



ILGA-Europe's Review of the Human Rights Situation of LGBTI people in Albania Contribution to the 2015 EC Progress Report

In cooperation with Pink Embassy/LGBT Pro Albania and based on ILGA-Europe's 2015 Annual review

Period covered: October 2014-May 2015

A summary of key developments and trends

Hundreds of activists, community members and allies took part in the Pride bike ride in Tirana on the International Day Against Homophobia and Transphobia (IDAHOT). No incidents were reported. The Ministry for Social Welfare and Youth suggested amendments to the Labour law to include protection from discrimination on the grounds of sexual orientation and gender identity, amongst others. The Ministry also drafted a Social Inclusion Strategy in consultation with LGBTI organisations. Regrettably, the proposal of the Ministry for Social Welfare and Youth to allow legal same-sex unions was rejected by the Ministry of Justice. General awareness of LGBTI people and their rights remained low overall, although authorities – in particular the Commissioner for Protection from Discrimination – lent support to several events and the opening of Albania's first LGBTI shelter.

Bias motivated violence

- In December 2014, NGOs Aleanca LGBT and ProLGBT opened a shelter for LGBTI individuals who are homeless, victims of domestic violence, or at risk of violence. The service will provide housing and medical assistance for up to 8 people for a period of 6 months each, and employ 12 staff members. Minister of Social Welfare and Youth Erion Veliaj, the Director of the government-run Agency for Supporting Civil Society Organisations, as well as British and EU diplomats, attended the opening.
- NGO PINK Embassy reported several individual cases of violence and discrimination throughout the year 2014, including instances where LGBTI people were kicked out of their home, had their resources cut by unsupportive family members, or were sexually abused. Some victims sought to leave Albania.

Equality and non-discrimination

- In October 2014, the Ministry of Social Welfare and Youth Strategy invited several NGOs, including PINK Embassy, to provide their input towards its draft Social Inclusion Strategy, due to cover the years 2014–2020. After the second consultation, the proposal was finalized and sent to the government for approval in early 2015.
- In November 2014, the Commissioner for Protection from Discrimination and NGO PINK Embassy signed an agreement with the Ministry of Education and Sports, aiming to assess the prevalence of homophobic and transphobic bullying and discrimination in high schools. They agreed to conduct a nationwide study and teachers' trainings in six major cities, as well as holding a national conference.
- In November 2014, NGO PINK Embassy signed a cooperation agreement with the municipalities of Tirana, Durrës, Elbasan, Korce, Shkoder, and Vlore. The agreement foresees an improvement in the quality of services for LGBTI people through joint work on areas such as education, healthcare, or welfare services at local level.
- The Commissioner for Protection from Discrimination published its first report on the protection and respect of the rights of LGBTI people, which he presented to the Parliament's Subcommittee on Human Rights in December 2014. It comprehensively surveyed the topic, and recommended aligning law and policy with the Council of Europe's Recommendation of the Committee of Ministers on measures to combat discrimination on grounds of sexual orientation or gender identity, notably in the area of hate crime legislation; to educate the public about LGBTI issues; to ensure that victims of discrimination know about their rights; and to provide training to police, healthcare, welfare, judiciary, and education professionals.
- In 2014 the Ministry of Social Welfare and Youth started preparatory work to amend the Family Code, with a view to legalising same-sex unions. In early 2015 the Ministry of Justice rejected the proposed draft amendments by the Ministry of Social Welfare and Youth. No known reason was provided for this rejection. LGBTI organisations in Albania are very upset by this turn of events and highlight the importance of such legislation for recognition and social acceptance of same-sex relationships.
- In April 2015, the Council of Ministers approved the amendments to the Labour law proposed by the Ministry of Social Welfare and Youth to prohibit any form of discrimination on grounds of sexual orientation and gender identity, amongst others. The proposed amendments are likely to be adopted by the Parliament without major opposition.

Freedom of assembly

- On 17th May, hundreds of activists, community members and allies took part in the 4th Pride bike ride in Tirana organised by Aleanca and Pro LGBT on the International Day Against Homophobia and Transphobia (IDAHOT). The participants demanded from the government to deliver on their commitments, in particular in relation to legalisation of same-sex unions and protection of LGBTI people from domestic violence. The slogans of the event addressed to the Prime Minister read: "You have promised to adopt a partnership legalisation but you haven't done it yet. You have also promised to be on our side in the long process of educating and emancipating the society, but you have not

been so far". The event was attended by a number of foreign embassies, Ombudsperson and the Commissioner for Protection from Discrimination. No government official took part in the event. No incidents were reported.

Trans*

- In addition to the discrimination and violence trans people are consistently subjected to, they face legal and administrative hurdles when trying to access health services, education, employment, to open a bank account or to have their marital and parental status recognised. Currently the decisions on the change of personal identification documents of trans people are made on an arbitrary bases as the matter is not legally regulated. LGBTI organisations find it extremely important that the government ensures legal gender recognition of trans people and have proposed a draft law to the Ministry of Social Welfare and Youth. Unfortunately, there has been no response from the Ministry on this proposal since 2013.
- In December 2014, the Council of Europe and the Ombudsman jointly hosted a peer exchange workshop for Albanian officials on legal gender recognition. This event was attended by government officials, NGO representatives and other agencies from several countries, including Denmark, Greece, Malta, the Netherlands and Sweden.

* *Trans* is an inclusive umbrella term referring to those people whose gender identity and/or a gender expression differs from the sex they were assigned at birth.