational institutions shall be free of charge.

2. in the cases and under the procedure prescribed by law, everyone shall have the right to receive free education on a competitive basis within state higher and other vocational education institutions.

RA Constitution, Article 38<sup>33</sup>

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Society serves as the foundation of the state; however, it is not a homogeneous mass. Rather, it comprises individuals who, within their capacities and identities, influence social life and development in diverse ways. The key to societal progress lies in the education of individuals. At the same time, education empowers individuals to actively participate in public life, creating social and economic conditions conducive to a flourishing existence. In this respect, the state bears a positive obligation to raise public consciousness, ensure society's continuous development by enabling conditions for the exercise of the right to education. The RA Constitution stipulates that everyone shall have the right to education. At the same time, nobody shall be denied the right to education.<sup>34</sup> The right to education includes not only secondary education,<sup>35</sup> but also education at higher institutions.<sup>36</sup> By entrusting higher education institutions with a self-governance authority,<sup>37</sup> and by predicting the possibility that some learners will be dismissed, the state stipulates that dismissal of students shall be conducted in accordance with the internal procedures and rules of the institution.<sup>38</sup> This regulation is an additional safeguard to the protection of the right to education in higher institutions.

## Case 59

A lesbian girl faced problems in both college and the orphanage due to her sexual orientation, which ultimately led to her leaving the youth center. She was subjected to persistent pressure and bullying, with people openly calling her a lesbian and avoiding socializing with her, claiming they did not want to be seen with someone of a different sexual orientation. The bullying continued in college, forcing her to transfer to a different institution. However, in an effort to escape further harassment, she eventually stopped attending college altogether. The ongoing pressure and mistreatment led her to repeatedly attempt to escape from the youth center, and in February 2024, she officially left after her mother signed a release form. As a result of these experiences, she was

33 RA Constitutions, amended in 2015, Article 33. <https://www.primeminister.am/en/constitution/>

34 Convention on Human Rights and Fundamental Liberties, Amended Protocol 11, Article 2.

<https://www.arlis.am/DocumentView.aspx?DocID=20870>

35 Bahri Sulak v. Turkey, ECtHR judgment No. 24515/94.

36 ECtHR judgment, Leyla Şahin v. Turkey [GC], § 141; Mürsel Eren v. Turkey, § 41.

37 RA Constitutions, amended in 2015, Article 38, part 3. <https://www.primeminister.am/en/constitution/>

38 RA Law "On Higher and Postgraduate Professional Education", Article 17, Part 6.

<https://www.arlis.am/documentview.aspx?docid=103999>

forced out of the education system. In April 2024, she sought help from a social worker at the organization but did not report the incidents to law enforcement.

### Case 60

A gay boy endured ten years of bullying at school due to his perceived sexual orientation. Throughout this time, he never informed anyone about the abuse, often out of fear that speaking up would lead to further beatings and insults. To avoid school, he pretended to be sick so that his mother would not send him to school. However, when he did attend, classmates physically assaulted and verbally harassed him. In an attempt to escape the bullying, he transferred schools multiple times, changing schools ten times in total. Yet, after just a few months in each new school, the bullying would resume. In July 2024, the individual sought help from the organization but did not report the incidents to law enforcement authorities.

### Case 61

A boy who is a minor and lives in one of Armenia's regions transferred to a high school after facing continuous violence in their previous school, where him being gay had become known. Starting from September 1, in the new school, classmates began verbally abusing him, subjecting him to bullying, physical harassment, and violence. It was later revealed that former classmates had spread information about the individual's sexual orientation, leading to renewed mistreatment in the new environment. The individual has not reported the incidents to law enforcement authorities.



Education is the cornerstone of a developing society. Regardless of the reason why an individual is deprived of the right to equal educational opportunities, such deprivation harms the formation and progress of a healthy society. At the same time, such situations reflect the attitude of the ruling political forces toward society and the state, as they bear the responsibility for public education. Recognizing and emphasizing the role of equal educational opportunities in societal and state development, governing political entities must invest efforts and resources to ensure the highest possible quality, safety, and equality in educational conditions. As mentioned, the state has obligations to guarantee the effective realization of human rights. Additionally, it is specifically responsible for providing special protection for children, ensuring equal opportunities for their development. Any form of discriminatory or stigmatizing treatment of students in public schools is a dangerous phenomenon. It can directly push students out of the education system, leading them toward a life where they are rejected by society and deprived of opportunities for socialization, participation in public life, and access to a normal and prosperous existence. In a societal environment like Armenia, labeling, targeting, and isolating individuals is inevitable when their sexual orientation or gender identity is disclosed in a context where they lack an established social standing and economic stability. When it comes to public educational institutions, and the victims are minors who do not yet have an independent socio-economic status or stability, their exclusion from societal life and opportunities becomes unavoidable.

Unlike higher education institutions, public schools fall under not only the responsibility

of the state but also its direct control and oversight. Given the significance of this sector, teachers and school administrators must be trained not only to enhance their professional competencies but also to develop their ability to foster diversity, tolerance, and equality among students. Teachers must also have the necessary skills and knowledge to identify bullying and mistreatment among students and the appropriate tools to intervene and resolve such issues. Every student should feel psychologically safe in school, allowing them to focus on their education and personal development. Furthermore, the state has a duty to educate children from an early age about human diversity and differences, including sexuality, in order to prevent future discrimination and mistreatment based on these differences. This includes comprehensive sex education - both for LGBT+ students, who need to understand their sexual orientation and gender identity to develop a healthy sense of self, and for other students, so they can learn to accept peers with different sexual orientations or gender identities without resorting to violence, pressure, or mockery. Only under these conditions can an informed and harmonious society be built.

However, as the recorded cases demonstrate, teachers not only fail to provide sexual education and a culture of respect among students, but, on the contrary, often contribute to the isolation and oppression of LGBT+ individuals. This constitutes a violation of human rights by the state, as public institutions are directly infringing on children's rights. Thus, by failing to protect children from inhuman and degrading treatment, the state has also violated their right to education. This can lead to the marginalization, exclusion, and isolation of a particular segment of society, while simultaneously fostering intolerance and hostility between different social groups. Given that schools are the very institutions where individuals develop as members of society and citizens, the lack of proper education and socialization naturally contributes to a cycle of violence and legal violations. In other words, the state of primary and secondary education institutions directly explains the persistence of discrimination and hate crimes in society.

One major reason why students do not report these issues to law enforcement is that doing so would require them to disclose their sexual orientation, which would inevitably become known to their parents. This, in turn, could expose them to an even more severe risk - domestic violence.

Although students rarely have direct access to civil society organizations, and the data we have gathered represent only a small fraction of the overall situation, it is deeply concerning that such cases continue to occur every year. Even more troubling is the fact that this information has been communicated to state authorities, including the highest levels of government, yet no effective measures have been taken to change the situation.

# RIGHT TO WORK

1. *Everyone shall have the right to free choice of employment.*
2. *Every worker shall have the right to protection against unjustified dismissal from work. The grounds for dismissal from work shall be prescribed by law.*

*RA Constitution, Article 57<sup>39</sup>*

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According to RA Constitution, everyone has the right to freely choose their employment and is entitled to protection against unjustified dismissal. This regulation implies that individuals have the freedom to select their preferred profession and engage in the work of their choice. The relationship between an employer and an employee is based on the principle of stability. Therefore, if an employee is dismissed without a valid reason, they have the right to defend their rights through legal proceedings. As a guarantee of stability in labor relations, the state does not leave the grounds for dismissal to the discretion of the parties, in order to prevent arbitrary decisions. Instead, these grounds are specifically regulated by the Labor Code of the Republic of Armenia.<sup>40</sup> LGBT+ individuals face discrimination in various aspects of life. The differentiated treatment and prejudices they encounter not only harm their psychological well-being but also affect their social security. In particular, discrimination in labor relations significantly impacts their quality of life. A person may lose their means of livelihood not due to a lack of professional qualifications or job performance issues but simply because of a personal characteristic. Below are some documented examples from 2024.

## Case 62

A trans man fled persecution in Russia and relocated to Armenia, where he holds asylum-seeker status. Despite multiple attempts to find employment, he has faced repeated obstacles. On several occasions, employers initially agreed to hire him, but upon presenting his passport - where the gender marker did not align with his outward appearance, they refused to offer him the job without providing any explanation.

## Case 63

A man applied for a manager position at a café in Yerevan. After an interview with the café's director, he was offered a temporary trial period, with the understanding that if he performed well, he would be given a permanent position. The same day, he began his trial shift. However, after learning that he is gay, the café's management decided to terminate his trial period because of that. The director informed him that within just a few hours, acquaintances had called to warn them about the person they had hired, claiming that intimate videos of him were circulating on social media. Furthermore, the director stated that, as a gay man, he could not work as a manager interacting with

<sup>39</sup> RA Constitutions, amended in 2015, Article 57. <https://www.primeminister.am/en/constitution/>

<sup>40</sup> The Labor Code of the Republic of Armenia, Articles 109-114. <https://www.arlis.am/documentview.aspx?docid=146722>

customers, as his sexual orientation might become known and negatively affect the café's good reputation.

#### Case 64

A gay man was dismissed from his previous job with the justification that he exhibited feminine behavior. At his most recent workplace, the manager called him in and stated that he had dyed his hair without considering what customers might think, then fired him. The man did not report the incident to law enforcement authorities.

#### Case 65

At his workplace, colleagues found out that a minor boy was gay. After learning about it, they discussed among themselves how to handle the situation. As a result, the director informed the boy that they were aware of his sexual orientation and, to avoid any issues, suggested that he submit a resignation letter and leave, as he would have problems with customers. The boy did not report the incident to law enforcement authorities.



LGBT+ individuals whose right to work has been violated due to their SOGI often refrain from taking legal action, primarily because they lack concrete evidence to prove the reasons behind their dismissal. Additionally, Armenian legislation does not include comprehensive anti-discrimination laws or specific procedural regulations for handling discrimination cases in court. As a result, the burden of proof falls entirely on the victim.

This means that individuals whose sexual orientation is revealed in any circumstance are left vulnerable to social and economic insecurity, with no legal mechanisms to protect their rights or ensure dignified living conditions.

In previous years, cases of individuals being denied employment or dismissed from their jobs due to their SOGI have also been recorded. However, these documented cases certainly do not reflect the full extent of discrimination in the labor sector. One reason for this is that people may not always be aware of the real cause behind their dismissal and may lack the necessary knowledge to recognize discrimination when it occurs. Another factor, as previously mentioned, is the absence of effective mechanisms for investigating discrimination cases. As a result, many individuals do not even consider informing CSOs about such incidents, as they have no expectation of redress.

Ultimately, if an individual lacks sufficient social standing and economic security, they cannot afford to openly express their identity. At any moment and in all aspects of public life, they risk facing stigma, discrimination, and exclusion, leaving them without opportunities for a stable job and a decent life. This, in turn, leads to housing insecurity and other social hardships.

# CONCLUSION

The state regularly presents data on legislative changes and the training of law enforcement bodies across various platforms. The government continues its efforts to draft an anti-discrimination law.

At the same time, it is a fact that the Criminal Code, which came into force in July 2022, has been in effect for two and a half years, yet during this period, hate-motivated crimes against LGBT+ individuals have not been properly classified or investigated. Despite the state's commitments to international bodies to effectively investigate hate crimes and hate speech based on SOGI, no tangible progress has been observed in this direction.

The data presented above indicate that the situation of LGBT+ individuals in Armenia did not improve in 2024. On the contrary, an even greater number of human rights violations were recorded. Another negative trend is the decreasing number of victims willing to seek help from law enforcement, as well as the reduced number of cases being officially processed. This demonstrates that trust in the legal system has not improved among victims. The only exception is a stabbing case in which the victim was a U.S. citizen, and the incident received attention from the U.S. Embassy.

It can be concluded that the measures taken by the state are still insufficient to comprehensively address hate crimes. Such cases should receive special attention, and the Prosecutor's Office, which oversees criminal investigations, should place particular emphasis on identifying hate motives in these offenses. In this regard, systematic documentation and data collection in a standardized format are crucial. Proper statistical tracking would allow for better monitoring of the situation and evaluation of the effectiveness of state policies in combating hate crimes.

Although the majority of recorded cases involve domestic violence, it is evident that many more instances of discrimination go unreported to organizations. This is primarily due to victims' lack of trust in the legal system, as they have no expectation of a meaningful outcome.

A persistent issue remains the identification of discrimination cases and the lack of effective legal protection mechanisms, particularly in the absence of a comprehensive anti-discrimination law. The provision on the prohibition of discrimination in the new Criminal Code is essentially ineffective, as no other legal framework defines discrimination, its types, investigation procedures, or the jurisdiction of authorities handling such cases. Without a structured legal foundation, this provision remains largely symbolic and unenforceable.

The Ministry of Justice is still in the process of drafting the "Law on Ensuring Equality", which has yet to yield any tangible results in creating a protection mechanism for LGBT+ individuals. In particular, the draft does not include SOGI as protected characteristics against discrimination. Additionally, it fails to grant CSOs the right to file lawsuits in the public interest, which is crucial in cases of indirect discrimination. Furthermore, the procedures and criteria for establishing an equality body do not ensure diversity among its members, making it ineffective in addressing discrimination comprehensively. These shortcomings are particularly concerning, given that LGBT+ individuals are among the primary groups targeted by discrimination in Armenia.

Thus, state institutions have failed to create an environment where individuals, regardless of their personal characteristics, can access equal legal protection mechanisms and feel safe. Instead, those who intend to commit punishable offenses feel emboldened, as the prevailing climate of impunity justifies their actions. As a result, whether or not victims seek legal remedies is irrelevant - the state has failed in its duty to create a safe environment for LGBT+ individuals. For years, it has ignored their rights, remained inactive, and taken no meaningful steps to gain public trust or be perceived as an effective protector of equality and justice.





*1. Everyone shall have the right to freely express their opinion. This right shall include freedom to hold one's own opinion, as well as to seek, receive and disseminate information and ideas through any media, without the interference of state or local self-government bodies and regardless of state frontiers.*

*3. Freedom of expression of opinion may be restricted only by law, for the purpose of state security, protecting public order, health and morals or the honour and good reputation of others and other basic rights and freedoms thereof.*

*RA Constitution, Article 42<sup>41</sup>*

*The use of basic rights and freedoms for the purpose of violent overthrow of the constitutional order, incitement of national, racial or religious hatred or propaganda of violence or war shall be prohibited.*

*RA Constitution, Article 77<sup>42</sup>*

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As one of the pillars of democratic society, freedom of speech encompasses almost any form and content of expression, including the right of people to freely express their gender identity in various forms, including as ideas, opinions and information about their own identity. At the same time, freedom of speech is the right of every individual to express their position on various issues and matters of public interest.

Freedom of speech is not an absolute right and is subject to certain restrictions.<sup>43</sup> This right includes freedom to express ideas and opinions, while it also entails a duty to refrain from expressions that are an insult to others and violate their rights.<sup>44</sup> Freedom of expression does not presuppose freedom of hate speech.<sup>45</sup>

## Regulations on Hate Speech

There is no single universal definition of hate speech around the world, however, in practice, international treaty bodies do provide provisional interpretations.

All forms of expression that promote, incite, encourage, or justify racial hatred, xenophobia, anti-Semitism, or other forms of hatred that are based on intolerance, including intolerance and hatred expressed by extreme nationalism, ethnocentrism, discrimination and hostility against minorities, immigrants, persons of migrant origin, count as hate speech.<sup>46</sup>

Article 19 (2) of the UN Covenant on Civil and Political Rights recognizes freedom of expression, affirming, "Everyone shall have the right to freedom of expression; this right

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41 RA Constitutions, amended in 2015, Article 42. <https://www.primeminister.am/en/constitution/>

42 RA Constitutions, amended in 2015, Article 77. <https://www.primeminister.am/en/constitution/>

43 UN Human Rights Committee, General Comment No. 34

<https://www2.ohchr.org/english/bodies/hrc/docs/gc34.pdf>

44 *Erbakan v Turkey*, ECtHR judgment No. 59405/00.

45 UN Human Rights Committee, General Comment No. 11

46 Recommendation No. R (97) 20 of the Committee of Ministers to Member States on "Hate Speech", 1997. <https://bit.ly/2wa4QoE>

shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of their choice."<sup>47</sup>

Limitations to freedom of expression under Article 19 Part 3 of the Covenant may apply, if the following conditions are met:

- a) are provided by law and are necessary,*
- b) are aimed at respecting the rights and reputation of others, protection of national security, public order, public health, or morals,*
- c) are strictly necessary in order to protect these interests in a democratic society. The mere existence of one or two conditions is not sufficient to prescribe the legality of the restriction.*

Article 20 (2) of the Covenant states, "Any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law".

Hate speech is expressed by not only calls or justification and advocacy for violence and discrimination but also with an insulting, demeaning, hostile attitude, instilment of intolerance towards certain groups. On the one hand, it can lead to hate crimes against groups or individuals; on the other hand, it can violate the psychological integrity of individuals with certain characteristics, causing mental suffering or strain.

Persons are held accountable for hate speech once the threshold of its graveness is established. The following factors are examined to assess the graveness of hate speech:<sup>48</sup>

- *the context in which it is expressed. This also includes the political situation, in which the speech may sound more acute or may receive less attention.*
- *the identity of the speaker, e.g. status and influence over their audience.*
- *the intent: whether the speech was expressed with an intent to achieve a specific effect, or negligently. The intent is one of the inalienable parts of hate speech, prohibited by Article 20(2) of the UN International Covenant on Civil and Political Rights, as it is against attitudes that constitute hatred, discrimination.*
- *content: the degree to which the speech was influential and harmful.*
- *extent of the expression, such as the reach of the speech act, its public nature, its magnitude and size of its audience.*
- *imminence, including its riskiness. Hate speech should be restrained from further action if it is tangible and poses an identifiable risk of discriminatory, hostile, or violent consequences.*

These criteria are derived from the Rabat Plan of Action on the prohibition of advocacy of national, racial or religious hatred that constitutes incitement to hostility, discrimination or violence. The plan provides recommendations for states to assess and counteract hate speech, proposing the six-step test mentioned above to determine if hate speech

47 UN International Covenant on Civil and Political Rights, 1966, Article 19(2). <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights>

48 Report of the United Nations High Commissioner for Human Rights on the Expert Workshops on the Prohibition of Incitement to National, Racial or Religious Hatred, 2013. [https://www.ohchr.org/Documents/Issues/Opinion/SeminarRabat/Rabat\\_draft\\_outcome.pdf](https://www.ohchr.org/Documents/Issues/Opinion/SeminarRabat/Rabat_draft_outcome.pdf)

should result in criminal liability.<sup>49</sup>

The analysis of these circumstances will suggest the degree of punishment for hate speech. In a society with 95% negative attitude towards LGBT persons,<sup>50</sup> even the most seemingly harmless expression of hatred can deepen the polarization within the society and lead to violation of rights. In those events when a state official conducts the speech act, the degree of its imminence is higher not only in view of the reputation enjoyed by the official but also in view of establishment of an environment of impunity. The Armenian experience once again highlights that hate speech against LGBT people is frequently employed by officials and politicians, yet it rarely results in any accountability.<sup>51</sup>

Negligent acts of hate speech should be publicly cried out and, in some cases, even be prosecuted, but not necessarily under criminal law. Such expressions may be condemned by public officials, and disciplinary action may be taken against both public officials and members of a professional community as a violation of professional ethics. For the analysis of the content of the speech, it is especially important to assess the effects, as they can keep a certain group of people under fear, mental strain, and a feeling of constant threat. It is also important to assess the reach of hate speech in the society, in other words, to assess where it was produced and by what kind of means it was spread, and most notably, whether or not it was widely disseminated by mass media. Dissemination of such speech acts by mainstream media should be brought to the attention of judicial bodies. Finally, hate speech must be real and explicit, meaning that the expressions used must either contain clear hostility, insults based on specific characteristics, or calls for violence and discrimination, or be reasonably perceived as such. Ambiguous interpretation reduces the perceived level of danger.

## Domestic Regulations

According to the amendment of the Criminal Code in April 2020, criminal liability was prescribed for public calls for violence, public justification and advocacy of such violence, as well as for dissemination of any material or object for that effect against individuals or groups on the grounds of their racial, ethnic, national or social background, political and other views or other circumstances of personal or social nature.<sup>52</sup> In other words, the legislation in the Republic of Armenia establishes criminal responsibility for the graver expression of hate speech, which are public calls for violence or justification of such calls.

Although this regulation has existed for nearly four years, it has not been effectively applied in cases of severe manifestations of hate speech against LGBT+ individuals, particularly public calls for violence based on their sexual orientation or gender identity. Criminal cases have not been initiated based on reports of such offenses, mainly with

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49 The Rabat Plan of Action. [https://www.ohchr.org/Documents/Issues/Opinion/SeminarRabat/Rabat\\_draft\\_outcome.pdf](https://www.ohchr.org/Documents/Issues/Opinion/SeminarRabat/Rabat_draft_outcome.pdf)

50 From Prejudice to Equality, Study of Societal Attitudes Towards LGBTI People in Armenia, Pink Human Rights Defender NGO, 2016. <https://www.pinkarmenia.org/wp-content/uploads/2016/06/From-Prejudice-to-Equality-Armenian.pdf>

51 Hate speech displayed by state officials towards LGBT people in Armenia. [https://pinkarmenia.org/wp-content/uploads/2019/05/hatespeech\\_en.pdf](https://pinkarmenia.org/wp-content/uploads/2019/05/hatespeech_en.pdf)

52 RA Criminal Code, Article 330. <https://www.arlis.am/documentview.aspx?docid=153080>

the justification that the alleged offender was exercising their freedom of expression or that their statements did not pose a real threat and were made under the influence of the moment. It is important to note that the criminal offense of public calls for violence is a formal offense, meaning that criminal liability applies regardless of any resulting consequences. As described in the previous section, in cases of hate speech, it is irrelevant whether the speech directly led to violence or not. Hostile and offensive expressions, as well as calls for discrimination or violence, constitute an interference with an individual's right to private life. Additionally, they infringe on the rights of every member of the targeted community - even if the speech is directed at a single person, it still harms others who share the same characteristic. Ultimately, such speech negatively impacts society as a whole.

Article 329 of the new Criminal Code enacted in 2022 prescribes liability for inciting or advocating, via speech as well as dissemination of materials or objects for that effect, of hatred, discrimination, intolerance or hostility against an individual or group of persons on the grounds of racial, national, ethnic or social background, political or other opinions or other circumstances of personal and social nature.<sup>53</sup>

Although the European Court of Human Rights, in its judgment in the case of *Oganezova v. Armenia*, published on May 17, 2022, addressed both the gaps in legislative regulations and their ineffective application in practice, no measures have yet been taken to fulfill the obligations imposed on Armenia by the ECtHR judgment. ECtHR has explicitly stated that hate speech regulations must explicitly include sexual orientation and gender identity as protected characteristics to be considered an effective legal protection mechanism for LGBT+ individuals. However, in Armenia, not only has the issue of amending legislation to include these protections never been discussed, but the state continues to show inaction in providing an adequate legal response to calls for violence against LGBT+ individuals. This situation once again demonstrates that the current criminal law provision, which establishes liability for calls for or justification of violence, is ineffective. The law fails to explicitly mention sexual orientation and gender identity among the protected characteristics, instead only referring to "other personal or social characteristics." As a result, this provision cannot be considered an effective legal tool for protecting LGBT+ individuals.

## **The Exploitation of LGBT+ Issues and Hate Speech in 2024**

*The examples of hate speech cited in this section are translated and presented verbatim, with only the letters used changed, taking into account the fact that the language of the report is Armenian, and the comments are often written in Latin or Cyrillic letters.*

Throughout 2024, the exploitation of the LGBT+ community for political purposes continued, with both opposition political figures and members of the ruling political party using the issue to serve their agendas.

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<sup>53</sup> RA Criminal Code, Article 330. <https://www.arlis.am/documentview.aspx?docid=153080>

## The Constitutional Amendment Matter

Discussions regarding constitutional amendments emerged within certain circles in 2024. Although the issue was raised in a completely different context and had no connection whatsoever to LGBT+ rights or even to human rights in general, some groups deliberately introduced the topic of same-sex marriage into the public discourse. It is evident that the goal was to generate public dissatisfaction and negative sentiment toward the constitutional reform agenda. Since the general public is often less engaged with complex political justifications, and given that some political figures themselves may lack strong arguments, they resorted to manipulating sensitive topics to achieve their political objectives. For instance, Hayk Nahapetyan, who presents himself as a military expert, falsely claimed that the new Constitution would erase Artsakh and legalize the LGBT+ community.<sup>54</sup>

These individuals are so unconcerned with the realism or coherence of their statements that they use completely nonsensical expressions. For example, no one questions what “legalizing the LGBT community” even means. After all, LGBT+ individuals are ordinary citizens who, by virtue of their birth, are already legal members of society. The absurdity of such rhetoric does not stop anyone from continuing this baseless, manipulative propaganda campaign, which serves no purpose other than to spread hatred and misinformation.

As a prominent figure in spreading hate speech, Armenian Revolutionary Federation party representative Artsvik Minasyan once again actively participated in public manipulations. He falsely claimed that the Istanbul Convention is yet another attack on traditional family values and that there are efforts to remove the constitutional ban on same-sex marriages.

It is worth noting that Artsvik Minasyan was among those who, in 2012, justified violence and hate speech following the bombing of the DIY bar. In 2022, the ECtHR ruled against Armenia in connection with this incident, recognizing Minasyan’s statements as hate speech - speech that should be legally restricted. The ruling obligated the Armenian government to align its legislation with international human rights standards to ensure effective protection for LGBT+ individuals against hate speech.

The fact that, even years after this ruling, Minasyan continues to publicly promote intolerance and manipulate the public discourse to incite mutual hatred, is a failure of the Armenian state. Following the ECtHR ruling, the government not only failed to take a stance condemning hate speech spread by political figures but also neglected to amend its legislation to comply with the Court’s demands. As a result, it remains incapable of effectively protecting the LGBT+ community from any form of hate speech, no matter its severity.

Furthermore, the ruling political party itself has begun exploiting LGBT+ issues for political gain. Just as opposition figures have attempted to associate the ruling party with LGBT+ issues to stir negative public sentiment, government representatives have adopted the same tactics, showing no hesitation in using the vulnerable status of LGBT+ individuals as a political tool. This approach directly contradicts the government’s fundamental duty: instead of protecting all individuals and communities, it has chosen to manipulate societal prejudices for political advantage.

<sup>54</sup> Hayk Nahapetyan: With the new Constitution, Artsakh will be erased and the LGBT community will be legalized (available in Armenian). <https://antifake.am/am/news/47356>

Thus, they attempt to associate Catholicos Garegin II and other religious leaders with the LGBT+ community and so-called “LGBT+ propaganda”, spreading false narratives in various Facebook groups.<sup>55</sup>

The latest controversy surrounding school textbook revisions arose when the “Visual Arts-4” textbook included a section on symbols, featuring several examples, one of which was an apple painted in rainbow colors. Predictably, this was misrepresented as so-called “LGBT+ propaganda” targeting children, fueling yet another baseless moral panic.<sup>56</sup>

Another so-called “hidden propaganda” was “exposed” by Ara Zohrabyan, former president of the Chamber of Advocates and leader of the “Zartonk” party. According to him, the animated film “Nimona”, which aired on the “KhaghAliq” TV channel and was labeled as suitable for children aged four and older, included a scene depicting two adult men kissing.<sup>57</sup>

Zohrabyan, referring to Article 18, Part 5 of the Law on the Rights of the Child, claimed that Armenian legislation still protects children. This provision prohibits the dissemination of mass media and literature that negatively impact a child’s health, mental and physical development, or education; promote violence and cruelty; degrade human dignity; discredit the family; or encourage illegal behavior.

Notably, as a former president of the Chamber of Advocates, Ara Zohrabyan deliberately misinterpreted this article in a way that directly contradicts the universality of human rights. Furthermore, by regularly spreading manipulative and hate-inciting misinformation, he actively contributes to the normalization of degrading treatment toward certain groups and to the increase in legal violations targeting marginalized communities. Additionally, as someone seeking to enter politics, Zohrabyan should be even more cautious about spreading hatred and hostility. A political figure - especially one aiming for public Office, is assumed to have greater responsibilities, including a duty to protect the rights of every citizen and every individual within the country’s jurisdiction. However, Zohrabyan has consistently engaged in promoting intolerance as part of his political strategy. Despite this, state authorities have remained completely silent, offering no condemnation or criticism of his behavior, effectively allowing such rhetoric to persist unchecked.

### **Discussions Around Amendments to the “Law on Prevention of Violence within the Family, Protection of Victims of Violence within the Family and Restoration of Peace in the Family”**

As mentioned in the previous section, a positive change has occurred in the law against domestic violence, which has finally introduced the concept of a “partner.” This provision will ensure protection for individuals who are not in a marital or family relationship but have been in a partnership, including same-sex relationships.

Statements regarding the hidden objectives of this amendment were not long in coming.

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55 Campaign against the Church: Under whose patronage and how are they trying to link the Catholicos to LGBT propaganda?” (available in Armenian). <https://mediahub.am/post/2dd2c9f0718ad9e8>

56 An apple in LGBT colors featured in the 4th grade art textbook (available in Armenian). <https://oragir.news/hy/material/2024/02/02/105458>

57 LGBT propaganda has infiltrated certain Armenian TV channels, experts warn (available in Armenian). <https://iravunk.com/?p=274788&l=am>



It has been characterized as a concealed protection of homosexuals,<sup>58</sup> and there have been claims that members of the ruling party are legally safeguarding homosexuals while also banning virginity testing.<sup>59</sup>

Members of Parliament have also weighed in on the matter. For instance, MP Gegham Nazaryan expressed concern, suggesting that families are being equated with “homosexuals.”<sup>60</sup>

The Mother See of Holy Etchmiadzin and Ara Zohrabyan have both expressed opposition to the amendment from a religious standpoint. The Mother See issued a statement warning about the “dangers” of the legal changes.<sup>61</sup>

This time, Ara Zohrabyan did not speak as a lawyer or politician, but instead positioned himself as a follower of the Church. He stated:<sup>62</sup>

- “The Armenian Apostolic Church is the primary defender of the family. According to the Church’s ideology, the family is a divine union created by God - between a man and a woman. Any unnatural manifestation beyond this cannot be considered a family.”
- “If this government succeeds in implementing all this, we will be on the path to recognizing international conventions that promote these perverse norms, ultimately breaking the traditional concept of the family.”

Thus, the adoption of this amendment by the National Assembly is commendable and represents a priority step in making domestic violence legislation more effective and functional, ensuring protection for any vulnerable individual facing domestic violence.

It is evident that the purpose of this legal regulation is to ensure that every individual is protected, regardless of whether their family relationship is legally registered or they live together. Therefore, the question arises: why are these individuals opposing legislation that protects people in Armenia from violence? Perhaps the answer lies in the fact that such situations are simply used for false manipulations and political interests, aiming to discredit the government and gain public sympathy from a society that largely remains unaccepting and uninformed.

This once again highlights the state’s failure in its responsibility to educate, inform, and promote tolerance in society. Nearly seven years have passed (since the revolution and the new government in place), yet no meaningful steps have been taken to improve public awareness of LGBT+ individuals or to foster respect for personal identity.

58 Hraparak: Civil Contract party members are placing homosexuals under legal protection — a draft law has been developed (available in Armenian). <https://news.am/arm/news/805027.html>

59 Zhoghovurd: The Civil Contract faction will convene a meeting to prepare for the discussion of an initiative supporting homosexuals (available in Armenian). <https://news.am/arm/news/805454.html>

60 Gegham Nazaryan: With this law, you’re trying to equate homosexuals with the family (available in Armenian). [https://youtu.be/Zd2Y2W\\_5hBI](https://youtu.be/Zd2Y2W_5hBI)

61 LGBT-ification of legislation (available in Armenian). <https://iravunk.com/?p=280746&l=am>

62 Prevent violence or destroy the family? Expert reveals the dangers of the new law (available in Armenian). <https://arm.sputniknews.ru/20240413/kankhel-brnutjuny-te-qandel-yntaniqy-masnagety-bacahajtum-e-nvor-orenqi-vtangnery-74523651.html>

## A Transgender Individual Participated in a Beauty Pageant

At the “Miss Star International” beauty pageant, a transgender woman Diana Ghzroyan represented Armenia,<sup>63</sup> sparking widespread discussions on social media. First and foremost, certain media outlets manipulated the fact that Diana Ghzroyan had expressed support for the ruling political party on social media,<sup>64</sup> portraying it as part of a broader propaganda narrative that suggests the government actively supports LGBT+ individuals. A public survey was conducted in the city regarding Armenia’s representative’s participation in a transgender beauty pageant, revealing that many found it unacceptable. Respondents stated: “This is not appropriate for our nation”, “These are sick people; they should keep their illness to themselves”, “It’s a disgrace”, “It’s disgusting”, “It contradicts our national values and traditions”, “It’s no secret that Armenia has taken on obligations to join Europe. Maybe we will in 300 years, but before that, half the nation will have to become transgender”, “I hope that our centuries-old education will finally bring wisdom to our nation, and we will rid ourselves of this defect.”<sup>65</sup>



Immediately after the news of Diana Ghzroyan’s participation in the pageant spread, a hate campaign erupted on social media, ranging from insulting and degrading comments to threats and calls for violence. The “Right Side” human rights organization announced that it had filed a report with law enforcement authorities regarding death threats and public calls for violence against Diana Ghzroyan.

Hate speech and expressions of hostility primarily violate a person’s mental integrity and can create obstacles to living a normal life. It can also lead to feelings of fear and anxiety, preventing individuals from engaging in social interactions necessary to meet their basic needs and from maintaining a normal

lifestyle. These consequences affect not only the targeted individual but also the entire community, as widespread hate and intolerance are not directed at the victim personally but at a specific personal characteristic. As a result, anyone who shares this characteristic must fear being subjected to the same treatment simply because of their identity.

Below are several examples of calls for violence that have been circulated on social media:<sup>66</sup>

- “The time has come to put an end to scum like you. God, when will the Armenian nation be freed from such deviants? Where have we come to?”

63 There has been no response from the authorities yet, but everything is ahead, says transgender Diana Ghazroyan (available in Armenian). <https://youtu.be/cRiwwWR4UvA>

64 Will Pashinyan congratulate the transgender person who voted for him? The story of a ‘beauty’ (available in Armenian). <https://oragir.news/hy/material/2024/09/16/129670>

65 This is not fitting for our nation. Citizens comment on Armenia’s participation in the transgender competition (available in Armenian). <https://youtu.be/nn8HACMcK-4>

66 Facebook search. [bit.ly/42VilhH](https://bit.ly/42VilhH)

- "Children are killing their parents, our young people are stabbing each other—where is just one honorable man to slit this scum's stomach?"
- "We've entered the age of degenerates. These people should be isolated from society, nothing more."
- "You feel good about yourself, huh? At least go and hang yourself. You're just disgusting."
- "All of them should be burned. Burn them all, along with those who encourage this scum."

### **Pressure on MP Hovik Aghazaryan**

At the end of the year, tensions within the ruling political party caused significant controversy, leading to multiple high-ranking officials resigning at the prime minister's request. Among those asked to step down was MP Hovik Aghazaryan from the ruling parliamentary faction. However, he refused to surrender his parliamentary mandate. After rejecting the demand, pressure against him escalated to new levels. Reports surfaced claiming that his personal phone was searched as part of a criminal case against him, allegedly revealing messages suggesting extramarital affairs, including communications with a male individual.<sup>67</sup>

The widespread circulation of this news in the media was an attempt to present it as a scandal damaging Hovik Aghazaryan's reputation, portraying it as a negative aspect and using it as a tool of pressure to force him to resign from his parliamentary mandate. First and foremost, it is deeply problematic that an individual's private phone messages were allegedly disclosed by an investigative body to the political elite, followed by their public dissemination. Secondly, it is concerning that same-sex relationships were once again used as a negative label - this time by the ruling political party, as a means to discredit and pressure an individual, regardless of whether the allegations are true or not.

Through this action, the authorities demonstrated not only their inability to protect LGBT+ individuals' private data but also their willingness to use, or perhaps fabricate such information to exert pressure on a political figure. This once again shows that negative societal attitudes toward the LGBT+ community are being exploited for political gain, further deepening divisions within society - in this case, between LGBT+ individuals and the rest of the population - ultimately fueling intolerance and hatred.

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<sup>67</sup> Aghazaryan has been in same-sex relationships with several men. Details (available in Armenian). <http://medianews.site/534478/>

## CONCLUSION

The analysis of the described situation leads to the conclusion that the authorities have failed to fulfill their international commitments to combat hate speech and intolerance. When assessing manifestations of hate speech based on their severity, it becomes increasingly evident that all steps to address the issue have failed.

Starting with the most extreme forms, such as public incitement to violence and discrimination, the justification and endorsement of such actions, it is important to note that, despite the criminalization of these offenses under the Criminal Code since April 2020, no such act targeting LGBT+ individuals has led to any punishment. This indicates that the five-year-old legal framework has proven ineffective in providing protection against hate speech based on SOGI. At the same time, this legal provision has been selectively enforced in cases involving individual making radical statements about political issues. While the legitimacy of such prosecutions remains an open question, it is clear that the law is being applied—just not for LGBT+ individuals, despite their urgent need for protection. Both politicians and the general public continue to systematically target LGBT+ individuals across various platforms without consequences.

In the case of relatively less severe forms of hate speech, such as public statements containing insults or degrading remarks, which should be subject to civil or administrative penalties, it is evident that the state has left its work incomplete. Despite long-term research and recommendations, no legislative changes have been introduced to regulate this issue, even though it was outlined in the National Human Rights Protection Strategy's Action Plan.

Regarding the milder forms of hate speech, such as the public dissemination of disrespectful or rejecting attitudes toward specific groups, the state should address these through awareness campaigns and public condemnation, rather than punitive measures. However, no such steps have even been initiated.

Moreover, as a new trend suggests, the ruling political party, which had previously remained neutral - neither holding individuals accountable, condemning, nor responding to hate speech against LGBT+ individuals, has now begun employing the same manipulative tactics. Specifically, associating individuals with homosexuality to create negative perceptions and resolve political conflicts has now become a tool used by the ruling authorities themselves.



# RECOMMENDATIONS

To ensure maximum protection of the rights of LGBT persons in the Republic of Armenia, we recommend for:

### State Bodies and Political Forces

- Layout actions towards prevention of discrimination and violence in various spheres of public life on the grounds of sexual orientation or gender identity in the action plan of the National Strategy for Human Rights Protection;
- Adopt a comprehensive anti-discrimination law, which will define discrimination, its types, procedural features of the investigation of discrimination cases, provide a comprehensive list of protected grounds, jurisdiction for non-governmental organizations in cases of protection of public interest, as well as a procedure for the formation and operation of an independent equality body;
- Revise the RA legislation prohibiting hate crimes, in particular, provide for a crime committed against a person on the motive of sexual orientation and/or gender identity as an aggravating circumstance of criminal punishment and liability;
- Revise the RA legislation prohibiting hate speech, define the concept of “hate speech,” and make an addition to the provision of the RA Criminal Code providing for responsibility for calls to violence, including sexual orientation and gender identity as a protected feature;
- Document and maintain statistics on hate crimes in RA, including crimes committed on the grounds of a person’s SOGI, enhancing the visibility of the issues around hate crimes in Armenia;
- Ensure access to justice for victims of hate crimes, in particular, by providing effective remedies that will exclude the risk of double victimization of the person, ensure the security of the person and set comprehensive mechanisms for redress;
- Demonstrate political will to effectively enforce existing legislation against sexual orientation and/or gender identity-based hate crimes and hate speech;
- When referring to the violations of human rights of LGBT+ people, provide clear assessments, and do not avoid condemning human rights violations;
- Carry out training for law enforcement bodies on the substantive, legal and procedural aspects of the investigation of crimes committed on the grounds of sexual orientation and gender identity to ensure a complete, objective and comprehensive investigation;
- Organize and conduct training with law enforcement bodies on the specifics of working with victims and witnesses of hate crimes;
- Cooperate with human rights non-governmental organizations to obtain more detailed information about the systemic aspects of human rights violations of LGBT+ persons;
- Promote the ideas of tolerance and equality among employees of state bodies, in particular, parliamentarians of the RA National Assembly, representatives of the RA Government and other officials;

- Advocate for the ideas of tolerance and equality in society; in particular, make public statements advocating tolerance and condemn any manifestation of violence and intolerance;
- Conduct periodic training for the administration and teaching staff of educational institutions on sexuality, on a sensitive approach towards LGBT+ people, and supporting self-recognition and self-expression at a difficult age for them;
- Conduct monitoring of cases of school dropouts or transfers to identify causes and possible instances of harassment;
- Monitor the sensitive treatment of LGBT+ persons by law enforcement agencies in case of domestic violence;
- Maintain statistics on cases of domestic violence based on sexual orientation and/or gender identity.

### **Mass Media**

- Stop publications that incite hatred and intolerance towards LGBT+ persons; instead, supply the public with materials that are knowledge-based, ethically acceptable and respect LGBT+ human rights;
- Not to misuse any topic related to LGBT+ persons and refrain from inciting unnecessary intolerance and hatred in society;
- Not to disseminate speech containing hatred, intolerance, hostility, calls for violence or discrimination, or justifications made by officials and other figures.

### **International and Regional Organizations**

- Properly monitor Armenia's fulfillment of its international obligations regarding the rights of LGBT+ persons;
- Make official statements in support of the importance and priority of protecting the rights of LGBT+ persons in Armenia;
- Address, in international human rights reports, the established practice of violations of the rights of LGBT+ persons described in this report;
- Urge the state to provide clear information regarding the investigation process of the worrisome cases provided by NGOs and the measures taken.

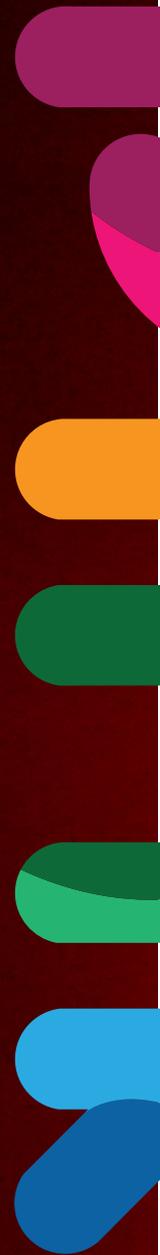
## Office of the Ombudsperson

- Raise public awareness of discrimination against LGBT+ persons and its negative implications, the importance of non-discrimination and the principles of equality;
- Raise public awareness of hate speech and the illegality of its propaganda;
- Advocate for the development and adoption of an effective Equality Law, as well as for laying out effective legal remedies for LGBT+ persons in other legal documents;
- In known cases of violations of the human rights of LGBT+ persons, issue public condemnation statements and properly respond to raised alarms.

### ***About the Organization***

Pink Human Rights Defender Non-Governmental Organization was founded in 2007, which is a community-based LGBT+ (lesbian, gay, bisexual, trans and other people with non-heteronormative identities) organization, established by the LGBT+ community, serves and supports the needs of the community, and promotes the protection of the human rights of LGBT+ persons, advocating for changes in public policy around LGBT+ issues.



The logo for Pink Armenia, featuring a stylized hand with five fingers in different colors: pink, yellow, green, light blue, and dark blue.

ARMENIA

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