



Kosovo*

BIAS-MOTIVATED SPEECH

Deputy of the Democratic Party of Kosovo (PDK) Mergim Lushtaku said in October that he wanted to preserve the institution of family, and spread false information about the well-being of children in diverse family constellations. The remarks were made during the parliamentary hearing on the draft Civil Code (see under **Family**).

Several members of the Vetvendosje, the largest political party, made negative remarks about the awareness raising campaign on marriage equality by the Youth Initiative for Human Rights. In October, Member of the Municipal Assembly of Prishtina, Leonora Shabani-Bajraktari called the campaign “exaggerated and unnecessary”. A few days earlier, Eman Rrahmani, MP of Vetevendosje, said in response that he is committed to the family model that has “a mother, a father, a son, a daughter, a grandmother, and a grandfather”.

EQUALITY AND NON-DISCRIMINATION

Civil society reported better cooperation with the Advisory and Coordination Group for the LGBTI community this year, which released the new National Action Plan (2019-2022) in 2019. This year, the implementation of the Plan was made difficult by the COVID-19 pandemic.

FAMILY

The draft Civil Code was published in July, causing disappointment among civil society. The Code fails to make progress on providing legal recognition to diverse families. It defines marriage as a union between a man and a woman, and also fails to establish the institution of civil partnership. Local civil society organisations have been advocating for a human rights compliant law for years. In a joint statement, they heavily criticised the draft for being discriminatory on the basis of sexual orientation and dedicated Pride to the issue (see more under **Freedom of assembly**).

While the Constitution uses the gender-neutral term “spouse” in regard to marriage and forming a family, and includes a non-discrimination provision inclusive of sexual orientation, the draft Civil Code, in its current form, fails to meet this standard. The draft is currently stalled in Parliament.

FREEDOM OF ASSEMBLY

On 17 May, local LGBTI NGOs, Centre for Social Group Development (CSGD) and Centre for Equality and Liberty (CEL) held a small street action to mark IDAHOBIT, decorating trees

with positive messages on rainbow ribbons, to draw attention to the situation of LGBTI people during the pandemic. The main government building had rainbow lights projected on it.

CSGD, CEL, and other human rights organisations jointly organised Pride this year. Due to the COVID-19 pandemic, the Pride Parade took the form of a car parade. Held on 12 October, the event focused on the ongoing discourse on the draft Civil Code (see under **Family**), calling for legal recognition for rainbow families, under the slogan “I Do”. The number of participating cars was set at 30 maximum, to comply with pandemic restrictions. The only other event that could be held this year was the FemTalk discussion, focusing on the “Parade in Pandemic Conditions”.

HEALTH

Border lockdowns due to COVID-19 have severely impacted trans people’s access to gender affirming healthcare abroad, as Kosovo does not offer any trans healthcare services.

During the pandemic, the number of LGBTI individuals seeking psychological support increased, both online and in-person. Civil society organised group therapy sessions to combat stress and anxiety caused by the lockdown and to give tips on how to maintain healthy relationships with the outside world.

HOUSING

The municipality of Prishtina announced the funding of a shelter with 300,000 euro for LGBTI people who are survivors of domestic violence or became homeless due to family rejection. The municipality will closely cooperate with LGBTI organisations. Construction will start in 2021.

HUMAN RIGHTS DEFENDERS

LGBTI organisations cancelled or postponed almost all of their activities during the two-month quarantine and had to redesign their work plans to be able work during the pandemic.

INSTITUTIONAL SUPPORT

The municipality of Prishtina opened up a space for LGBTI organisations this year, which will be used as a drop-in centre in the future. LGBTI people will be able to hold events, have meetings or hangouts, and access mental health support or other services. The space is currently being renovated by the municipality.

LEGAL GENDER RECOGNITION

Following a long legal battle that began in 2018, Blert Morina, a trans man, successfully changed his gender marker and name in January. In late 2019, the Basic Court of Prishtina annulled previous judgments denying him this right and gave the authorities 15 days to proceed with the change. It is hoped that following this positive judgment and its speedy implementation, other trans people will face fewer obstacles accessing legal gender recognition.

“For the first time, the Court decided to recognise the right to gender identity without requiring evidence of surgical interventions or any medical change.” - [Rina Kika](#), Blert Morina’s lawyer

The Court denied financial compensation for the stress and anxiety that Morina suffered in the past two years.

In July, CSGD, CEL, the Council of Europe and EU Offices in Kosovo, and the Office for Good Governance held a meeting on LGR law reform. They agreed that a specific gender recognition law should be put in place, which must be preceded by an in-depth analysis of the existing legal framework. The parties also agreed that the quality of the law is more important than the timeline; the working group should represent a wide range of expertise and experiences; the process should be complemented by awareness raising for the public.

*Included in this Review as a separate jurisdiction following UNSCR 1244/1999



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