

Input for the report on

The Impact of COVID-19 on the Human Rights of LGBT Persons, Communities and/or Populations

To the Independent expert on violence and discrimination on the grounds of SOGI

Submission by

Pink human rights defender non-governmental organization

(Pink Armenia)

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**Pink Armenia** is a human rights defender non-governmental organization founded in 2007. Vision of Pink Armenia is to have a society, where human rights of all are protected and everybody is accepted regardless of sexual orientation and gender identity and/or gender expression. Organization aims to create a safe space for LGBT people by promoting well-being and protection in all spheres of life.

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**Introduction**

This report/input provides information obtained through analyzing the enabling environment based on the experience of the organization and the applications received by Pink as part of the social support program that the organization started to provide to LGBT people who have been affected by the COVID-19 pandemic.

The report/input contains a comprehensive description of a situation of LGBT people during COVID-19, pointing out social problems and issues that LGBT people faced because of the pandemic based on the vulnerability of the community. It also includes emphasis on the publications of the civil society through which the State bodies could gain information on the topic as well as other possibilities that they could use to study the situation.

Also, the report/input provides information on the failure of the State agencies to address the problems of vulnerable people during the pandemic. And, finally in the end Pink included some recommendations directed to State bodies, with a list of certain actions that could/should be undertaken to effectively address LGBT people’s problems in case of emergency situations, ensuring a safe environment for implementation of their rights.

**Situation of LGBT people during COVID-19**

On March 16th, 2020, due to the Covid-19 pandemic, the government of the Republic of Armenia declared the State of Emergency for 30 days, which was extended later till May 14th, and then it was again extended twice till June 13th and July 13th. The right to freedom of movement of people had been restricted throughout the country, and only several spheres connected to state institutions, industry, food, and healthcare were allowed to perform; other fields were forbidden. The lockdown has impacted the most vulnerable populations in Armenia, including LGBT people. Many LGBT people were not able to earn for living because of enforced outage.

On the one hand, many people who were working in service provision field, such as cafes, restaurants etc. stayed without any financial means. On the other hand, many trans\* sex workers were not able to provide services because of the risky environment. As a result, a quite huge number of LGBT people were deprived of even the opportunity to provide themselves with housing and other minimal living conditions. At the same time LGBT people were not included in the social support programs of the Government as a vulnerable group. After the Armenian Government has removed some restrictions starting from May 4th, the spread of the virus increased significantly, making the situation more uncertain and unpredictable in regards of the further restrictions and risks for the general population and its various communities.

Social isolation and mental health outcomes of LGBT people:

LGBT people continued to apply for legal, social work and psychological services that organization provides on a regular basis. During the lockdown period we haven’t noticed any significant increase in the numbers of requests on above mentioned services. Though new obstacles have raised especially while receiving psychological support when a lot of LGBT people didn’t have access to online communication or secure and private spaces to receive the counseling online (many of them have to stay with their family members or other people). By the end of May and beginning of June more LGBT people started to request for psychological and/or peer support. This could be non-direct effect of the overall stressful situation in the country which makes more vulnerable LGBT people to have worse mental health outcomes. Additionally, due to the lockdown regulations, LGBT community members were forced to stay at home during the months having online communication as the only method for support and receiving information or not having the possibility to communicate. Some part of the closeted LGBT community members (including possible victims of domestic violence) who had to stay at home with their family members had also limited access to these online communication channels due to security reasons. In such isolation, LGBT people would feel loneliness and more insecure which can lead to mental health issues. And the removal of some restrictions in the country increased the need for finding mental health support out of homes and far from family members’ control.

Legislative protection and human rights violations of LGBT people:

During the period Pink has documented about ten cases of human rights violations based on sexual orientation and/or gender identity. More than a half were the cases of domestic violence towards LGBT people. However, it is important to take into consideration that due to the crisis regulations, LGBT community members were forced to stay at home having online communication as the only method for support and receiving information. Some part of the closeted LGBT community members (including possible victims of domestic violence) who have to stay at home with their family members had also limited access to these online communication channels due to security reasons. This also impacted on receiving less information about the cases that actually happened. The warning tendency represented the cases of domestic violence of those minor LGBT people who reported to police and were forced to stay at home with their abusive parents and relatives. Another concerning tendency was revealed during providing social support to LGBT people, when some community members had to “pay” their family members during the lockdown to stop the circles of violence (financial support to family members decreased the level of hostility towards a person at home).

In the beginning, until May 14, there were cases when the judicial-investigative actions were postponed due to the Covid-19 pandemic. There was a case of an LGBT person when the Public defender refused to take part in investigation action. In addition, the Chamber of advocates urged not to go to court and investigative actions that are not urgent. This is why some cases of LGBT people have been postponed. The courts are functioning and the police do not prioritize this type of violence.

Social-economic challenges during COVID-19 pandemic:

The social-economic issues have also raised during the lockdown for LGBT people; and Pink and other field organizations have received requests for receiving social and financial support. The restrictions of performance had a huge influence on the employment status of LGBT people as those who worked and earned their income on daily bases lost their work and had financial difficulties. Armenian legislation didn’t fully regulate the possibility of payment of wages in the current situation, so employees were forced to go on unpaid vacation without receiving salaries. It is worth to mention that the majority of those LGBT people didn’t have any support from their family members and used to live separately due the previous experience of domestic violence or non-acceptance based on their sexual orientation and/or gender identity. Meanwhile, the same people usually rent houses, and do not have financial support from their families or the government, as the government has not developed separate community support programs or protection laws. These factors put LGBT people at risk to stay homeless, without any means of survival and medical care.

Moreover, due to the lack of financial resources LGBT people who needed medical care also lack the possibilities to start or continue their treatments. Especially vulnerable became trans\* people who used to receive a hormonal therapy as preparation for sex reassignment surgery (SRS)/ gender reassignment surgery (GRS), but due to this situation, they cannot effort to continue their treatments as they are not able to pay for it. More than 100 LGBT people applied to Pink with these needs (details described below).

**Availability of the information concerning the situation of LGBT people for the State agencies**

We have faced lack of any cooperation and communication between civil society and State related to the impact of Covid-19 pandemic and crisis mitigation restrictions that affect LGBT communities. The organization has periodically published information about the situation and needs of LGBT people during the Covid-19 pandemic and lockdown through the reports on provided social and financial support for addressing the latter[[1]](#footnote-1). These also aimed to increase public awareness on the issues and limitations that LGBT people faced during the period, indirectly targeting the State. However, no interest or response from State was noticed.

Pink’s social support to LGBT people during COVID-19 pandemic:

Pink provided social support to LGBT people who have found themselves in a difficult social situation during the state of emergency. The main purpose of this support is to meet the basic needs of LGBT people in difficult life situations and to help them solve their vital social and financial problems. Pink has received 102 applications to support 116 people. According to the Social Support Guide developed by the organization and based on the needs assessment, the commission approved the request for full or partial support in the 70 applications, rejected the rest, and two of the applicants have refused support. 61.6% of the allocated money was intended for the provision of housing for the beneficiaries, 27.7% for food and other basic necessities, and 10.7% for the medical expenses of 20 of the applicants.

Thanks to the provided support 79 people have received financial support for housing, medical expenses, food, and other necessities. In the initial stages of support, the budget for Pink’s administrative expenses was used, and then grants were allocated by the Urgent Action Fund, the Women’s Fund Armenia, and Open Society Foundations-Armenia. The LGBT+ Shelter Initiative, which has continued to provide shelter to people who have been subjected to violence based on sexual orientation and gender identity during this period, also invests its resources in providing assistance.

Pink didn’t receive any support from the State, because Armenian government does not consider LGBT people as a vulnerable group to support which there is a need to develop separate programs.

**Measures undertaken by the State agencies to support LGBT people to overcome the crisis of COVID-19**

We don’t have information that the State had cooperation and/or consultation with the civil society while taking measures, such as crisis relief programs, to address the social-economic impact on various communities of Armenian population during the Covid-19 epidemic. This includes also LGBT community that has never been officially considered as one of the social communities with vulnerability.

It is worth to mention that different civil society organizations have taken different measures and done grassroot work to address the challenges raised for the respected communities during Covid-19 pandemic. This refers also to those civil society organizations that work with LGBT community. The State and civil society worked separately so far.

There are many forecasts that the Covid-19 pandemic will have a negative impact on the Armenian economy. But first of all, it will directly affect the social-economic situation of LGBT people in Armenia. LGBT people don’t have any support from their family members; they are discriminated because of their sexual orientation and/or gender identity in the job market, so they can’t find a job and earn a living. Because of unemployment and decreasing the level of wealth LGBT people will have a lack of material goods and necessities. There will be problems with housing affordability. Additionally, the emergency situation in the country made more obvious the vulnerability of LGBT people and showed the open spots in RA legislation, policies and implementation mechanisms which can prevent the violations of human rights of LGBT people, such as domestic violence, discrimination at labour, lack of access to healthcare and mental health services, as well as social and financial support provided by State, etc. As the pandemic is in its high rates in Armenia, the resumption of the restrictions is a possible scenario with its negative effects on the situation of LGBT people in the country.

**Recommendations:**

* Strengthen the cooperation with grassroot civil society organizations, including LGBT organizations, while planning and implementing short-term crisis mitigation measures; and develop inclusive long-term policy for emergency situations to make sure that the vulnerability of the groups, including LGBT people, is considered and specific needs are met.
* Develop and implement a common, unified policy for combating discrimination and adopt a comprehensive anti-discrimination law, which should, inter alia, include effective mechanisms to combat discriminatory attitudes towards LGBT people and other vulnerable groups.
* Conduct concrete actions to make domestic violence legislation and its implementation mechanisms applicable to LGBT people, especially for minors, as well as ensure the protection of the victims by law enforcement bodies.

1. Coronavirus and the new challenges for LGBTQ people (April 2020) <https://www.pinkarmenia.org/en/news/covid-challenges/>

   Social Support (April 2020) <https://www.pinkarmenia.org/en/news/social-support/>

   Summarizing the first stage of social support (June 2020) <https://www.pinkarmenia.org/en/news/socsupport-report/> [↑](#footnote-ref-1)