

Oral Statement
Universal Periodic Review of Armenia
49th Session
April/May 2025

Delivered by Lilit Martirosyan, Right Side Human Rights Defender NGO

Distinguished Delegates,

I am honored to address the Universal Periodic Review on behalf of the Right Side Human Rights Defender NGO, Armenia's first and leading organization advocating for the rights of transgender people.

During the previous UPR cycle, Armenia accepted recommendations related to non-discrimination, hate crime prevention, and promoting equal rights. However, implementation remains inconsistent, and key protections for LGBTIQ individuals, particularly transgender people, are absent.

Criminal Code Reforms and Hate Crimes

Despite the entry into force of Armenia's new Criminal Code in July 2022, the legislation continues to exclude sexual orientation and gender identity as aggravating circumstances for hate crimes. While Article 71 mentions crimes motivated by hatred and intolerance, it fails to explicitly recognize LGBTIQ individuals as targets. Similarly, Article 329 addresses hate speech in general terms but excludes protections specific to our community. This lack of recognition perpetuates impunity and undermines trust in Armenia's legal system.

We urge the Armenian Parliament to amend these articles to explicitly include sexual orientation and gender identity as protected grounds. Further, the government should implement educational programs to combat hate speech and promote inclusivity in schools.

Equality Legislation

The adoption of comprehensive equality legislation, including sexual orientation and gender identity as protected characteristics, remains an unmet UPR recommendation. The latest draft of the "Law on Ensuring Equality" excludes these crucial protections. The omission reflects a lack of political will to address systemic discrimination against transgender people.

We call on the government to include these protections in the final version of the law and to ensure its swift adoption.

Freedom of Peaceful Assembly

Although Armenia guarantees the right to peaceful assembly, incidents of violence against LGBTIQ individuals during such gatherings reveal the gap between legislation and enforcement. For example, in August 2023, a candlelight vigil for a transgender woman, Adriana, was disrupted by an attack, despite prior notification to the police. This highlights the need for better police training and accountability to ensure the safety of peaceful assemblies.

We recommend that the government train law enforcement officials in collaboration with civil society organizations to uphold assembly rights, particularly for vulnerable communities.

Legal Gender Recognition

The absence of legal gender recognition remains a critical issue. Since 2021, there has been no regulatory framework for gender marker changes in official documents. The lack of medical guidelines for gender reassignment surgeries and hormone therapy further marginalizes transgender individuals. Currently, a strategic litigation case (*Avagyan v. Armenia*) on this issue is pending before the European Court of Human Rights.

We call on the Armenian government to establish a transparent and accessible legal gender recognition process without requiring invasive medical procedures. This aligns with Armenia's constitutional guarantees of dignity and integrity.

Conclusion

In conclusion, while Armenia has made strides in certain areas, significant gaps remain in protecting and promoting the rights of transgender individuals.

Right Side NGO calls on the Government of Armenia to take proactive measures to address these concerns and implement recommendations to create and maintain, in law and in practice, an enabling environment for ensuring equality, safety, and dignity for all individuals.

Thank you.