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**Reflektim mbi të drejtat LGBTI në Kosovë**  
**Razmatranja o pravima LGBTI zajednice na Kosovu**  
**Reflections on LGBTI Rights in Kosovo**



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# Annual Report 2016

## Reflections on LGBTI Rights in Kosovo



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## Abbreviations

ACG – Advisory and Coordination Group for the LGBTI rights

CCRK – Criminal Code of the Republic of Kosovo

CEL – Center for Equality and Liberty

CSGD – Center for Social Group Development

ERA - LGBTI Equal Rights Association for Western Balkans and Turkey

EU – European Union

HIV/AIDS - Human Immunodeficiency Virus Infection/Acquired Immune Deficiency Syndrome

HRU – Human Rights Unit

IDAHOT - International Day against Homophobia and Transphobia

LGBTI – Lesbian, Gay, Bisexual, Transgender and Intersex

MEST – Ministry of Education, Science, and Technology

NGO – Non-Governmental Organization

OGG - The Office of Good Governance (The office of Good Governance, Human Rights, Equal Opportunities, and Non-Discrimination)

OI – Ombudsperson Institution

QESH – Center for Social Emancipation



## Executive Summary

Advancement of LGBTI rights in Kosovo is going through a very challenging pathway. As in elsewhere countries, the patriarchal values of the society further reinforced by the traditional and often extreme religious sermons remain the main impediment of LGBTI rights. Additionally, the advancement of LGBTI rights in Kosovo is hampered by the lack of state capacities to enforce the rule of law. This among others contributes to sustaining the gap between the legal and social norms.

While this continues to be the reality, the LGBTI community in Kosovo is marginalized and under constant threat of violence. Knowingly, the LGBTI community is bound to live a hidden life regardless of the high guarantees provided by the Kosovo's legal framework. Thus, not surprisingly for a large part of the society, including public human rights officials and law enforcers, the LGBTI community remains inexistent or it embodies a newly Western imposed norm manifested through few isolated cases of LGBTI individuals.

Intending to shed light on this spectrum of issues ranging from almost complete ignorance of the LGBTI community's existence to the most advanced legal framework that Kosovo provides; this report will bring on a variety of concrete obstacles faced on the promotion and protection of LGBTI rights during the year of 2016. It starts with a brief analysis of the situation as an introduction, following with an overview of the relevant legal framework highlighting the lack of legal provisions that allow gender reassign-

ment for transgender persons, and correction of their gender on public registers and documents; legal barriers for same-sex marriage; and the absence of penalization of hate speech and crimes based on sexual orientation and gender identity on the Criminal Code. Furthermore, the report considers the (in)actions taken by the relevant institutions in fulfilling their mandate towards protection and advancement of LGBTI rights, while pointing out the obstacles encountered, such as the unaccounted derogatory language of the Assembly Members; challenges preventing the effective work of the Advisory and Coordination Group for LGBTI rights; reluctance of the Ombudsperson and its institution for an open and wide promotion of LGBTI rights and better cooperation with the LGBTI organizations; and almost complete silence and ineffectiveness of the Human Rights Units at the Municipalities in regard to LGBTI rights.

When reviewing media reporting on LGBTI issues, the report underlines the issue of the handling of abusive comments by the online media. The report also provides a thematic overview of the actions from the three LGBTI organizations and the risk which they are subjected to, illustrated by cases following with a depiction on the limited contribution of other human rights organizations to LGBTI rights, and on the insincerity of their mission illustrated by specific cases. In addition, the report presents a summary of cases of violence against LGBTI persons which were reported to relevant institutions and the way they were treated correspondingly, whilst it concludes with a list of recommendations for the institutions and NGOs.



## Introduction

The advancement and protection of Lesbian, Gay, Bisexual, Transgender and Intersex (LGBTI) rights continue to be an ongoing struggle for Kosovo. The introduction of the liberal human rights legislation which has set the foundations of the newly created institutions of Kosovo has not necessarily represented the societal beliefs, and this has the most obviously been represented in the case of LGBTI rights. The strong patriarchal values constitute the origin of the deep gap between the spirit of the law and the societal norms that continue to prevail and be nurtured by the education system and ineffective rule of law. Consequently, the patriarchal values of the Kosovar society remain highly unchallenged, thus giving way to the discriminatory practices endorsed by the “tradition”. This has made way for LGBTI rights to remain absent from the local human rights vocabulary, whereas in most cases when the silence is broken it echoes the conviction of LGBTI rights as an internationally imposed norm. Accordingly, as the reports show, a high percentage of law enforcement and public officials perceive the LGBTI issue as pushed onto Kosovo by the international community<sup>1</sup>.

This situation where the law does not meet the social norms has enabled the growth of homophobia, discrimination, and hate speech on one side and the reluctance of the civil servants in fulfilling their duty of

promotion and protection of LGBTI rights on the other side. As a result, the majority of LGBTI persons lead hidden lives, whilst the ones who are open about their sexual orientation or perceived to be members of the LGBTI community face various forms of psychological and physical violence from their families, society, and even institutions. Furthermore, LGBTI rights do not take part in the policies of political parties which in most cases refuse to address LGBTI rights or even comment on them due to the fear of losing their electorate. As the National Democratic Institute opinion poll suggests, 60% of the general public declared that they would not vote for a political party that defends LGBTI rights even if that party would address the most important problems of the country<sup>2</sup>. This has discouraged the political parties to take a position on LGBTI rights, most of which make pro-LGBTI rights public statements only during the visits of senior international representatives to refer to Kosovo’s progressive legislation, while the derogatory language of political parties’ representatives and Assembly Members is almost an inherent practice.

Media reporting, on the other hand, has often reinforced the existing negative perceptions of the society towards the LGBTI community and as such does not qualify as a reliable partner in the promotion of LGBTI rights. Similarly, the education system propagates a discriminatory language which mostly regards the being of LGBTI as a

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<sup>1</sup> Youth Initiative for Human Rights - Kosovo and Center for Social Group Development, Freedom, and Protection for Lesbians, Gays, Bisexuals and Transgender in Kosovo, (Prishtina, Kosovo, November, 2013).

<sup>2</sup> National Democratic Institute, LGBTI Public Opinion Poll in Western Balkans, June/July 2015, (2015), [https://www.ndi.org/LGBTI\\_Balkans\\_poll](https://www.ndi.org/LGBTI_Balkans_poll).



deviant behavior or mental illness, thereby further embedding this narrative into the public knowledge and affecting the shaping of the future leaders and professionals, thus contributing to the maintenance of the vicious circle of homophobia and discrimination. In addition, the rise of religious extremism has increased the spread of intolerance, hate speech and crimes against members of the LGBTI community. Cases where religious leaders openly use and promote hate speech and incite hate crimes are not uncommon, and yet they pass

without being held accountable despite the legal restrictions in force. With the intent of filling this rather complex mosaic on the situation of LGBTI rights, this report provides a comprehensive review of the year of 2016. The report begins with an overview of the legal and institutional framework relevant to LGBTI rights in Kosovo, following up with a summary of actions taken by the civil society organizations, and concludes with a brief description of the cases occurred during the reporting year.





## Legislation

The Constitution of the Republic of Kosovo is a high guarantor of human rights. Its values are embedded in the principles of human rights, equality and non-discrimination<sup>3</sup> précised in article 24 (1) which ensures that all are equal before the law and everyone enjoys the right to equal legal protection without discrimination, further providing the prohibition of discrimination based on gender and sexual orientation and other personal statuses among other grounds<sup>4</sup>. The Constitution also ensures the direct applicability of international human rights agreements and instruments including European Convention on Human Rights<sup>5</sup> and interpretation of human rights and fundamental freedoms consistently to the European Court of Human Rights decisions<sup>6</sup> as prevailing the provision of national laws and other acts of public institutions<sup>7</sup>.

The recently amended laws in 2015 on the Protection from Discrimination<sup>8</sup> and Gender Equality<sup>9</sup> also provide high guarantees for equality and non-discrimination on the grounds of sexual orientation, gender, and gender identity among others. Further, the Law on Protection Against Discrimination provides protection from discrimination occurring in the public and private sector in relation to a variety of areas such as em-

ployment, vocational guidance and training, social protection, social advantages, social amenities, education, access to housing, access to goods and services available to the public, fair treatment in court proceedings, participation rights in science and culture, personal insurance, participation in public affairs, access to public places and any other right provided for by law<sup>10</sup>. In addition, the protection from discrimination is also stipulated in the laws relevant to those areas, although in terms of protected grounds they might not be as inclusive as the Law on Protection from Discrimination.

However, contrary to the principles of equality provided by the Constitution,<sup>11</sup> the Family Law restricts the act of engagement and marriage to persons of opposite genders only<sup>12</sup>, thus retaining same-sex marriage unlawful. On the other hand, the Law on Civil Status<sup>13</sup> lacks the sub-legal provisioning for the process of gender re-assignment, therefore specific legislation to enable gender reassignment in a law which could cover modification of data on public registers and documents, as well as alignment with all other data held regarding that individual whether relating to social security, pensions or taxation is needed to be put in place<sup>14</sup>.

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<sup>3</sup> Constitution of the Republic of Kosovo, 2008, c. I, article 7 (1).

<sup>4</sup> Ibid, c. II, article 24 (2).

<sup>5</sup> Ibid, c. II, article i 22.

<sup>6</sup> Ibid, c. II, article i 53.

<sup>7</sup> Ibid, c. II, article 22.

<sup>8</sup> Law No. 05/L-021

<sup>9</sup> Law No. 05/L-020

<sup>10</sup> Law No. 05/L-021 on the Protection from Discrimination, 2015, c. I, article 2.

<sup>11</sup> Constitution of the Republic of Kosovo, 2008, c. II, article 24, article 37

<sup>12</sup> Law No.2004/32 Family Law of Kosovo, 2006, part II, c. I, article 9, article 14.

<sup>13</sup> Law No.04/L –003

<sup>14</sup> Center for Social Group Development and Center for Equality and Liberty, Report: Social Protection and Access to Healthcare for Transgender People in Kosovo, (Prishtina, Kosovo, December 2016).



Meanwhile, the Assembly Commission on Human Rights, Gender Equality, Missing Persons and Petitions on June 2016 has presented its monitoring report on the implementation of the Law on Protection Against Domestic Violence recommending its amendment and commissioning of a range of policies to assist the victims of domestic violence<sup>15</sup>.

Likewise, the revision of the Criminal Code requested by the Office of the President has started in November 2016<sup>16</sup>. The actual Criminal Code of the Republic of Kosovo (CCRK) provides the definition of crimes and

circumstances justifying criminal responsibility of those crimes by further acknowledging sexual orientation but not gender identity as an aggravating circumstance<sup>17</sup>. Therefore, neither sexual orientation, nor gender identity are specified as protected grounds of incitement of hatred<sup>18</sup>.

Finally, despite the advanced legal framework with some noted flaws, which hopefully will improve in a timely manner, the main hurdle loads on the implementation of these acts and consequently in practical providing of human rights guarantees in general, and LGBTI rights in particular.

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<sup>15</sup> The Assembly Commission on Human Rights, Gender Equality, Missing Persons and Petitions, Report with Recommendations for Monitoring the Implementation of Law No. 03 / L-182 on Protection from Domestic Violence, (June 30, 2016).

<sup>16</sup> "Nisin ndryshimet në Kodin Penal dhe të Procedurës Penale"[Review of Criminal Code and Criminal Procedure Code has started], KOHA.net, November 21, 2016, accessed December 16, 2016, <http://koha.net/?id=27&l=143558>.

<sup>17</sup> Code No.04/L-082 Criminal Code of the Republic of Kosovo, 2012, c. III, article 74 (2.12).

<sup>18</sup> Ibid. c. XIV, article 187 (1).



## Institutional responsibility towards LGBTI rights

### *The President of the Republic of Kosovo*

Mr. Hashim Thaci has made an important step in breaking the taboo of openly speaking and supporting of LGBTI rights among political leaders and senior state officials. In his inaugural speech, Mr. Thaci highlighted the diversity of the Kosovar society while emphasizing on the LGBTI community as a part of it, and his constitutional duty to protect the individual and collective rights<sup>19</sup>. Moreover, he has participated in the march marking the International Day against Homophobia and Transphobia (IDAHOT) side by side to the activists of human rights and international and local representatives<sup>20</sup>. Not aiming at promoting certain political entities or political leaders, however, these are important actions to be highlighted by regarding them as good examples in fulfilling the constitutional and legal obligations to promote human rights and equality; especially considering the great social opposition to LGBTI rights, and the discrimination and violence emanating from it.

*Assembly of Kosovo* on the other side has demonstrated a contradictory commitment often showing an inconsistency between its positive actions and the breach of legal obligations and duties. In addition to the adoption of progressive laws, the Assem-

bly Commission on Human Rights, Gender Equality, Missing Persons, and Petitions has been relatively open to cooperation with LGBTI organizations. Although the recommendations of an LGBTI organization regarding the Assembly Committee Work Plan of 2016<sup>21</sup> have not been considered, in October 2016, the Assembly of Kosovo hosted the Assembly meeting of the LGBTI Equal Rights Association for Western Balkans and Turkey (ERA), in which occasion the chairwoman of the Assembly Commission Ms. Lirije Kajtazi made the introductory remarks.

Notwithstanding this, Assembly Members often publicly and privately used derogatory and hate speech against LGBTI community. Cases of derogatory language from Assembly Members have continuously been noted. For instance, Mr. Gëzim Kelmendi has publicly responded against LGBTI rights, stating that their promotion in form of marches/parades is unacceptable. "Our people don't need this kind of parade [as] homosexuality is a disease that is scientifically proven... and a leading cause of the destruction of families and for population decline"<sup>22</sup>. This statement coming as a continuity of several similar ones from the Assembly Members has impelled the call of LGBTI and human rights organizations for disciplinary actions by the Assembly of Kosovo and investigation of hate speech<sup>23</sup> which has not been

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<sup>19</sup> "Speech by President Hashim Thaçi at the Inauguration Ceremony", President of the Republic of Kosovo, April 8, 2016, accessed November 17, 2016, <http://www.president-ksgov.net/?page=2,8,4328#.WC2DITKZOu0>.

<sup>20</sup> "Thaçi: Në Kosovë secili mund të dashurojë secilin" [Everyone can love as they wish], Zëri, May 17, 2016, accessed November 17, 2016, <http://zeri.info/aktuale/90509/thaci-ne-kosove-secili-mund-te-dashuroje-secilin/>.

<sup>21</sup> Center for Social Group Development, Commission on Human Rights, Gender Equality, Missing Persons, and Petitions - Assembly of the Republic of Kosovo, February 4, 2016.

<sup>22</sup> Equal Rights for All Coalition, Condemning Statements Made by MP Kelmendi and Calling for Disciplinary Actions to Be Taken by the Assembly of Kosovo, (2016).



taken into consideration. Whereas later, media releases of wiretapped phone conversations between Assembly Members published in media showed several cases of officials using derogatory language against the LGBTI community<sup>24</sup>. This indeed has unveiled the superficiality of the institutional commitment towards the values which they adopt in law and the irresponsibility to the public office hold.

***The office of Good Governance, Human Rights, Equal Opportunities and Non-Discrimination*** (The Office of Good Governance – OGG) operates under ***the Office of the Prime Minister*** as its mechanism of advice on the areas of the good governance, human rights, equal opportunities and antidiscrimination, and has a supervisory and advisory role for ministries on the same issues. Based on the mandate of this office<sup>25</sup>, the Government of the Republic of Kosovo in December 2013 has established the Advisory and Coordination Group (ACG) for LGBTI rights<sup>26</sup>. The ACG aims at establishing a regular partnership and cooperation between the local and international institutions and the non-governmental organizations (NGOs) engaged in protection and promotion of LGBTI rights, and undertaking of joint activities in preventing and fighting the discrimination of the LGBTI community and raising awareness on human rights, with a special emphasis on LGBTI rights<sup>27</sup>, therefore it comprises of

representatives of the line ministries, prosecution, judiciary, police, LGBTI rights and human rights organizations.

The establishment of ACG has clearly been a significant institutional act of commitment in advancing and promoting LGBTI rights, although the functioning of it faces many challenges. Primarily, besides its broad terms of reference, the ACG has not established rules and procedures, the lack of which hampers its proper functioning, especially in terms of accountability and decision-making. For instance, there is no procedure in place to ensure the regular participation of the representatives of the appointed institutions such as the ones of Ministry of Justice, Ministry of Interior Affairs, Ministry of Labour and Social Welfare, and Ministry of European Integration who have been absent in the group almost completely. Likewise, there is no definition of the decision making in the group, thus enabling the illegitimate decisions. Moreover, the representatives of certain institutions do not have the power to make an impact on policy-making decisions within their own institutions; therefore this is an impediment for institutional coordination and implementation of recommendations of the ACG. This has been clearly manifested in the case of the Ministry of Education, Science and Technology (MEST) the representative of which was not able to provide the ACG with detailed information on the

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<sup>23</sup> Ibid.

<sup>24</sup> Youth Initiative for Human Rights - Kosovo, Reaction to the Use of Derogatory Language Among the MPs of the Republic of Kosovo, (2016).

<sup>25</sup> Regulation No.16/2013 on the Organizational Structure of the Office of the Prime Minister, article 40/1.6, (2013).

<sup>26</sup> Decision No. 05/161, 2013.

<sup>27</sup> Ibid.



process of curriculum reform and textbook revision. Furthermore, the representative was not able to establish an official bridge of communication between MEST working groups and ACG.

Since the formation, the ACG has drafted two Work Plans; the first for the period of May 2015 - May 2016, and the second draft plan for the period of November 2016 – November 2018. Whilst the first document was aimed mainly at the contribution of different institutions for the advancement of policies against discrimination, the second one has been further advanced by reflecting on the limitations and shortcomings of the initial plan. The main areas addressed in this draft plan include: improvement of the implementation of anti-discrimination policies deriving from the law in force, with a special focus on education through the ongoing curriculum reform, and on health through the implementation of the WHO standards for non-discrimination; increase of citizens' awareness on LGBTI rights; increase of inter-institutional coordination within the ACG framework; and finally, improvement of the work of the ACG and increasing its efficiency<sup>28</sup>. Nevertheless, during 2016, the group formally met only twice on February 5 and March 2, and on March 16 organized the "Joint Conference on safeguarding the inclusion of the awareness-raising-training on Equality and LGBTI rights in Kosovo's Public Institutions", where the ACG recommendations<sup>29</sup> were presented. Aside from these, on the occasion of the IDAHOT, the ACG organized a thematic conference

gathering the local and international representatives, and human rights activists, in which case the Government building was illuminated with the rainbow colors.

In addition, the work of the ACG has been considerably complemented by the two-year *European Union (EU) twinning project "Fight against Homophobia and Transphobia"* led by the Austrian Ludwig Boltzmann Institute of Human Rights and supported by the Finnish National Institute for Health and Welfare aiming at fighting homophobia and transphobia, within government institutions through building the capacities of the Kosovo authorities as well as amongst the public. Until the project was concluded in April 2016, it undertook the following actions related to the work of ACG.

*A series of training of trainers for public servants* approved beforehand by the ACG was conducted by experts of the EU twinning project. Nevertheless, none of the LGBTI organizations were informed of the training content or who the trainers were, hence the concern about whether there was a quality assurance for the conducted training has been raised, mainly because the trained participants have shown lack of basic knowledge on the LGBTI issues including the terminology, and this is significantly important as they are meant to train their peers on LGBTI issues and rights.

*The guidelines on how to identify discrimination (with a special focus on gender and sexual orientation) in textbooks* represents a

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<sup>28</sup> Republic of Kosovo - Office of the Prime Minister - Office on Good Governance, Draft Work Plan for the Coordination Advisory Group and Community Rights (LGBT) for the Period November 2016 - November 2018.

<sup>29</sup> Republic of Kosovo, Office of the Prime Minister - Office on Good Governance, "Recommendations on Safeguarding and Inclusion of Sustainability of the Raising Awareness Training on Equality and LGBT Community Rights in the Kosovo's Public Institutions," in The Joint Conference on safeguarding the inclusion of the awareness-raising-training on Equality and LGBT rights in Kosovo's Public Institutions (Prishtina, Kosovo, 2016).



useful tool for assisting MEST in the process of curriculum reform and textbook review, yet there is no official confirmation that this document is being utilized by the relevant working group at MEST, as there has been no confirmation on this primarily because of the lack of direct communication between the group in question and the ACG. Likewise, *the guidelines for developing a strategic approach towards communication on equal treatment of LGBTI in Kosovo for the Kosovo Institutions* is a helpful document drafted for the institutions, but unfortunately there is no information that it is being used by any of them so far.

Furthermore, a document with a brief elaboration of the monitoring and the evaluation, followed by the presentation of the

Monitoring Mechanism in Finland has been compiled. The document which has already been approved by the ACG recommends for the ACG to serve as a national *monitoring and evaluation mechanism related to the respect, protection, and promotion of non-discrimination and LGBTI rights*. This recommendation has indeed sparked the debate on whether the ACG can be given that role considering that it is primarily a governmental structure and as such, it can infringe the division of powers, institutional hierarchy and interfere in the domain of independent institutions. In addition, it is questionable whether the ACG can take the responsibility for monitoring itself. Who the work of ACG will be supervised by if it cannot take the responsibility itself is also a matter of question.





## Law enforcement for LGBTI rights

For a great number of LGBTI persons, the **police** lead the list of institutions which they are aware of, and where eventually they would report cases of violence<sup>30</sup>. This is largely due to general awareness and ease of access rather than trust in the institution, which has certainly been damaged by previous cases treated with incompetence and violations of laws. Nevertheless, during the past years, great efforts have been made in establishing a good cooperation between LGBTI organizations and the police, which has provided positive results. Specifically, an increased number of the community police officers have been noted, while the Kosovo Academy for Public Safety curricula for the members of the Kosovo Police within the human rights course also covers the LGBTI rights.

During the year of 2016, four (4) cases were reported to the police. In one of the cases, the law was allegedly violated by the Kosovo Police itself while dealing with the LGBTI case, which has then been submitted to the Ombudsperson Institution (IO) for investigation. However, no answer has been provided yet by the IO. (see below "The case of a gay couple forced out of a rented apartment, by the landlord", pg.78). In addition, because of the lack of a tracking mechanism, there is an inconsistency of data on the number of cases reported to the police and prosecutor and those handled by courts that to some extent is reduced as a result of

the cooperation between representatives of these institutions within the framework of the ACG.

Meanwhile, data from earlier studies have shown for the **prosecutors** as the greatest opposition to LGBTI rights among almost all the public servants. Whilst relatively a small number of the interviewed prosecutors agree that there is violence against LGBTI community, half of them deny that there are LGBTI persons where they live, with one of them declaring that LGBTI rights should not be protected<sup>31</sup>. This has not given much hope in terms of filling indictments on LGBTI rights violations.

Besides numerous cases of violence, hate speech, and hate crime based on sexual orientation passing unnoticed from the prosecution, there is a tendency to avoid indictments on this basis even on reported cases. In the case that has been reported to the prosecution in June 2016 when two men were target of violence of two young men because of their sexual orientation, **the court** has charged the perpetrators for the crime of light bodily injury but has dismissed one of them from charges of incitement of national, racial, religious or ethnic hatred, discord or intolerance. Furthermore, the court has recorded that the insults were based on the sexual orientation, but not that the criminal offences were also committed on this basis, thus failing to qualify it as a hate crime based on sexual orientation<sup>32</sup> (see below the "First case resolved by the court", p.77).

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<sup>30</sup> Youth Initiative for Human Rights - Kosovo and Center for Social Group Development, Freedom, and Protection for Lesbians, Gays, Bisexuals and Transgender in Kosovo, (Prishtina, Kosovo, November 2013).

<sup>31</sup> Ibid.

<sup>32</sup> Center for Social Group Development, Case Study: The Treatment of LGBTI Cases by Kosovo's Justice System, (Prishtina, Kosovo, December 2016).



## Human rights institutions and mechanisms while dealing with LGBTI rights

After the attacks on Kosovo 2.0 and LGBTI organizations at the end of 2012, the Ombudsperson has aligned on the right side by strongly defending LGBTI rights based on the law and institutional mandate. Since then, the partnership between the *Ombudsperson Institution* and LGBTI organizations as well as the community has significantly increased. Continuous efforts have been made for this spirit of cooperation to be kept alive after the appointment of the new Ombudsperson Mr. Hilmi Jashari who repeatedly has declared his willingness for cooperation in the promotion and protection of LGBTI rights. However, in his public appearances in the position of Ombudsperson Mr. Jashari has often been reluctant to fight convincingly in promoting and defending LGBTI rights<sup>33</sup>, thus leaving room for the social discriminatory attitude to challenge the law, whilst he and the OI have not been very responsive to the invitations on the events of the LGBTI organizations<sup>34 35</sup>.

Likewise, instead of working to fulfill the mandate of his institution in the promotion of human rights, respectively LGBTI rights, Mr. Jashari has admitted to engaging in conducting a study on homophobia,<sup>36</sup> which has not been accomplished so far. Moreover, he has not used his legal capacity of *amicus curiae*

in defending a reported case of alleged hate crime based on sexual orientation, as he had promised in the meeting with an LGBTI organization<sup>37</sup> and as he proclaimed afterward nor has the ex-officio investigation on this case been commissioned as declared by the OI representatives. Neither has The Ombudsperson Institution provided follow-up information on the case of alleged violation from the Kosovo Police reported by the victims and Center for Social Group Development<sup>38</sup> and for the same case has not initiated a procedure of alleged discrimination in access to housing based on sexual orientation before the court, as per the competencies given by the Law on Protection for Discrimination (see below “The case of a gay couple forced out of a rented apartment, by the landlord”, p.78).

Unsparring commitment of Ombudsperson Institution in advancing and protecting LGBTI rights is particularly important as it represents the main independent legal mechanism for protection, supervision and promotion of fundamental rights and freedoms of natural and legal persons from illegal actions or failures to act and improper actions of public authorities, institutions and persons or other bodies and organizations exercising public authorizations in the Republic of Kosovo<sup>39</sup>; which recently has been mandated as an equality mechanism for dealing with cases of discrimination<sup>40 41</sup> while its first overdue report on this matter<sup>42</sup> is expected to be published yet.

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<sup>33</sup> “Avokati i Popullit Hilmi Jashari flet për shamitë dhe LGBT” [Ombudsperson Hilmi Jashari speaks on headscarves and LGBT], Kallxo.com, July 9, 2015, accessed December 6, 2016, <https://www.youtube.com/watch?v=JXwB-HYANJ0&feature=youtu.be>.

<sup>34</sup> Center for Social Group Development and Center for Equality and Liberty, Email to Shqipe Mala, April 12, 2015.

<sup>35</sup> Center for Social Group Development and Center for Equality and Liberty, Email to Ombudsperson Institution, April 19, 2016.

<sup>36</sup> Center for Social Group Development, Email to Hilmi Jashari and Arta Ibrahim, September 21, 2016.

<sup>37</sup> Ibid.

<sup>38</sup> Center for Social Group Development, Email to Hilmi Jashari and Arta Ibrahim, November 7, 2016.

<sup>39</sup> Law 05/L-019 on Ombudsperson, 2015, c. I/article 1.

<sup>40</sup> Law No. 05/L-021 on the Protection from Discrimination, 2015, c. I, article 9.

<sup>41</sup> Law No. 05/L-020 on Gender Equality, 2015, c. II, article 9

<sup>42</sup> Law No. 05/L-021 on the Protection from Discrimination, 2015, c. I, article 9 (2.12).





*Human Rights Units (HRUs) in the Municipalities* remain another mechanism for human rights promotion at the local level<sup>43</sup> regardless that the newly approved Law on the Protection from Discrimination repeals the decision on their establishment<sup>44</sup>. On the other hand, despite having general responsibilities<sup>45</sup>, these units have not provided any contribution to the promotion of LGBTI rights so far. Previous studies have shown a great incompetence of the human rights officials to address LGBTI rights<sup>46</sup>. Besides the lack of the initiative to communicate with the LGBTI organizations, which are part of their responsibility, a considerable part of the human rights officials have limited knowledge on LGBTI issues and rights<sup>47</sup>, while in some cases there is a complete denial of the LGBTI community, or perhaps a resistance to LGBTI rights<sup>48</sup>.

For instance, on May 18th, 2015, at the HRU at the Municipality of Prishtina, a complaint was submitted against a staff member of the Directorate of Public Services, Protection and Rescue at the Prishtina Municipality, for verbally abusing a representative of an LGBTI organization who had gone to take prior approval for using the public space to mark the IDAHOT<sup>49</sup>.

'Faggot', We are fed up with faggots' activities', 'we should take our children and live in the forest, so that they won't see these things', 'Tell Zbogar to go to his country and organize these kind of things', 'we haven't missed having more faggots', were the expressions of the Municipality official. A complaint for discrimination (harassment) based on sexual orientation was accordingly filed to the Anti-Discrimination Law against the above-mentioned Municipality official<sup>50</sup>. Nevertheless, despite the expressed commitment from the Director of the Directorate of Public Services, Protection and Rescue at the Prishtina Municipality that no case of misconduct will be allowed<sup>51</sup>, the HRU has remained silent towards the complainant's persistence to obtain information on the progress of the case by avoiding the written communication. No information on the case was received since then by any official at Prishtina Municipality. This indeed is an important issue to be considered by the OGG when drafting the secondary legislation required by the Law on the Protection from Discrimination, a legal obligation which the OGG has failed meeting so far, despite the six (6) months period defined by the law<sup>52</sup>.

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<sup>43</sup> Administrative Instruction No. 2011/04 on Amending and Supplementing the Administrative Instruction 2011/01 on the Establishment of the Human Rights Units in the Municipalities, 2011, article 1.

<sup>44</sup> Law No. 05/L-021 on the Protection from Discrimination, 2015, c. IV, article 27 (1.5).

<sup>45</sup> Ibid, article 7.

<sup>46</sup> Youth Initiative for Human Rights - Kosovo and Center for Social Group Development, Freedom, and Protection for Lesbians, Gays, Bisexuals and Transgender in Kosovo, (Prishtina, Kosovo, November 2013).

<sup>47</sup> Ibid.

<sup>48</sup> Ibid.

<sup>49</sup> Agim Margilaj vs Municipality of Prishtina - Department of Public Services, Protection and Rescue, (2015) Complaint.

<sup>50</sup> Law No.2004/3 Against Discrimination, 2004, c. I, article 2(a), article 3(c), article 4(i)(m).

<sup>51</sup> Adrian Gashi, Email to Agim Margilaj, May 20, 2015.

<sup>52</sup> Law No. 05/L-021 on the Protection from Discrimination, 2015, c. I, article 11, c.IV, article 26.

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## Media reporting on LGBTI issues

Media reporting regarding LGBTI community has shown improvements from the previous years. Regardless of the shallow and inadequate knowledge of journalists on LGBTI issues and rights there has been refrain from the offensive language and abusive reporting. Furthermore, when reporting and dealing with the LGBTI issues, the print media as well as the electronic ones have somehow advanced their approach from the religious and moral exposition to that of the human rights. Nevertheless, the handling of abusive comments on the online media

continues to remain a serious problem. An earlier monitoring report has identified thousands of readers' comments in different news portals insulting and humiliating the LGBTI community, promoting hatred and calling for violence based on sexual orientation that have been permitted by the media irresponsibility and their weak editorial policies<sup>53</sup>. The similar situation without evident improvements has continued also during the year of 2016, causing for the LGBTI community to remain the main target of hate speech in the comments of online media which are correspondingly serving as a reinforcement platform for homophobia.

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## The contribution of LGBTI organizations

The endeavors for the promotion and protection of LGBTI rights and empowerment of the LGBTI community have mainly been conveyed in the framework of activities and commitment of the three NGOs - Center for Social Group Development (CSGD), Centre for Equality and Liberty (CEL) and Centre for Social Emancipation (QESH) and their activities have covered a number of areas tackling different problems.

Apart from their contribution at the ACG, the LGBTI organizations have *initiated and maintained cooperation with several institutions* to facilitate and advocate for the

advancement of LGBTI rights. This way, the LGBTI organization within the framework of the ERA Association and in cooperation with the Government of Kosovo have hosted the first LGBTI regional conference of its kind. During the three days of the *"Why laws are not enough!" conference* (October 6-8), that gathered hundreds of representatives of LGBTI and human rights organizations, government representatives from the Western Balkans and Turkey, and international community representatives, the obstacles in the implementation of the laws were emphasized, at the same time, the conference aimed to establish a regional platform for national authorities and organizations to exchange best practices and increase the visibility of the LGBTI movement in the region.

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<sup>53</sup> Youth Initiative for Human Rights - Kosovo, In the Name of Freedom of Expression, (Prishtina, Kosovo, January, 2014).



Notwithstanding the good regional networking, the LGBTI movement itself is centralized in Prishtina without having a presence in other regions of the country, thus reinforcing the existing social impression of it as a cosmopolitan movement. Therefore, intending to encounter this belief and expand their reach, a series of public debates for the promotion of LGBTI rights were organized in Peja, Prizren, and North Mitrovica. Correspondingly, this was an attempt to build partnerships and motivate the local civil society organizations to bring LGBTI issues in their scope of work. Whereas at the central level the LGBTI organizations have already **built coalitions** with other human rights organizations so that the impact and effectiveness of their advocacy are enhanced. They have joined the EU funded Equal Rights for All Coalition (ERAC), focused on the protection and promotion of the fundamental rights of vulnerable and/or marginalized groups such as ethnic minority communities, women, youth and LGBTI community.

Whilst the visibility of the LGBTI community and their claim for the realization of their rights as guaranteed by the Kosovo laws has been increased by the **IDAHOT march** (May 17) and a concert organized for the third year in a row in the center of Prishtina. Unlike the previous marches, the 2016 march titled "Our Love is Constitutional" called on the Government and Parliament of the Republic of Kosovo to amend the Family Law<sup>54</sup> to legalize the same-sex marriage accordingly to the rights and principles provided by the Constitution<sup>55</sup>. The IDAHOT march was attended by the President of the Republic of Kosovo Mr. Hashim Thaci, former President Mrs. Atifete Jahjaga, Vice President of

the European Parliament Mrs. Ulrike Lunacek, the US Ambassador to Kosovo Mr. Greg Delawie, and many other government, international community and civil society representatives, as well as human rights and LGBTI activists. The marching was done under robust police protection, although no planned threats were noticed, hence it was peacefully concluded. Even so, the event was followed by opposing reactions including politicians and Assembly Members, while the representatives of the LGBTI organizations were death threatened, cases which were reported to the police. An increased number of hate speech comments were present in online media as well.

Further on, the LGBTI community visibility has been certainly affected by the awareness raising campaigns. On September 2016, CEL launched the **"REPORT" campaign** encouraging LGBTI persons to report the cases of violence against them to the police and to report their cases to the organization in question and regardless of whether they were ready to report to the police. The campaign used different means of distributing the message which was also accompanied with the information on the legal aid. Given the high reluctance of the LGBTI victims to report their cases, the LGBTI organizations, in general, have made efforts to improve this situation and support the victims through the **legal aid** service, which has been consistently provided. As a result of this, there is an increased number of reported cases before the relevant institutions.

On the other hand, during the course of 2016, six (6) persons have reported their cases to CEL, two (2) of which have been

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<sup>54</sup> Law No.2004/32 Family Law of Kosovo, 2006, part II, c. I, article 9, article 14.

<sup>55</sup> Constitution of the Republic of Kosovo, 2008, c. II, article 24, article 37.



given assistance to reach the LGBTI shelter in Tirana, Albania- as requested by the victims. Both cases were threatened; physically and psychologically abused from their families, consequently forced to live in an unsafe environment. Furthermore, four (4) other persons sought information on procedures for **asylum seeking**. Such cases requiring support for asylum seeking are relatively common among LGBTI persons facing domestic violence, discrimination and harassment, yet the support provided from the LGBTI organizations is limited to a support letter for the victims who reported their cases to the police or those failed by state institutions. All the victims have refused to report their cases to the police as it usually occurs that the perpetrators are their families themselves. Additionally, CEL has provided an online reporting platform for the victims wishing to remain anonymous. The four (4) online reported cases declared to have experienced sexual harassment in the family and public places (one (1) woman and two (2) men) and sexual abuse in school (one (1) man).

Given that, in many cases, LGBTI persons are not aware of the availability of legal protection and whether or how it translates to their cases, persistent efforts have been made on **awareness raising and capacity building** of the LGBTI community.

Nevertheless, considering that the number of reported cases does not represent the true discrimination and violence committed against persons belonging to the LGBTI community and that the consequences of it are reflected in the community's well-being,

in turn, both organizations CEL and CSGD have been providing **psychological support**. Data of associated psychological and mental health professionals suggest a high degree of correlation between the ostracizing environment and psychological violence, as well as other difficulties encountered. Correspondingly, most of the community members have sought assistance due to problems correlated with emotional disorders (different types of anxiety disorders such as generalized anxiety or social anxiety, depression disorders); impulsive and threatening behaviors (alcohol abuse); interpersonal problems (mainly conflicts in the family); bullying from family and friends – which is the most common problem; and problems in romantic relationships. A small number of clients have been diagnosed with post-traumatic stress disorder (trauma and sexual abuse)<sup>56</sup>.

As a consequence of the intolerant society and high level of homophobia often internalized by LGBTI persons themselves, the main concerns of the LGBTI clients have included: (1) *understanding and accepting their sexual orientation* (often suffering from internal conflicts as feelings of shame and disgust and at the same time the need for acceptance of their orientation, in some cases only shame and dissatisfaction with oneself have been noted); (2) *managing the fear of their sexual orientation disclosure from family or others*; and (3) *development of long-term romantic relationships*<sup>57</sup>.

Additionally, due to the high vulnerability of the LGBTI community to the sexually transmitted diseases, CSGD has consistently

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<sup>56</sup> Internal reporting of Kosovo Health Foundation to Center for Equality and Liberty (December 2016).

<sup>57</sup> Ibid.



been working on *prevention, counseling and testing for the Human Immunodeficiency Virus Infection/Acquired Immune Deficiency Syndrome (HIV/AIDS)*. During the year of 2016, CSGD services have reached one-thousand-five-hundred (1500) persons which have been served once

or more during the year. In this respect, six-hundred (600) HIV/AIDS counseling and testing were conducted, and fifty-thousand (50000) condoms and fifty-thousand (50000) lubricants were delivered for LGBTI persons.



## Attacks on LGBTI activists

Attacks and threats against LGBTI activists are not uncommon. Following the cases of three death threats against Rajmonda Sylbije and Arben Fejza occurred in October 2014 after they gave a public statement regarding the International Coming Out Day, in which cases the police has not provided any information up to date, another case of intimidation against Agim Margilaj ensued.

After commenting on the situation regarding LGBTI rights on Facebook, Mr. Margilaj has received public intimidation from his former classmate.

*"Agim, I swear in whatever you want that if you were mine I would f\*cking shoot you*

*with a double-barrel rifle and I wouldn't feel ashamed. And not only you but each and every faggot. God has intentionally created two genders and you are defending the as-f\*ckers. Don't you dare to come in front of my face because we'll smash badly!"* were the words addressed to the victim. A few days after the case was reported to the police, the perpetrator phoned the victim several times asking him to withdraw the case. In addition, the victim was contacted by the perpetrator's father who asked for reconciliation. The case was not withdrawn; a few months later the prosecution contacted the victim who declared that he did not feel threatened by the perpetrator anymore and the case was dismissed.



## False defenders of human rights

Except for LGBTI organizations, the number of human rights organizations promoting and advocating LGBTI rights within the general framework of human rights is limited to few. For much of human rights organizations, same as to the society in general, LGBTI rights represent a matter of shame imposed on them as a Western norm, therefore, wishing to avoid “demonizing the society”, to remain within what is socially acceptable, or to protect themselves from the possible labeling with members of the LGBTI community they elude addressing these rights in their discourse on human rights. In a way, they contribute to further tabooing of LGBTI rights.

Notwithstanding this, the drop of international funds for Kosovo, respectively the contraction of funds for NGOs along the prioritization of LGBTI rights in the donor’s agenda occurred in recent years, has encouraged many NGOs to design projects concerning the advancement of LGBTI rights. This, in fact, has shown its negative side, causing organizations, for which LGBTI rights do not represent their values, to implement projects for the sake of their existence without having a genuine commitment to advancing the rights of this community. This has often echoed in the contradictory and false stances and (in) actions of those organizations. Indeed, this controversy on the human rights standards and is not limited to lack of funds but it has

also nourished by a vast number of false human rights activists serving in many organizations with a mission on human rights.

Contradictory actions of human rights defenders, promoters of the rule of law and technical staff working in the NGOs claimed to be led by the principle of non-discrimination most often appear in the form of offensive and derogatory posts the LGBTI community on social media. Consequently, on July 2016, CSGD has filed a complaint to a partnering NGO<sup>58</sup> against its staff, with whom they had close cooperation, for his homophobic stance and propagation of hate speech against the LGBTI community on his Facebook profile. They have also requested from the NGO in question to undertake concrete steps in accordance with their internal regulations and applicable laws in Kosovo<sup>59</sup>. Yet, the organization has responded that they have found no sufficient evidence to justify CSGD’s perception and that their complaint was a great offence to the organization<sup>60</sup>. Following the persistence of CSGD, the NGO has given a verbal remark to their staff who has apologized in response.

A while later, on December 2016, a similar case followed. One of CSGD and CEL’s partner in a coalition for human rights has made a humiliating Facebook post targeting women, ethnic minorities, youth and LGBTI community. Holding a senior position at the organization which has committed to documenting and addressing cases of

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<sup>58</sup> For confidentiality purposes and the sake of not harming the reputation of the given NGOs/Coalition their names will not be revealed in this report, whereas in the references they will be referred to as Anonymous.

<sup>59</sup> Center for Social Group Development, Email to Anonymous NGO, July 13, 2016.

<sup>60</sup> Anonymous NGO, Replying Email to Center for Social Group Development, July 14, 2016.





discrimination, hate speech and violence of the most vulnerable populations in Kosovo, such as women, ethnic communities and LGBTI community, the offender has faced the initial complaint of the LGBTI organizations<sup>61</sup> followed by a joint complaint of the entire coalition<sup>62</sup>. Alongside condemning their partner's attitude, the complaint highlights the concern that the services provided

by that NGO cannot be perceived as fair but rather impartial, thus doubting the appropriateness of their assistance for the victims of violence and discrimination. In turn, it remained on the given NGO to provide the coalition with a proposal of the measures to be taken in this case.

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<sup>61</sup> Center for Social Group Development, Email to Anonymous Coalition, December 05, 2016.

<sup>62</sup> Anonymous Coalition Meeting, December 07, 2016.



## Reported cases before the relevant institutions

### 1. First case resolved by the court

In June 2016, two gay men, employees of CSGD, were the target of violence while conducting outreach activities aiming the LGBTI community. While one of the victims was conducting the activities in a public space, he was approached by two men who after asking him about his activity began to verbally and physically attack him. Meanwhile, the other victim who was dining at a nearby fast food place was called with insulting words and physically attacked by one of the offenders as the other offender prevented him from escaping.

The case was reported to the police, who after coming to the scene arrested one of the offenders while the other one managed to escape. Afterward, the victim visited the doctor in whose report relative light injuries on the right side of the face around the eye and nose were noted. Following the testimony of the victims openly stating their sexual orientation and their activities being the main motive of the attack, the case was processed further to the Basic Prosecutor's Office which resulted in filing an indictment against the two offenders. The indictment was based on two criminal offences: 1) inciting of national, racial, religious or ethnic hatred, discord or intolerance contrary to

article 147, paragraph 1 of CCRK committed in co-perpetration contrary to article 31 of CCRK; and 2) assault contrary to article 187, paragraph 1 of CCRK committed in co-perpetration contrary to article 31 of CCRK<sup>63</sup>.

By the decision of the pretrial judge the offenders remained under house arrest from June 14, 2016 to July 13, 2016. Nevertheless, on the first and the second Basic Court hearing one of the perpetrators was absent, whereas on the third one he was brought to the Court by the police with the warrant from the judge of the case, in which day the Basic Court found the main offender guilty of the criminal offence of incitement to hatred and of the criminal offence of light bodily injury after re-qualifying of the criminal offence of Assault into the criminal offence of light bodily injury, and sentenced to an effective prison time of five (5) months. Whereas the second defendant was not found guilty of the criminal offence of incitement to hatred, but guilty of the criminal offence of light bodily injury conducted in co-perpetration with the main defendant and was sentenced to four (4) months in prison, which was suspended on the condition that the defendant does not commit another criminal offence for a period of one (1) year. In its decision, the Court noted that the victims were insulted based on their sexual orientation, but does not establish that the criminal offences were committed due to the sexual orientation of the victims<sup>64</sup>.

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<sup>63</sup> Center for Social Group Development, Case Study: The Treatment of LGBTI Cases by Kosovo's Justice System, (Prishtina, Kosovo, December 2016).

<sup>64</sup> Ibid.





## **2. The case of the gay couple violently forced out of a rented apartment by the landlord**

A gay couple who lived in a rented apartment was physically assaulted and verbally insulted by their landlord and his family because of their sexual orientation. When the landlord discovered that his tenants were a gay couple, he insulted and physically attacked them causing body injuries, psychological trauma and left the victims temporarily without housing. The victims reported that the perpetrator had planned the attack, as the victims were locked in the building from the inside and escaped the perpetrator's attempt to stab them with a kitchen knife by jumping from the second floor of the building, hence causing long-term injuries on their backbone as a result of the pressure caused by the jump. After the physical assault, the victims reported the case to the police. Following the victims' statements, the police accompanied them to take their personal belongings from the rented apartment. The landlord again insulted and threatened the victims, this time with the presence of two witnesses and eight policemen.

"Faggots ... you cannot escape me... I'll find you even in America if you reach there" were the threatening words of the landlord against the victims expressed in the presence of the police. However, despite the police being a witness of direct threat documented in their report, no further actions were taken by them. Whereas, since July 2016 when the case occurred, the victims have not received any information on the progress of their case.

Notwithstanding this situation, victims and CSGD representatives filed a complaint against the Kosovo Police to the Ombudsperson Institution, suspecting if the police inaction towards the threats of the landlord to the victims in their presence was lawful as according to the victims, when they reported the case the police have reassured them that if the landlord would not allow them to take their belongings or attack them, they would arrest him. Yet, similarly to the Kosovo Police, the Ombudsperson Institution has not provided the victims or CSGD representatives with any information on the progress of the case, and has not initiated a procedure for alleged discrimination in access to housing based on sexual orientation

## **3. The case of domestic violence against a minor**

In June 2016, a male infant who has been a victim of domestic violence based on the perception of belonging to the LGBTI community has been referred for support to CSGD which immediately helped the victim in reporting the case to the police station, in the respective unit of domestic violence.

The police invited the Officer for the Victim Protection and the Center for Social Work to be present throughout all the procedural steps of the victim interviewing. However, only the Officer for the Victim Protection responded to the call, therefore the police had no choice but to proceed with the case without the presence of the Center for Social Work representatives. The victim was held in shelters for the victims of domestic violence for one day.



Since this was a case of domestic violence and the infant victim denied belonging to the LGBTI community, CSGD considered that the case does not fall within the scope of the organization; hence the case was referred to a competent organization – Terre Des Hommes. The information received from this organization is that the victim has remained in the shelter only for 24 hours and returned to his family afterward.

#### **4. The case before the Basic Court – Serious Crimes Department**

In May of 2015, a gay man was raped at his workplace by his colleague during the working hours. The case was reported to the police at the same day and is currently being proceeded at the Serious Crimes Department at the Basic Court. Until now, nine court hearings were held, and the tenth has been scheduled for December 30, 2016.

The indictment rests on the Offences Against Sexual Integrity, namely the Offense of Rape under Article 230 of the CCRK, for which offense the accused stayed eight (8) months in detention, and is currently under house arrest.

On September 29, 2016, the victim was referred for support to CSGD. Based on the case information reported by the victim, CSGD has offered him free legal aid, by assigning a lawyer to represent the victim before the court. In the court hearing on September 11, the lawyer has represented the victim before the court panel, and in addition to that, the victim was offered psychological support due to experienced trauma. However, the severity of the trauma has made the victim seek assistance at Psychiatric Clinic of University Clinical Center of Kosovo, and is currently receiving the therapy at home.



## Recommendations

1. Relevant institutions should review primary and secondary legislation to enable transgender persons to change the sex mark on identification documents;
2. The incitement of hate speech and hate crime based on sexual orientation and gender identity should be criminalized by the Criminal Code;
3. The Family Law needs to be reviewed for the same-sex marriage to be legalized;
4. The Assembly of Kosovo should openly engage in promotion of LGBTI rights;
5. The OGG must fulfill its legal obligation of drafting the secondary legislation complaint to the Law on the Protection from Discrimination as early as possible;
6. The OGG should effectively supervise the line ministries on the progress of the ACG recommendations implementation and when necessary, undertake concrete actions to ensure the entire implementation of these recommendations;
7. The OGG should enhance its human resources and appoint at least one staff member to be primarily engaged in the work of ACG and LGBTI issues;
8. The ACG should draft its rules and procedures;
9. The OGG as a lead of ACG should report before the group on the implementation of the work plan;
10. A modality of the monitoring and evaluation mechanism for LGBTI rights that best fits to the Kosovo context and institutional set-up should be put in place;
11. A tracing mechanism for hate speech and crimes based on sexual orientation and gender identity should be enabled following the CCRK revision;
12. The Ombudsperson of Kosovo should actively engage in LGBTI rights promotion mainly through the media and other public events;
13. The Ombudsperson Institution cooperation with LGBTI organizations should be enhanced;
14. The Kosovo Press Council should encourage the editors of the online portals to find appropriate ways for controlling the abusive comments;
15. NGOs should be more inclusive in their promotion of human rights;
16. NGOs should be more attentive towards the abuse of human rights principles from their staff.



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