



OPEN LETTER

(a warning to "Right Side" NGO)

Dear Colleagues,

In the recent period, we have received letters from various local, state and international organizations that the "Right Side" Human Rights Defender NGO (hereinafter referred to as RSNGO) acting in Armenia, often slanders information about "New Generation" Humanitarian NGO (hereinafter referred to as the NGNGO) and personally, about Sergei Gabrielyan, the President of NGNGO.

The NGNGO would not publish this open letter if the defamatory information from the RSNGO had not been frequent.

Particularly, based on the letter sent to CRG CCM Armenia from RSNGO on May 7, 2018, we would like to address and give clarifications on the issues raised there.

So,

- RSNGO accuses Sergei Gabrielian in open transphobia.
 - "New Generation" Humanitarian NGO continues to support the strengthening of the newly established groups and structures in support of the LGBT+ community in Armenia within its new strategy.
 - With the financial, legal and technical support of the "New Generation" Humanitarian NGO, community-based organizations of transgender entities, such as the "Right Side" Human Rights Defender NGO, the "Colorful House" Social-Cultural Human Rights Defender NGO, "For Strong Future" Human Rights Defender NGO.
 - The above-mentioned organizations have received sub-grants by "New Generation" Humanitarian NGO, namely with Lilith Martirosyan, the head of the "Right Side" Human Rights Defender NGO, NGNGO signed a sub-grant contract ahead of the day against Homophobia, Transphobia and Biofobia, to provide financial support for IDAHOT events, organized by them. The same organization has been provided with another subgrant for a two-day training course, the development of anti-discrimination strategies and video production.
- The RSNGO noted in a letter that the NGNGO Shelter Committee, looking at the transgender person's face, refused to give them a shelter, saying that they did not see any discrimination against them, and when the RSNGO sent an inquiry to get the Shelter Regulation, the NGNGO did not respond to it.
 - In answer to your 06.02.2018 inquiry about Shelter Regulation, we informed you the following:
 1. The Articles 27 and 27.1 of the Constitution of the Republic of Armenia, of 27.11.2005 edition, you have referred to have been amended.



According to 06.12.2015 amendments to RA Constitution, the freedom to seek, receive and disseminate information and ideas through any media is established by Article 42 of RA Constitution. Therefore, the norms you have referred to are not applicable in this case.

2. The Article 3 of 23.09.2003 RA law on “Freedom of information” interprets the following main concepts used in the law: **“New Generation” Humanitarian NGO is not included in the list of information providers, in public procurement and responding to requests, it is not guided by the procedure set out in the RA Law on Freedom of Information and does not bear responsibility for responding to the inquiry.**

- Giving a shelter to a beneficiary directed by the RSNNGO was rejected based on the following provision of the Shelter Regulations: The shelter claim is subject to rejection, if,

1. There is strong doubt that a person wants to use the provided shelter for legally prohibited purposes.

In this case, the Applicant has clearly indicated that a shelter is required to provide sexual services. The actions listed by the latter contain elements of administrative offenses and promoting these activities by the NGNGO may result in the commission of a crime under Article 262 of the RA Criminal Code.

to create, administer or maintain an institution for prostitution, or to use a public institution for prostitution or to provide periodic accommodation or other accommodation for prostitution, or to promote another form of forfeiture.

- The NGNGO does not consider necessary to address the issues of illiteracy, taking into consideration a range of other statements addressed to the NGNGO by "Right Side" Human Rights Defender NGO full of pronunciation, punctuation and syntax mistakes, as well as legally not justified. We only state our opinion that illiteracy is typical for all individuals, and the Transgender community is not targeted by the NGNGO in this case.
- RSNNGO noted that Transgender people do not have access to service provided by GF's financial funds.

- "New Generation" Humanitarian NGO informs that all products, condoms and lubricants received under the Project have been provided to beneficiaries, including Trans community. Another thing is whether the project can be financed for purchasing a larger number of products.

- In its previous statements, RSNNGO also noted that the president of the "New Generation" Humanitarian NGO, Sergey Gabrielyan, has been convicted.



- NGNGO President S. Gabrielian informs that this information does not correspond to reality. Moreover, S. Gabrielyan has been a member of the Group of Public Observers in Criminal Execution Institutions of RA Ministry of Justice since 2009.

So, by summing up the above-mentioned arguments, "New Generation" Humanitarian NGO officially warns the "Right Side" Human Rights Defender NGO to refrain from disclosing, offending, or defamatory information about honor, dignity or business reputation of the NGNGO and S. Gabrielyan. In case of non-compliance, the NGNGO will apply for judicial protection in the manner prescribed by the RA Civil Code on the basis of all available evidence.

"New Generation" Humanitarian NGO found it expedient to send this Open letter to all partner organizations and individuals who receive false emails from "Right Side" Human Rights Defender NGO.

Best Regards:

"New Generation" Humanitarian NGO



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