



## ARMENIA SHOULD ELIMINATE ALL FORMS OF DISCRIMINATION

### Ineffective Legal Framework

Armenia ratified most of international human rights treaties and instruments, including Protocol No. 12 to the European Convention on Human Rights relative to the general prohibition of discrimination. This underlines Armenia’s commitment to principles of equality and non-discrimination. Nevertheless, the authorities are progressing too slowly in developing and implementing a human rights-based approach. Unfortunately, when it comes to certain groups, the discrimination tendencies are very worrisome.

The current legal framework lacks practical mechanisms of protection against discrimination. Discrimination is considered an aggravating feature of a crime only if it was based on religion, ethnicity, or race. Adoption of a specific legislation was planned in the context of the Association Agreement between Armenia and the EU. But with Armenia’s turn towards the Eurasian Union, the adoption of such a law was put on hold. Establishing a comprehensive legal framework and relevant policies are imperative for the authorities to tackle discrimination.

### Social representations and perceptions

Discrimination is seen as a socially acceptable attitude particularly with respect to LGBT community and religious minorities. The education system and the pseudo-patriotic rhetoric of government-affiliated groups and media reinforce this phenomenon. Patriarchal rhetoric against gender equality prevails.

### Systemic Denial of Rights

Discrimination towards vulnerable groups is evident in their contacts with law-enforcement, health and legal professionals and the education system.

- Authorities fail in carrying out prompt and independent investigation of cases that involve **LGBTI persons, drug users, sex workers and HIV-positive people**; wrong perceptions of these groups and lack of awareness leads to denial of services by health and legal professionals.
- Inconsistency in laws results in a lack of protection of personal data of **drug users and sex-workers**. Law-enforcement officials easily gain access to their personal data and medical records to criminalize them or extort information that could be used against these groups.
- **Women** are underrepresented in leadership positions, face high unemployment, and unequal pay. Parliament comprises only 10.69 percent of women, which is much lower than MDG targets. Only 2 of 18 ministers and 7 out of 56 deputy ministers are women and there are no women among regional governors, mayors, or deputy mayors, including in Yerevan.

\*\*\*\*\*

“Armenian youth will bring more benefit to the people, if they fight against sexual minorities instead of fighting against transportation fare rise.” Galust Sahakyan, Vice-president of the Republican Party of Armenia (RPA), Head of RPA parliamentary group, President of the National Assembly since April 2014

*Source: Human Rights Situation of LGBT People in Armenia 2013*

\*\*\*\*\*

The World Values Survey shows alarming statistics of tolerance in Armenia. The highest level of intolerance is towards homosexuals (92.7 percent would not want to have as neighbors), people who have AIDS (76.9 percent), people of a different religion (56.6 percent), and people with disabilities (37.0 percent).

\*\*\*\*\*

Research on social perceptions of homosexuality shows that a majority of health specialists, lawyers, and pedagogues (53, 48 and 38 percent respectively) consider homosexuality a disease.



- The over-concentration of **women** in low-paid positions or sectors results in a gender gap. Women’s average monthly salary amounts to 64.4 percent of men’s salary. Only six percent of highly paid workforce (earning over 1mln AMD (1,900 EUR) per month) are women.
- Opportunities for education, work, and recreation for **people with psychosocial, mental, and physical disabilities** remain limited due to the absence of technical support matching their special needs. As of 1 January 2014, 91 percent of employable persons with disabilities were unemployed.<sup>1</sup>
- **Gender insensitive** content is used in teaching materials of elementary, middle and high school students. Male and female characteristics, roles, attributes, and professions are created and reproduced through images and texts.
- Children of **religious groups** other than the Armenian Apostolic Church are often singled out and bullied. Teachers of other beliefs are easily dismissed from their jobs. The unique access of Armenian Apostolic Church to schools, through training of teachers and development of educational materials, is often used to preach the doctrine of the Church.

\*\*\*\*\*

Research finds that 96 percent of teachers believe that courage, determination, and industriousness are among innate characteristics for boys, while 94 percent of the same teachers believe that modesty and patience should be innate characteristics for girls. 66 percent of teachers consider boys more capable than girls, while 68 percent of teachers consider girls obedient and modest.

*Source: The Mosaics of Gender Relations: studies of Gender Socialization, gender Tolerance, Gender Identity, 2011*

**We believe that Armenia needs to implement the following recommendations to put into practice policies and practices that provide protection against discrimination.**

- Adopt a standalone legislation on and effective mechanism for combating discrimination; set up a comprehensive set of laws criminalizing hate speech and discouraging homophobic statements by public officials;
- Ratify the Optional Protocol to CRPD;
- Amend the Electoral Code; raise the quota for women’s representation in political party lists to 30 percent; provide a provision ensuring that, in case an elected female MP resigns, her mandate shall be transferred to the next woman on the party list;
- Adopt specific legislative norms to expedite the elimination of employment discrimination against women and to achieve de facto equal opportunities for women at all levels of the labor market;
- Mainstream gender in school education content, i.e. curricula, subject standards and programs, in-service teachers training;
- Ensure that all newly developed and/or revised education content reflects fundamental human rights values whilst meeting academic requirements.

## Contact Persons

*Maria Aghajanyan, Senior Program Coordinator, Open Society Foundations - Armenia, email: [maria@osi.am](mailto:maria@osi.am)*

*Karine Ghazaryan, Program Coordinator, Open Society Foundations – Armenia, email: [karine@osi.am](mailto:karine@osi.am)*

---

<sup>1</sup> Disability Armenia online. Available from <http://disabilityarmenia.am/am/10/free.html>