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[Home](#) > [Research](#) > [Responses to Information Requests](#)

## RESPONSES TO INFORMATION REQUESTS (RIRs)

[New Search](#) | [About RIRs](#) | [Help](#)

19 January 2006

### ARM100689.E

Armenia: The situation of homosexuals and lesbians; public perception of gays and lesbians; availability of state protection and whether there exist state programs to promote the respect of their human rights (January 2003 - December 2005)  
Research Directorate, Immigration and Refugee Board of Canada, Ottawa

Homosexual actions were decriminalized in 2003 when the Criminal Code was amended and the provision on homosexuality was repudiated (UN 2005; COE 12 Jan. 2004, 33; AGLA 1 Dec. 2005; ILGA Europe 20 Oct. 2005; ILGA 17 July 2005; Helsinki Committee of Armenia 2004, 26; Internews n.d.; Sodomy Laws 9 Jan. 2003). This was done once the Parliamentary Assembly of the Council of Europe imposed decriminalization of homosexuality as a condition for Armenia to become a member of the Council of Europe (COE 28 June 2000; ILGA Aug. 2000; Sodomy Laws n.d.; *Armenian Law Review* 26 July 2004; AGLA 3 Oct. 2004). The new Criminal Code was adopted on 18 April 2003 (UN 2005; ILGA n.d.; Internews n.d.) and came into force on 1 August 2003 (ibid.; ILGA n.d.; ibid. 17 July 2005).

However, gays and lesbians still face problems in Armenia (AGLA 22 Apr. 2005; ibid. 3 Oct. 2004; ibid. 5 Oct. 2004; Helsinki Committee of Armenia 2004; UN 2005; *Country Reports 2004* 28 Feb. 2005, Secs. 1.c, 5; *Armenian Law Review* 26 July 2004; COE 12 Jan. 2004; IWPR 21 Apr. 2004; ArmeniaNow 10 Jan. 2003). The United Nations Educational, Scientific and Cultural Organization (UNESCO) reports that "[i]t is noteworthy that public opinions on homosexuality are rather tough: traditional Armenian society rejects displays of non-heterosexual relations" and

... according to data provided by the Ministry of Internal Affairs (also referred to as 'the Police of the RA'), there were 21 'registered' male homosexuals. It is thus not surprising that information related to MSM [Men who have Sex with Men] is rather limited, reflecting the traditionally negative attitude of society towards homosexuality (2005).

*Country Reports 2004* reported that "[h]omosexuals ... also reported that they were singled out for hazing by officers and other conscripts" (28 Feb. 2005, Sec. 1.c) and "[m]ilitary officers targeted homosexuals for hazing. The Helsinki Association reported cases of police harassment of homosexuals through blackmail, extortion, and, on occasion, violence" (*Country Reports 2004* 28 Feb. 2005, Sec. 5).

According to an article in the *Armenian Law Review*, "[e]ven though the law

on homosexuals has been abolished, homosexuals did not receive the 'legal' recognition by society and the church; they still remain 'criminals' (not by law) or immoral, sick people" (26 July 2004). The *Armenian Law Review* also indicates that the fact that homosexuality has been decriminalized does not change the public perception nor does it put an end to violation of human rights based on sexual orientation (*Armenian Law Review* 26 July 2004).

In its annual report on human rights for 2004, the Helsinki Committee of Armenia (HCA) states "[T]he Republic of Armenia legislation does not contain a single provision on discrimination based on or due to sexual orientation. However, society refuses to acknowledge such individuals and exerts social pressure on them" (2004, Para. 25). The HCA also reports "the Criminal Code now contains provisions that aggravate crimes perpetrated on the basis of the victim's sexual orientation. However, police officers continue to persecute homosexuals" (HCA 2004, Para. 25). No information corroborating the HCA's statements could be found among the sources consulted by the Research Directorate.

According to an article on the Institute for War & Peace Reporting's (IWPR's) Website, members of the homosexual community in Yerevan were trying to establish Armenia's first homosexual support group (21 Apr. 2004). It was to be called the "Self-Help Group"; however, the article stated that it had not been founded as an official organization (IWPR 21 Apr. 2004). No information could be found as to whether such a group currently exists. The source also reported that homosexuals were threatened because of their sexual orientation and that "[f]ew gays ever report offences against them to the police, fearing their families will be notified" (ibid.).

The following information was provided by the president of the Association of Gay and Lesbian Armenians (AGLA) in France (1 Dec. 2005): Even though homosexuality has been decriminalized in Armenia, the situation of gays and lesbians has not improved. Law enforcement agencies continue to extort money and blackmail homosexuals, all of which is known by the authorities. Gays and lesbians do not report any of the problems they face as public perception is negative towards homosexuals. Homophobia and violence are "omnipresent" in the Armenian society.

The Council of Europe (COE) indicates that homosexuals are still subject to blackmail from law enforcement officials to extort money from them, that the public still has a homophobic perception of homosexuals and that "homosexuals are still a long way from being able to organise community activities in freedom" (12 Jan. 2004, Paras. 221 and 222). The COE also reports that some parliamentarians demonstrate homophobic attitudes and would like to reinstate homosexuality as an offence (COE 12 Jan. 2004, Para. 222).

AGLA stated that there is no state protection for homosexuals whose human rights are violated and, according to their contacts in Armenia, homosexuals who are victims of criminal acts often face inactivity on the part of law enforcement and authorities. Homosexuals fear violence and homophobia in their workplace or by their family, and therefore, do not file complaints of human rights violations or of criminal offences. When asked whether any state program exists to promote respect of homosexuals' human rights, AGLA responded in the negative. AGLA indicated that they wrote two letters to the Armenian authorities in October 2004, following an incident of homophobia that occurred in parliament, to request that measures be taken to prevent homophobia and to

condemn homophobic remarks made by politicians and by the media. AGLA accused the Armenian authorities of promoting homophobia instead of trying to eliminate it (AGLA 1 Dec. 2005).

The aforementioned incident occurred in September 2004, when the leader of the Armenian Aryan Order, Armen Avetisyan, accused parliamentarians and top officials of being homosexuals (AGLA 22 Apr. 2005; *ibid.* 3 Oct. 2004; *ibid.* 5 Oct. 2004; *ibid.* 3 Nov. 2004; ArmeniaNow 8 Oct. 2004; HCA 2004; ARKA News 19 Jan. 2005). Armen Avetisyan subsequently announced that he had proof and would publish a list of senior officials who were homosexuals with the intention of forcing their resignation (AGLA 3 Oct. 2004; ArmeniaNow 8 Oct. 2004). Following these threats, according to the Helsinki Committee of Armenia, "the National Assembly held a discussion during which they threatened to dismiss the officials who would be proven to be homosexual. To justify their statements, the parliamentarians claimed that it was a threat to national security and that homosexual officials who could be blackmailed by people threatening to publicize their sexual orientation were prone to various deals and compromise" (2004). AGLA corroborated this information by indicating that "the government and opposition leaders, [parliamentary] deputies along with media outlets have organised an ugly campaign of 'witch-hunting' and incitement of hatred toward gays" (5 Oct. 2004).

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of additional sources consulted in researching this Information Request.

## References

Agence France-Presse (AFP). 25 January 2005. "Armenian Neo-Nazi Leader Charged with Inciting Ethnic Hatred." (Factiva)

ARKA News Agency [Yerevan]. 19 January 2005. "The Chief of the Armenian Aryan Order Refuses to Publish the List of Homosexuals Among Top Officials." (Factiva)

ArmeniaNow. 8 October 2004. Julia Hakobyan. "Bigots or Baghramian?: Parliament Members Continue Gay Debate."  
<[http://www.armenianow.com/archive/2005/eng/?go=pub&id=142&issue\\_id=26](http://www.armenianow.com/archive/2005/eng/?go=pub&id=142&issue_id=26)> [Accessed 1 Dec. 2005]

\_\_\_\_\_. 10 January 2003. Julia Hakobyan. "Secret Life: No Longer 'Criminals', Homosexuals Remain Cultural Outcasts in Armenia."  
<<http://armenianow.com/archive/2004/2003/january10/features/secretlife/>> [Accessed 30 Nov. 2005]

*Armenian Law Review* [Yerevan]. 26 July 2004. Kristina Gevorkyan. "The Rights of Homosexuals." <<http://www.armlawreview.org/articles/The%20Rights%20of%20Homosexuals.doc>> [Accessed 30 Nov. 2005]

Association of Gay and Lesbian Armenians (AGLA) in France. 1 December 2005. Correspondence from the President.

\_\_\_\_\_. 22 April 2005. "Les militants d'AGLA ont été arrêtés lors du dépôt de gerbe par les présidents Chirac et Kotcharian devant le mémorial du génocide arménien." <<http://www.agla.info/site/item.php?l=FR&sr=10&id=398>> [Accessed 1 Dec. 2005]

\_\_\_\_\_. 3 November 2004. "Piquet de protestation devant l'Ambassade d'Arménie à Paris." <<http://www.agla.info/site/item.php?l=FR&sr=10&id=354>> [Accessed 1 Dec. 2005]

\_\_\_\_\_. 5 October 2004. "AGLA Demands Council of Europe to Put Pressure on Armenia." <<http://www.agla.info/site/item.php?l=EN&sr=4&id=337>> [Accessed 30 Nov. 2005]

\_\_\_\_\_. 3 October 2004. "L'Arménie est prise dans une hystérie homophobe." <<http://www.agla.info/site/item.php?l=FR&sr=10&id=335>> [Accessed 1 Dec. 2005]

Council of Europe (COE). 12 January 2004. Parliamentary Assembly. *Honouring of Obligations and Commitments by Armenia*. (Doc. 10027). <<http://assembly.coe.int/Documents/WorkingDocs/Doc04/EDOC10027.htm>> [Accessed 30 Nov. 2005]

\_\_\_\_\_. 28 June 2000. *Armenia's Application for Membership of the Council of Europe*. (Opinion No. 221). <[http://www.coe.am/en/docs/pace/opinion\\_221.pdf](http://www.coe.am/en/docs/pace/opinion_221.pdf)> [Accessed 1 Dec. 2005]

*Country Reports on Human Rights Practices for 2004*. 28 February 2005. United States Department of State. <<http://www.state.gov/g/drl/rls/hrrpt/2004/41668.htm>> [Accessed 30 Nov. 2005]

Helsinki Committee of Armenia (HCA). 2004. "Human Rights in Armenia in 2004 Report in Observer #7." <[http://www.hra.am/file/ditord%207\\_eng.pdf](http://www.hra.am/file/ditord%207_eng.pdf)> [Accessed 30 Nov. 2005]

Institute for War & Peace Reporting (IWPR). 21 April 2004. "Armenian Gays Get Organised." <[http://iwpr.gn.apc.org/?s=f&o=161027&apc\\_state=henicrs2004](http://iwpr.gn.apc.org/?s=f&o=161027&apc_state=henicrs2004)> [Accessed 30 Nov. 2005]

International Lesbian and Gay Association (ILGA). 17 July 2005. Douglas Sanders. "Human Rights and Sexual Orientation in International Law." <<http://www.ilga.org/print.asp?LanguageID=1&FileCategoryID=44&FileID=577&ZoneID=7>> [Accessed 30 Nov. 2005]

\_\_\_\_\_. August 2000. *Euroletter*. No. 81. "The Accession of Armenia and Azerbaijan to the Council of Europe." <<http://www.france.qrd.org/assocs/ilga/euroletter/81.html>> [Accessed 1 Dec. 2005]

\_\_\_\_\_. N.d. "World Legal Survey." <[http://www.ilga.info/Information/Legal\\_survey/europe/armenia.htm](http://www.ilga.info/Information/Legal_survey/europe/armenia.htm)> [Accessed 30 Nov. 2005]

International Lesbian and Gay Association - European Region (ILGA-Europe). 20 October 2005. Micha Meroujean. "Country Information." <[http://www.ilga-europe.org/europe/guide/country\\_by\\_country/armenia/country\\_information](http://www.ilga-europe.org/europe/guide/country_by_country/armenia/country_information)> [Accessed 30 Nov. 2005]

Internews Armenia. N.d. "Legislation." <<http://www.internews.am/legislation/news.asp>> [Accessed 1 Dec. 2005]

Sodomy Laws. 9 January 2003. "Armenia Decriminalizes Sex Between Men." <<http://www.sodomylaws.org/world/armenia/arnews006.htm>> [Accessed 30 Nov. 2005]

\_\_\_\_\_. N.d. "Armenia." <<http://www.sodomylaws.org/world/armenia/armenia.htm>> [Accessed 30 Nov. 2005]

United Nations (UN). 2005. United Nations Educational, Scientific and Cultural Organization (UNESCO). *HIV and AIDS in Armenia: Socio-Cultural Approach*. (CLT/CPD/CAD-05/4B). <<http://unesdoc.unesco.org/images/0014/001411/141154E.pdf>> [Accessed 1 Dec. 2005]

### Additional Sources Consulted

The Helsinki Association for Human Rights (HAHR) of Armenia did not provide information within time constraints.

**Internet sites, including:** Amnesty International, Armenia.com, Armenian Diaspora, Armenia Now, The Armenian Weekly, Arminfo, Asylum Law, British Broadcasting Corporation (BBC), Cable News Network (CNN), Central Asian and Southern Caucasian Freedom of Expression Network (CASCEN), European Country of Origin Information Network (ECOI), Eurasianet, Freedom House, Gay and Lesbian Armenian Society in Los Angeles (GALAS), Gay Armenia, GayGuide.net, Gay Lesbian Bisexual Transgender & Queer Culture (GLBTQ), GayMoz.org, Global Gayz.com, Government of Armenia, Human Rights in Armenia (HRA), Human Rights Watch, Inter European Parliamentary Forum on Population and Development (IEPPFD), International Gay and Lesbian Human Rights Commission (IGLHRC), International Helsinki Federation, PlanetOut.com, Pride Community Business Guide (PCBG), Radio Free Europe/Radio Liberty (RFE/RL), Transitions Online, United Kingdom Home Office, United Nations High Commissioner for Human Rights (UNHCHR), United Nations High Commissioner for Refugees (UNHCR), United States Agency for International Development, United States Committee for Refugees.

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