

NEWS LETTER

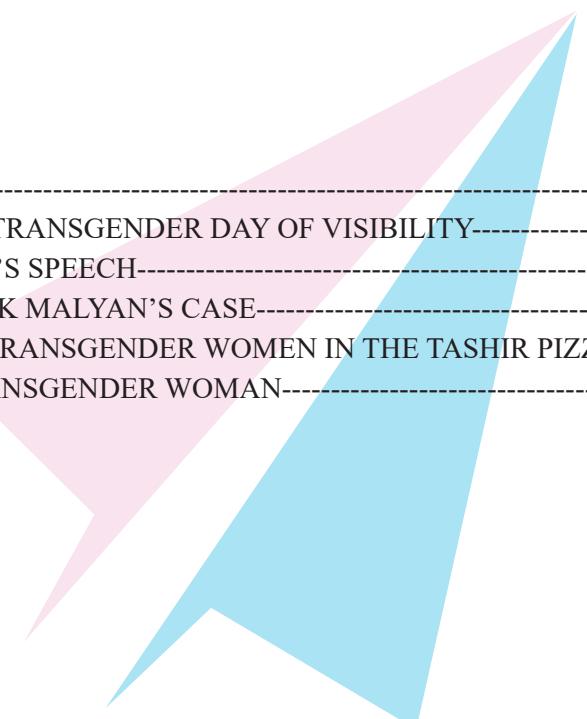
March-April 2020

RIGHT SIDE

HUMAN RIGHTS DEFENDER NGO



No12



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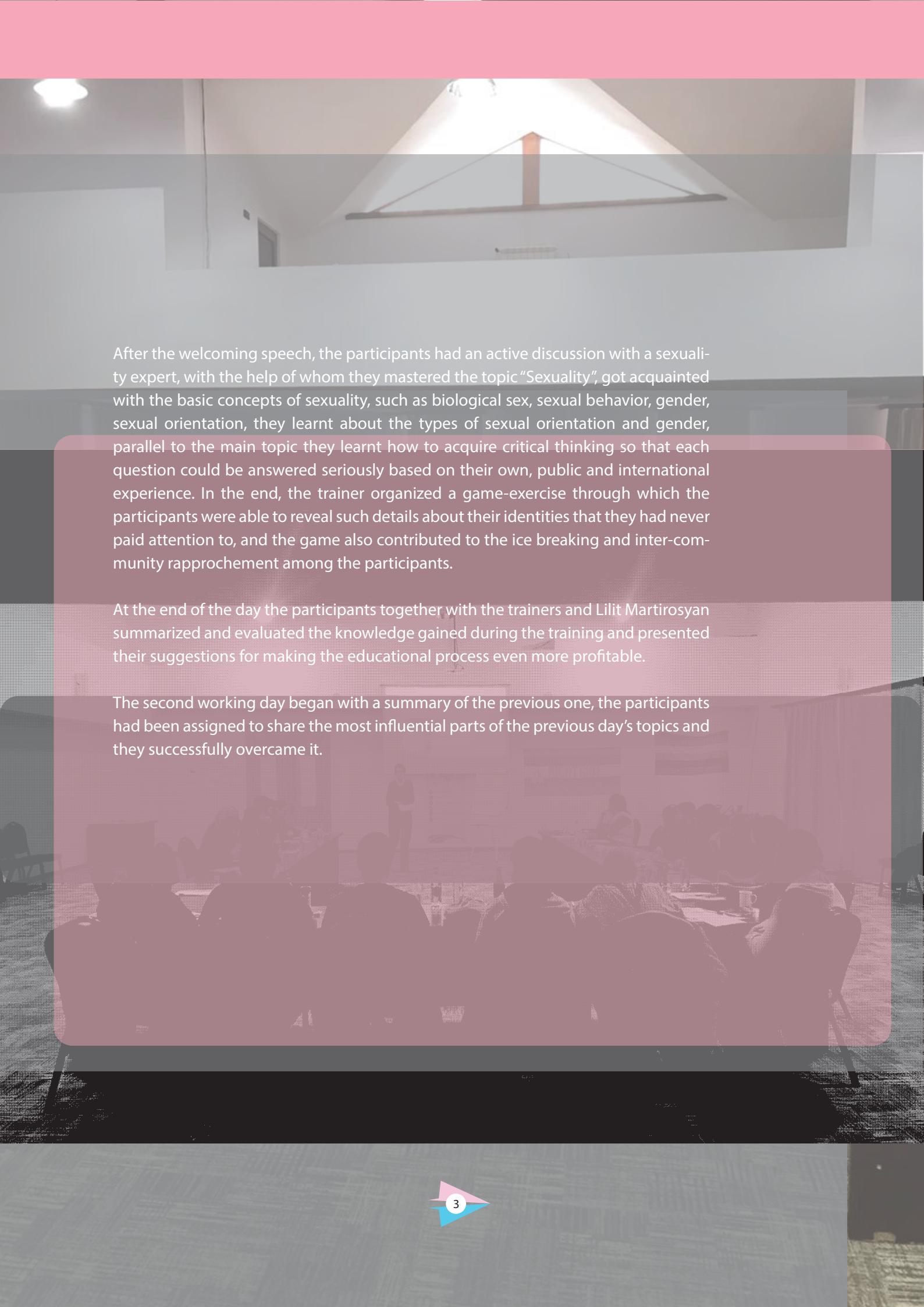
“TRANS CAMP” 4

The 4th Trans Camp organized by the Right Side Human Rights Defender NGO for transgender people, their family members and trans rights activists took place from March 4 to 6, 2020.

The purpose of the training-course was to promote the capacity building of the transgender community, their active involvement in civil, cultural and social life, and to promote the reduction of stigma and discrimination in the families of transgender people.

On the first day of the training, Lilit Martirosyan, the Founder and President of the Right Side NGO, made the opening remarks by welcoming the participants, she thanked them for their presence, assured them that after the training the participants would leave with new knowledge, expectations and perspectives. Lilit Martirosyan particularly emphasized the importance of the parents participating in the camp for the first time and thanked them for supporting their children, she expressed the hope that more parents would be present at the next camp who would be ready to fight for the full implementation of their transgender and LGBI children's rights in Armenia.





After the welcoming speech, the participants had an active discussion with a sexuality expert, with the help of whom they mastered the topic "Sexuality", got acquainted with the basic concepts of sexuality, such as biological sex, sexual behavior, gender, sexual orientation, they learnt about the types of sexual orientation and gender, parallel to the main topic they learnt how to acquire critical thinking so that each question could be answered seriously based on their own, public and international experience. In the end, the trainer organized a game-exercise through which the participants were able to reveal such details about their identities that they had never paid attention to, and the game also contributed to the ice breaking and inter-community rapprochement among the participants.

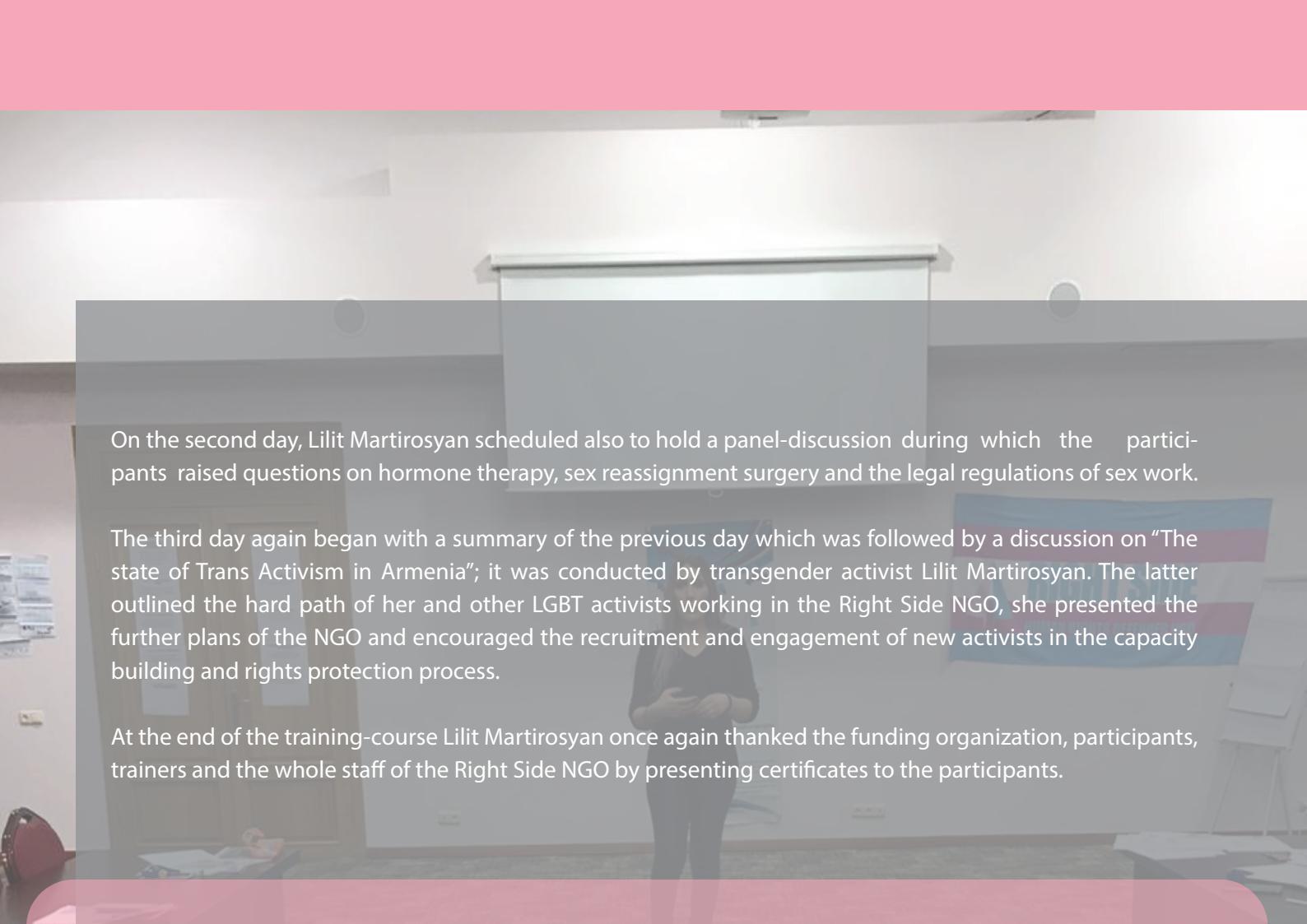
At the end of the day the participants together with the trainers and Lilit Martirosyan summarized and evaluated the knowledge gained during the training and presented their suggestions for making the educational process even more profitable.

The second working day began with a summary of the previous one, the participants had been assigned to share the most influential parts of the previous day's topics and they successfully overcame it.

The second day of the training was dedicated to human rights and civic engagement. Within the framework of the topic the participants discussed the Universal Declaration of Human Rights, considered and suggested how to be an active and responsible citizen and promote equal rights. The topic was a subject of heated debate; though, the questions of the participants received a comprehensive answer.

In the second half of the day the participants were informed about the educational opportunities which are a subject to scholarships in the RA, how to use these opportunities and how to write a competent CV and motivational letter. Participants played a role-play, during which they presented their CVs and motivation letters to the Right Side NGO team and they were interviewed for a fictitious job. After each participant's interview, the trainers indicated what mistakes the participant had made in the formation of a curriculum vitae and during the interview so that they would avoid repeating these mistakes when hiring.

The second working day was probably the most emotional of the three training days because the parents of trans and LGBI were talking. During this discussion, the parents shared the story of their trans and LGBI children, how they had learnt about it, how they had responded, and how they then interacted with their children, how they had learnt about it, how they had responded, and how they then interacted with their children. This was a platform where parents and children were able to express heart-wrenching questions, feelings, and emotions. After each speech the parents embraced their children with enthusiasm and uttered words of commendation.



On the second day, Lilit Martirosyan scheduled also to hold a panel-discussion during which the participants raised questions on hormone therapy, sex reassignment surgery and the legal regulations of sex work.

The third day again began with a summary of the previous day which was followed by a discussion on "The state of Trans Activism in Armenia"; it was conducted by transgender activist Lilit Martirosyan. The latter outlined the hard path of her and other LGBT activists working in the Right Side NGO, she presented the further plans of the NGO and encouraged the recruitment and engagement of new activists in the capacity building and rights protection process.

At the end of the training-course Lilit Martirosyan once again thanked the funding organization, participants, trainers and the whole staff of the Right Side NGO by presenting certificates to the participants.

"Everything was organized ideally, I just wish that such meetings were more frequent," an LGBT activist.

"Both the training topics and the trainers' skills were excellent, I can't help but mention the hotel's high service, just thank you." a transgender activist.

"This has just been an irreplaceable platform where I have got to know my child in a new way, I have understood his problems, the existence of which I have never known, now I know I will fight for the rights of my child and many other children like them to the end," a parent of a transgender person.

"I would like to see such gatherings more often, be not being a member of the LGBT community, I realize how important and educational such gatherings are for the supporters," trans ally.

Right Side Human Rights Defender NGO expresses its deep gratitude to all the participants and hopes to see them on the front lines of the trans human rights activists in the near future.

INTERNATIONAL TRANSGENDER DAY OF VISIBILITY

International Transgender Day of Visibility (TDOV) is an annual event occurring on March 31st. The purpose of this day is to increase the visibility of transgender people and talk about the discrimination against them.

For the past five years, the Right Side Human Rights Defender NGO has repeatedly increased the visibility and needs of transgender people by reducing stigma and discrimination against transgender people.

On the eve of International Transgender Day of Visibility, the Right Side Human Rights Defender NGO organizes a public campaign every year to increase the visibility of transgender people.

This time we present a series of interviews with transgender sex workers to understand how the Coronavirus epidemic affects their lives:

"We are barely living until everything is over. I live separately from my parents because my family don't accept me and now, I have a serious problem. I have accumulated debts, a loan, and I have to pay the house rent and utility bills in the coming days. Every day the home owner calls and reminds me that although the state of the world is not so good right now, the house rent has to be paid, and I am urged to promise every day that I'll pay in a few days, but I don't know until when...If at least we could have lived before, now we have been surviving already for a month, we have almost no clients, we only accept them in extreme cases after talking on the phone for a long time, and after the customer leaves we are afraid of being infected but we have no other means of living: both we and our customers are equally scared and that is why the situation of trans people who are sex workers is now extremely grave," said transgender sex worker N.

"I have returned to my family, but every day I have to tolerate psychological, physical, and other forms of violence that I am no longer able to endure. I think if this goes on for a week or so, I'll just run away from home, whatever it is, let it be, it's better to sleep outside than to go through all this one more time," said transgender woman A.

"I have recently undergone a complicated surgery, I have not recovered yet, I am living alone for rent, I have been separated from my family and living in the city for the past seven years. I have gone through hormone therapy courses the money of which I have worked by doing sex work, during these years I have been subjected to brutal violence, persecution, but this is my life, I want to live like everyone, it is very difficult to live alone at this time, I have not got a job anywhere though I have tried several times, I have been told that I have nothing to do there, now I have only 10,000 AMD, I paid the rest of my money for a month's flat rent, I don't know where to find money to pay for the next month's rent, I don't know how to buy something to eat, and I have to be honest and say I will be on the street soon as no one offered to help me, whatever I achieved, I did it on my own efforts," said a transgender woman K.

"Because of my appearance, I was not given an apartment for rent. I have recently found an apartment the rent of which is on a daily basis. If I do not pay the rent one day, they will just kick me out of this apartment. I spend every day praying to God to free us from this evil as soon as possible, in a few days I will have to beg outside to get daily food in order not to starve," said transgender woman L.

"Often walking down the street I see families giving each other so much warmth, I remember my childhood when my mom and dad by grabbing my hand were walking in the parks, how many happy memories I have; unfortunately, today there is nothing left of these memories, they are no longer with me, I live alone now, cut off from everything and everyone. I moved to Yerevan about 5 years ago, I live alone for rent, I do sex work to live. I was studying, but I left my studies incomplete as I was being beaten, humiliated, I was hardly keeping going on, I was forcing myself to graduate, get my diploma and get lost from the country, but I couldn't stand the constant violence, ridicule and persecution. My only way of living now is to do sex work, I want to save money and leave. I don't have any reason to keep me here, I have no state that protects me, helps me, I don't feel safe here. In my dreams there is a quiet, peaceful life... I go out into the street, I am mocked, I walk in the street, I am ridiculed, my neighbors are discriminate me, it is no longer possible to live here. I don't know how to live in this apartment on these days, I don't work to pay the rent, there is no one who can help me get out of this situation, I don't know my tomorrow," said transgender sex worker V.

The Right Side Human Rights Defender NGO also reminds that transgender people have always and at all times existed in our society, and in line with the spirit of the present era, once again it calls on all the citizens to show solidarity and respect for sexual and gender minorities by contributing to the strengthening of democracy and the establishment of equality in Armenia.



Angel

IDAHOBIT2020
Breaking The Silence
#INSTATRANS

All the people in the world should be accepted and protected no matter if they are gay, lesbian, bisexual, trans, straight, disabled or something else.



Milena

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Somewhere over the rainbow there's a world where nobody needs to give up on their dreams because of discrimination against them. And I really hope that very soon the world of my dreams will exist not only in my mind.



Lorena

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Breaking The Silence
#INSTATRANS

I have been forced to leave my own country to find happiness. I do hope that there will come a day and no one will be forced to do anything to be truly happy without fears of being hated and discriminated.

SONA AGHEKYAN'S SPEECH



On February 25, 2020 Sona Aghekyan, a former member of the Yerevan Council of Elders, gave a speech during the hearing on "Making Amendments to the Judicial Code and Related Laws" in the RA National Assembly.

The latter, straying from the agenda and raising an additional noise and false agenda, pulled the incense out of the pocket and burned it by saying: "About a year ago, this high chair, the highest chair in my country, they were creating a history, and no one sitting here was trying to get hold of that story maker and tell that transgender person that history was not made here, history could be made by laws only inspired by patriotism and national spirit.

Therefore, since the chair of the National Assembly in my country is now desecrated, I am now incensing here and cleansing the Chair of the National Assembly of all the abominations committed by a transgender person here." Despite the fact that at that time V. Vardanyan presiding the hearing urged to stop burning incense and follow fire safety rules. Aghekyan continued to burn incense, after which security forces had to stop her speech and invite her out of the assembly room.



Although nearly a year has passed since Lilit Martirosyan's National Assembly speech, however, passions have not yet subsided and the faces that ended their political career continue to speculate on Lilit Martirosyan's name in order to create false agendas and make meaningless commotion.

Let us remind you that after Lilit Martirosyan's speech in the National Assembly in March 2019, various religious and nationalist groups and representatives of those groups threw numerous threatening messages to Lilit Martirosyan, organized rallies, marches, tried to incense in the National Assembly and demonstrated other such dangerous activities as a result of which Lilit Martirosyan, her family members and staff had to flee the country for some time, they have applied to the police repeatedly, but none of these applications have so far received a fair trial or simply have not been processed.

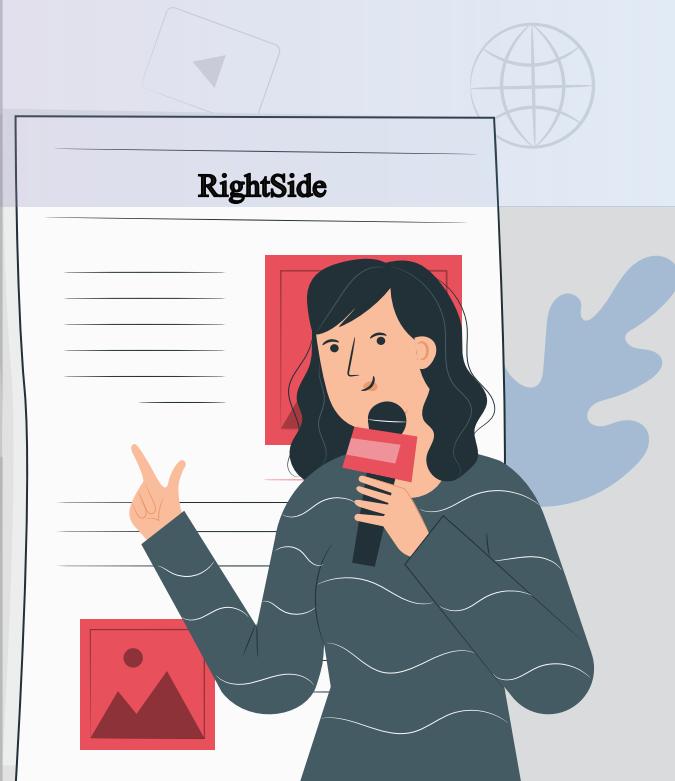
UPDATE ON NAREK MALYAN'S CASE

On October 10, 2019, Lilit Martirosyan, Right Side Human Rights Defender NGO's Founder and President, submitted a report to the RA Prosecutor General on Narek Malyan's publication on "Cuban Citizens Suffering from AIDS", which was sent to the Yerevan City Police Department.

The Yerevan City Police Department had addressed the report to the Central Police Department, where the case had not been processed for a long time, and then on February 10, 2020, a letter was received from the Central Police Department stating that the report had been previously attached to another organization's report with a similar content.

Thus, on February 17, 2020, the Right Side Human Rights Defender NGO decided to appeal the inaction of the Central Police Department to the Chief Prosecutor's Office of the Republic of Armenia. Accordingly, the Central Police Department must decide whether to institute a criminal case, or to reject the criminal case or to reject the criminal case or report it to the subordinate.

We should recall that we were informed from the article "14 transgender people from Cuba are infected with AIDS, says Malyan; what does the Migration Service say?" published on October 14, 2019 , at 15:57 in the Aysor.am website that Narek Malyan, the initiator of the VETO movement assured that this information on transgenders in Armenia was official.



ATTACK ON THE TRANSGENDER WOMEN IN THE TASHIR PIZZA

On February 4, 2020, at 6 pm, four transgender people were assaulted at the “Tashir Pizza” food center located in the Northern Avenue, Yerevan city, which resulted in the physical injuries, including a two-sided nose fracture of a transgender woman A.Q.

Arriving at “Tashir Pizza” food center on that day, the transgender people immediately noticed the unfriendly, even discriminatory attitude of their staff member towards them. The employee served them in a mockery tone by drawing the attention of other clients to the transgender women.

Transgender activist Lilit Martirosyan asked to call the manager to improve the attitude of the service provider who was devoid of ethics, but even after that the waiter continued to taunt and mistreat the transgender women, A.Q. personally warned the waiter that he behaved properly, however, after that warning the transgender woman received offensive attitude and abusive remarks after which the waiter struck A.Q. by breaking her nose in the hall in the presence of other clients. Subsequently, clients in the hall encouraged the waiter’s illegal activities and also displayed intolerant and discriminatory behavior towards the transgender women.

To Lilit Martirosyan’s alarm, the police arrived at the crime scene and decided to detain the transgender women and the employee of “Tashir Pizza” at the police station of the center, where the victim transgender women testified on the basis of which a preliminary investigation was launched.

Right Side Human Rights Defender NGO strongly condemns crimes based on hatred and discrimination and promises to pursue the further development of the cases and fair trials. Right Side Human Rights Defender NGO also calls on the “Tashir Pizza” Pizza Network to review their employees’ unprofessional behavior and the attitude towards customers and severely penalize employees with similar behavior.

To learn about the further development of the case, follow us on the social media and on our official website.

ATTACK ON A TRANSGENDER WOMEN

Transgender people have always been one of the most discriminated community in the Armenian reality. At this crucial moment, even transphobic people do not miss the opportunity to prove once again their discriminative attitude and blindness from hatred.

On April 4, 2012, transgender H was subjected to violence in her apartment and illegally deprived of her liberty by three people.

Specifically, a person named A., who is H.'s acquaintance, together with his friends under a false pretext visited H. and demanded money for previously renting their apartment which H. had actually paid. Receiving a refusal, H. was illegally deprived of her liberty in her apartment,

her movement was banned, her mobile phones were taken from her and she was ridiculed, and also the person named A. shot H. on his phone and threatened to post personal information about her on the Internet.

After H. alerted to the police at 17:32 p.m., A. and his friends, as well as H. went to the police station, where a protocol was drawn up by the police officers to detain H. at 17:45 p.m. despite the fact that H. went there voluntarily. As it later turned out, A. and his friends also called the police at 17:45 p.m. and informed that H. had committed fraud and she was avoiding paying her rent.

According to the Article 180, part 2 of the RA Criminal Procedure Code, in case of sufficient grounds for suspicion of committing a crime, persons may be detained and searched, samples may be taken for examination, and an expert examination may be appointed.

Namely, it should be noted that a person can be detained only if there are sufficient grounds for suspicion of a crime. Meanwhile, in this case, H. could not be arrested, as there were no sufficient grounds for committing a crime, in the case when A. and his friends called the police at 17:45 p.m., and objectively it was not possible to arrest H. at the same moment.

It is clear that the arrest protocol was issued against H. only to cover up the illegal actions of the police to temporarily restrict his freedom, which is reprehensible.

Based on the case law of the European Court of Human Rights, the notion of "criminal charge" should be understood not in a literal (documentary) but in a substantive (practical) sense (Deweerd v. Belgium case decision, Art. 44, Application No 6903/75, February 27, 1980). Namely, the existence of "accusation" against a person can be evidenced by taking such measures that imply the existence of a suspicion of a crime, as well as significantly affect the status of the suspected person (Eckle v. Germany case decision, Art. 73, Application No 8130/78, July 15, 1982; Šubinski v. Slovenia case decision, Art. 62, Application No 19611/04, January 18, 2007; G.K. v. Poland case decision, Art. 98, Application No 38816/97, January 20, 2004). Moreover, the manner of application of the points 1 and 3 of the Article 6 of the Convention on pretrial proceedings is conditioned by the peculiarities of the case (Shabelnik v. Ukraine (Shabelnik v. Ukraine case decision, Art. 52, Application No 16404/03, February 19, 2009).

At the same time, it should be noted that the fact of not paying the rent, even if it exists, does not indicate the crime of fraud, it is regulated by civil law and in no way testifies to the existence of sufficient grounds for suspicion of committing a crime.

Therefore, based on the above, we condemn the attack on transgender H. in her apartment by citizen A. and his friends, as well as the actions of the police, which, without sufficient grounds, made a protocol to arrest H. and temporarily restrict her freedom.

This statement will also be sent to the RA Ombudsman too, from whom we expect a proper investigation into the legality of the actions of the police.

As it can be seen, even the pandemic does not deter people full of hatred from committing their discriminatory and criminal actions. On the contrary, the employment of Right Side NGO lawyer has increased on these days as the latter receives numerous calls and complaints from abused and discriminated transgender people.

From February to April, 2020 Right Side Human Rights Defender Organization had 211 beneficiaries

Official visitors

113

Participants in
community events

65

Legal consultations

30

New lawsuits

3

Dear reader, these numbers have been revealed before the
start of quarantine due to coronavirus



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