

ARMENIA: Armenia must bridge gaps in legislation, tackle hate speech and violence, says Council of Europe's Anti-racism Commission

ECRI 04.10.2016 – Armenia has shown determination in fighting racism and intolerance, integrating refugees and supporting ethnic minorities. However, numerous legislation gaps, rise in hate speech and violence, and institutional shortcomings remain of concern, said the European Commission against Racism and Intolerance (ECRI) in its new report published today.

The report covering the period from December 2010 to March 2016 welcomed the efforts of the Armenian authorities to revise the Criminal Code and draft comprehensive anti-discrimination legislation, integrate a large influx of refugees from Syria and increase the financial support for the ethnic minorities.

However, the criminal, civil and administrative legislation and procedures still suffer from numerous shortcomings which make it impossible to adequately combat racism and discrimination. The report notes a rise in hate speech leading to violence, main targets being members of the LGBT community and non-traditional religious groups, and the stigmatisation of these groups in the political and public discourse.

“We are especially concerned about the contrast between the extent of this phenomenon and the small number of criminal proceedings,” said Christian Ahlund, the ECRI Chair. “According to the official data, only three offences have been investigated since 2011 resulting in one conviction. Victims are apparently unwilling to report the crimes to the police. I call on the authorities to make sure that all cases of public incitement to violence and hatred, especially threats against LGBT persons and people promoting their rights, be investigated and prosecuted.”

ECRI also noted intolerant statements against Azerbaijanis and the Jews, and the opposition to the “gender equality” concept seen by religious and conservative leaders as anti-Armenian and untraditional. There is still no comprehensive integration policy, allegations of discrimination against migrants of non-Armenian ethnic background persist, and the assistance to migrants is not provided long enough for their social integration, the report says.

As priority recommendations to be followed up in two years, ECRI calls on the authorities to streamline the various integration strategies for all vulnerable groups, and to amend the Armenian criminal law. The list of “prohibited grounds” should explicitly include colour, language, nationality, national or ethnic origin, sexual orientation and gender identity. Besides, incitement to violence and to racial discrimination, as well as the public denial, trivialisation, justification or condoning of crimes of genocide, crimes against humanity and war crimes should be criminalised.

Other recommendations include making homophobic/transphobic motivation an aggravating circumstance; giving more powers to the Human Rights Defender to enable him/her to deal with discrimination in the private sector; establishing an independent mechanism for dealing with complaints against the

police; and encouraging the adoption of a code of ethics for media and a code of conduct for parliamentarians.

The report, including Government observations, is available at [here](#). It was prepared following ECRI's visit to Armenia in September 2015 [Press release] and takes account of developments up to 17 March 2016.

ECRI is a human rights body of the Council of Europe, composed of independent experts, which monitors problems of racism, xenophobia, antisemitism, intolerance and discrimination on grounds such as "race", national/ethnic origin, colour, citizenship, religion and language (racial discrimination); it prepares reports and issues recommendations to member States.