



Home Office

Country Policy and Information Note

Albania: Sexual orientation and gender identity and expression

Version 7.0

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Preface

Purpose

This note provides country of origin information (COI) and analysis of COI for use by Home Office decision makers handling particular types of protection and human rights claims (as set out in the [Introduction](#) section). It is not intended to be an exhaustive survey of a particular subject or theme.

It is split into 2 parts: (1) an assessment of COI and other evidence; and (2) COI. These are explained in more detail below.

Assessment

This section analyses the evidence relevant to this note - that is information in the COI section; refugee/human rights laws and policies; and applicable caselaw - by describing this and its inter-relationships, and provides an assessment of, in general, whether one or more of the following applies:

- a person is reasonably likely to face a real risk of persecution or serious harm
- that the general humanitarian situation is so severe that there are substantial grounds for believing that there is a real risk of serious harm because conditions amount to inhuman or degrading treatment as within [paragraphs 339C and 339CA\(iii\) of the Immigration Rules](#)/Article 3 of the [European Convention on Human Rights \(ECHR\)](#)
- that the security situation is such that there are substantial grounds for believing there is a real risk of serious harm because there exists a serious and individual threat to a civilian's life or person by reason of indiscriminate violence in a situation of international or internal armed conflict as within [paragraphs 339C and 339CA\(iv\) of the Immigration Rules](#)
- a person is able to obtain protection from the state (or quasi state bodies)
- a person is reasonably able to relocate within a country or territory
- a claim is likely to justify granting asylum, humanitarian protection or other form of leave, and
- if a claim is refused, it is likely or unlikely to be certifiable as 'clearly unfounded' under [section 94 of the Nationality, Immigration and Asylum Act 2002](#).

Decision makers **must**, however, still consider all claims on an individual basis, taking into account each case's specific facts.

Country of origin information

The country information in this note has been carefully selected in accordance with the general principles of COI research as set out in the [Common EU \[European Union\] Guidelines for Processing Country of Origin Information \(COI\)](#), April 2008, and the Austrian Centre for Country of Origin and Asylum Research and Documentation's (ACCORD), [Researching Country Origin Information – Training Manual](#), 2013. Namely, taking into account the COI's relevance, reliability, accuracy, balance, currency, transparency and traceability.

The structure and content of the country information section follows a [terms of reference](#) which sets out the general and specific topics relevant to this note.

All information included in the note was published or made publicly available on or before the 'cut-off' date(s) in the country information section. Any event taking place or report/article published after these date(s) is not included.

All information is publicly accessible or can be made publicly available. Sources and the information they provide are carefully considered before inclusion. Factors relevant to the assessment of the reliability of sources and information include:

- the motivation, purpose, knowledge and experience of the source
- how the information was obtained, including specific methodologies used
- the currency and detail of information
- whether the COI is consistent with and/or corroborated by other sources.

Multiple sourcing is used to ensure that the information is accurate and balanced, which is compared and contrasted where appropriate so that a comprehensive and up-to-date picture is provided of the issues relevant to this note at the time of publication.

The inclusion of a source is not, however, an endorsement of it or any view(s) expressed.

Each piece of information is referenced in a footnote. Full details of all sources cited and consulted in compiling the note are listed alphabetically in the bibliography.

Feedback

Our goal is to provide accurate, reliable and up-to-date COI and clear guidance. We welcome feedback on how to improve our products. If you would like to comment on this note, please email the [Country Policy and Information Team](#).

Independent Advisory Group on Country Information

The [Independent Advisory Group on Country Information](#) (IAGCI) was set up in March 2009 by the Independent Chief Inspector of Borders and Immigration to support him in reviewing the efficiency, effectiveness and consistency of approach of COI produced by the Home Office.

The IAGCI welcomes feedback on the Home Office's COI material. It is not the function of the IAGCI to endorse any Home Office material, procedures or policy. The IAGCI may be contacted at:

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Information about the IAGCI's work and a list of the documents which have been reviewed by the IAGCI can be found on the Independent Chief Inspector's pages of the [gov.uk website](#).

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Assessment

Updated on 6 December 2022

1. Introduction

1.1 Basis of claim

- 1.1.1 Fear of persecution and/or serious harm by the state or by non-state actors due to a person's actual or perceived sexual orientation/gender identity.

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1.2 Points to note

- 1.2.1 This note provides an assessment of the general situation for gay men, lesbians, bisexuals, transgender and intersex persons. They are referred to collectively as 'LGBTI persons', although the experiences of each may differ.
- 1.2.1 In the sources consulted (see [Bibliography](#)) information is mainly focused on the general treatment of the whole LGBTI community. Where possible, the information pertaining to each group has been separated but readers should be aware that there may be overlap, and/or duplication of information, between sections.
- 1.2.2 Information from some sources also focused on the experiences of the LGBTI community collectively with few examples, definitions and thresholds of what constituted violence or discrimination, and a lack of data on the number and frequency of incidents.
- 1.2.3 Paragraphs 35 and 82 of the determination of the Supreme Court's ruling in [HJ \(Iran\) and HT \(Cameroon\) v Secretary of State for the Home Department \[2010\] UKSC 31, heard 10,11,12 May and promulgated 7 July 2010](#), have set out the approach to take and established the test that should be applied when assessing such a claim based on a person's sexual orientation and/or gender identity/expression.
- 1.2.4 For general guidance on considering claims made by LGBTI persons, decision makers should refer to the Asylum Instructions on [Sexual identity issues in the asylum claim](#) and [Gender identity issues in the asylum claim](#).

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2. Consideration of issues

2.1 Credibility

- 2.1.1 For information on assessing credibility, see the instruction on [Assessing Credibility and Refugee Status](#).
- 2.1.2 Decision makers must also check if there has been a previous application for a UK visa or another form of leave. Asylum applications matched to visas should be investigated prior to the asylum interview (see the [Asylum Instruction on Visa Matches, Asylum Claims from UK Visa Applicants](#)).
- 2.1.3 In cases where there are doubts surrounding a person's claimed place of origin, decision makers should also consider the need to conduct language analysis testing (see the [Asylum Instruction on Language Analysis](#)).

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2.2 Exclusion

- 2.2.1 Decision makers must consider whether there are serious reasons for considering whether one (or more) of the exclusion clauses is applicable. Each case must be considered on its individual facts and merits.
- 2.2.2 If the person is excluded from the Refugee Convention, they will also be excluded from a grant of humanitarian protection (which has a wider range of exclusions than refugee status).

- 2.2.3 For guidance on exclusion and restricted leave, see the Asylum Instruction on [Exclusion under Articles 1F and 33\(2\) of the Refugee Convention](#), [Humanitarian Protection](#) and the instruction on [Restricted Leave](#).

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2.3 **Convention reason(s)**

- 2.3.1 LGBTI persons form a particular social group (PSG) in Albania within the meaning of the Refugee Convention because they share a common innate characteristic that cannot be changed and have a distinct identity which is perceived as being different by the surrounding society.
- 2.3.2 Although LGBTI persons form a PSG, this does not mean that establishing such membership will be sufficient to be recognised as a refugee. The question to be addressed in each case is whether the particular person will face a real risk of persecution because of their membership of such a group.
- 2.3.3 For further guidance on the 5 Refugee Convention grounds see the Asylum Instruction, [Assessing Credibility and Refugee Status](#).

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2.4 **Risk**

a. **From the State**

- 2.4.1 In general, the available information does not establish that LGBTI persons face a risk of persecution or serious harm from the state. The onus is on the person to demonstrate otherwise. Each case must, however, be considered on its facts (see [State attitudes and treatment](#)).
- 2.4.2 The country guidance case of [BF \(Tirana – gay men\) Albania \[2019\] UKUT 93 \(IAC\) \(26 March 2019\)](#), heard on Tuesday 16 October to Thursday 18 October 2018 and Tuesday 23 October 2018 found that, ‘Discrimination on grounds of sexual orientation is unlawful in Albania and there are avenues to seek redress. Same-sex relationships are not legally recognised in Albania. However, there is no evidence that this causes serious legal difficulties for relationships between openly gay men.’ (Paragraph 251)
- 2.4.3 The Court of Appeal subsequently [upheld the decision](#) on 25 October 2019 and refused permission to appeal in [BF](#) on all grounds; it found that, ‘[...] the tribunal considered the evidence before it and the issues with which it had to deal comprehensively and with patent and commendable care, and made no error of law’ (paragraph 62).
- 2.4.4 In the country guidance case of [IM \(Risk – Objective Evidence – Homosexuals\) Albania CG \[2003\] UKIAT 00067 \(8 September 2003\)](#), heard on 15 July 2003, the Tribunal concluded that ‘... there is no country

background evidence which supports a reasonable likelihood that homosexuals as such in Albania are subject to any action on the part either of the populace or the authorities which would amount to persecution for the purposes of the Refugee Convention or would be in breach of their protected human rights' (para 7).

- 2.4.5 In the years since [IM](#) was determined, the Albanian government has passed some of the most progressive LGBTI laws in the region and its public officials have demonstrated a willingness and ability to partner with LGBTI activists to pass reforms. The available country information indicates that the situation for gay men and the LGBTI community as a whole, particularly in Tirana, has improved since the promulgation of [BF](#) and [IM](#). There are not, therefore, very strong grounds supported by cogent evidence to justify a departure from [BF](#) and [IM](#).
- 2.4.6 Same-sex relations are legal although same-sex marriage or civil unions are not recognised in Albania. LGBTI persons are able to serve in the military, there is an equal age of consent, conversion therapy is banned and there are no laws restricting the discussion or promotion of LGBTI rights (see [Legal context](#)).
- 2.4.7 The Law on Protection against Discrimination allows for equality for all, including LGBTI persons, in accessing education, employment, housing, healthcare and goods and services (see [Legal context](#)).
- 2.4.8 Whilst there has been some reportage of officials and politicians making homophobic or derisive remarks against the LGBTI community in recent years, in general, public senior officials have shown increasing support for the LGBTI community, including attending public LGBTI events and working with NGOs and CSOs on improving state treatment of LGBTI persons (see [Official attitudes, discrimination and harassment](#) and [Police and law enforcement training](#)).
- 2.4.9 There is a lack of information to indicate that the police have committed and continue to commit violence against the LGB population in recent years, or that the wider law enforcement system denies access to justice for LGB persons. Some NGOs, such as ERA and Aleanca, report that trans persons, likely due to their increased visibility and reliance on sex-work for employment, are subject to violence and harassment by the police. However, there is a lack of recent information pertaining to the frequency and levels of such incidents (see [State treatment of LGB persons](#) and [State treatment of trans persons](#)).
- 2.4.10 Information regarding state treatment specifically of intersex persons in Albania is sparse. The European Commission Against Racism and Intolerance (ECRI) reported in 2020 that 'sex-normalising' surgery is not carried out on newly-born children, and Albanian authorities confirmed that it was their intention to 'look more closely into the needs of intersex persons in the country'. It is not considered that intersex persons in Albania suffer state treatment sufficiently serious by its nature and/or repetition, or by an accumulation of various measures, to amount to persecution or serious harm. Each case must be considered on its facts. (see [State treatment of transgender persons](#)).

b. From societal (non-state) actors

- 2.4.11 In general, the available information does not establish that LGBTI persons face a risk of persecution or serious harm from non-state actors. Whilst some LGBTI persons face harassment, discrimination, violence and exclusion from non-state actors, in general, this is not sufficiently serious by its nature and/or repetition, or by an accumulation of various measures, to amount to persecution or serious harm. The onus is on the person to demonstrate otherwise. However, decision makers must consider each case on its facts (see [Societal treatment and attitudes](#)).
- 2.4.12 In the country guidance case of [IM](#), the Tribunal found that in general the level of societal discrimination in Albania as a whole is not sufficiently serious by its nature and repetition that it will reach the threshold of being persecutory or otherwise inhuman or degrading treatment.
- 2.4.13 In the country guidance case of [BF](#), the Tribunal found that, 'An openly gay man may face discrimination in Tirana, particularly in the areas of employment and healthcare. However, whether considered individually or cumulatively, in general the level of such discrimination is not sufficiently serious to amount to persecution.' (Paragraph 251).
- 2.4.14 The available evidence on the societal treatment of gay men and the LGBTI community as a whole, does not indicate that there has been a significant or durable change in assessment. There are not, therefore, very strong grounds supported by cogent evidence to justify a departure from [BF](#) and [IM](#).
- 2.4.15 Albania is a patriarchal, conservative society in which homophobic attitudes still exist, particularly in rural areas. Although protection from discrimination is provided for in law, in practice, NGOs report that the collective LGBTI community face difficulties in accessing education, employment, housing, healthcare and goods and services due to prevailing negative attitudes of LGBTI persons in Albanian society (see Risk - [Societal treatment](#)).
- 2.4.16 In August 2021, the Commissioner for Protection against Discrimination had received 7 cases of discrimination that year based on sexual orientation, gender identity, or both. The types of discrimination reported by LGB persons ranged from direct physical violence, refusal of goods or services and incidences of hate speech, in public, private and online spheres. Due to societal norms, cases are likely to be under-reported to the authorities (See [Commissioner for Protection against Discrimination](#), [Cultural norms](#) and [Societal treatment and attitudes](#)).
- 2.4.17 In 2019, the Aleanca NGO recorded 421 cases of 'physical and psychological violence' against the LGBTI community, but did not report the level or threshold of violence to engage either term (see [Points to note](#)). LGBTI persons are reported to be victims of hate speech in the media, with one study by the Council of Europe showing that, of the sample researched, almost half (159) of the LGBTI respondents reported being exposed to hate speech online (see [Societal treatment and attitudes](#)).

- 2.4.18 Recent reports by NGOs suggest a number of LGBTI social events and campaigns are held in the community and have been attended by ‘friends, family and supporters’ , including the 11th annual ‘Pride’ march in May 2022 in Tirana, which proceeded without incident (see [Societal treatment and attitudes](#), [LGBTI events in the community](#)).
- 2.4.19 Due to their increased visibility, it is reported that transgender persons have particular difficulties in accessing education (due to bullying), housing and employment, and as a result, resort to illegal sex work to sustain their living. NGOs also report that transgender persons in Albania report a lack of access to basic trans-specific healthcare services (see [Access to services](#)).
- 2.4.20 There is a lack of information surrounding the treatment of intersex persons in Albania. However, the Council of Europe noted that intersex people have not benefitted from actions taken by initiatives to improve the lives of LGBTI people in Albania, and sources referring to societal mistreatment, including difficulties in accessing services and discrimination, refer to LGBTI persons collectively, including those who are intersex (see [Risk](#)).
- 2.4.21 For further guidance on assessing risk, see the Asylum Instruction on [Assessing Credibility and Refugee Status](#).

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2.5 Protection

- 2.5.1 The authorities are, in general, willing and able to provide effective protection for LGBTI persons. The onus is on the person to demonstrate otherwise.
- 2.5.2 There is a functioning police force, laws, systems and avenues of redress in place for LGBTI persons, particularly in Tirana. A person’s reluctance to seek protection, or lack of knowledge of it, does not mean that the protection is not available. Decision makers must consider each case on its facts.
- 2.5.3 In the country guidance case of [BF](#), the Tribunal found that:
‘Particular care must be exercised when assessing the risk of violence and the lack of sufficiency of protection for openly gay men whose home area is outside Tirana, given the evidence of openly gay men from outside Tirana encountering violence as a result of their sexuality. Such cases will turn on the particular evidence presented. [...]
‘There exists in Tirana a generally effective system of protection should an openly gay man face a risk of harm in that city or from elsewhere in Albania’ (paragraph 251)
- 2.5.4 The Court of Appeal subsequently [upheld the decision](#) on 25 October 2019 and refused permission to appeal in [BF](#) on all grounds; it found that, ‘[...] the tribunal considered the evidence before it and the issues with which it had to deal comprehensively and with patent and commendable care, and made no error of law’ (paragraph 62). The Court of Appeal found that the Tribunal ‘unarguably, properly’ considered the effectiveness of steps being taken to provide adequate protection, stating, ‘No doubt more could be done – but the law does not require perfection, only that there is sufficient protection for those at risk of persecution on the basis of, in this case, their sexual identity’ (pararaph 43).

- 2.5.5 Anti-discrimination laws in Albania expressly protect LGBTI persons and make hate crimes a criminal offence (see [Legal context](#)).
- 2.5.6 According to the Council of Europe, it is generally considered that the situation for LGBTI people in Albania – specifically Tirana – has seen significant improvement between 2016 and 2020. The LGBTI National Action Plan (2016-2020) sought to improve the lives of LGBTI individuals, including safety and protection from violence, hate speech and crimes, prevention and elimination of discrimination, safety in schools and provision of social services such as housing and employment.
- 2.5.7 Progress has been made in the implementation of legislation and improvements with the effectiveness of state police, including significant training on LGBTI hate crime delivered to police, prosecutors and judges. Although other areas demonstrated less progress due to capacity and a lack of human and financial resource, especially outside of Tirana, the government of Albania have introduced the LGBTI National Action Plan (2020-2027) which aims to deliver against unsuccessful areas of the NAP 2016-2020, as well as expand upon successes of the previous plan (see [LGBTI National Action Plan \(2016-2020\)](#) and [LGBTI National Action Plan \(2020-2027\)](#)).
- 2.5.8 Regarding further avenues of redress for LGBTI persons, the Commissioner for Protection from Discrimination (CPD) is an available body who registers complaints from LGBTI persons and organisations and issues sanctions. The People’s Advocate (Ombudsman), although having no enforcement powers, monitors the situation and treatment of LGBT people by public institutions and may initiate an investigation in some cases where a victim is unable to come forward to do so, whilst also making recommendations for legislative changes. There are similarly effective avenues for submitting a complaint against police for misconduct (see [Commissioner for Protection from Discrimination \(CPD\)](#), [Peoples Advocate \(Ombudsman\)](#) and [Country Policy and Information Note: Actors of Protection, Albania](#)).
- 2.5.9 There are also a significant number of non-governmental organisations in Albania who advocate for LGBTI rights and the LGBTI community, run Pro-LGBT awareness campaigns, Pride events and work with, as well as deliver training to, the police. These organisations also offer additional assistance to LGBTI individuals requiring assistance and protection from the state (see [LGBTI groups, CSOs and NGOs](#)).
- 2.5.10 For further guidance on assessing state protection, see the Asylum Instruction on [Assessing Credibility and Refugee Status](#).

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2.6 Internal relocation

- 2.6.1 In general, there are parts of Albania where an LGBTI person would not have a well-founded fear of persecution/real risk of serious harm and would be reasonable for them to relocate to, such as, but not limited to, the capital city of Tirana. Each case must be considered on its facts.
- 2.6.2 PINK/LGBT Pro Albania Embassy, a well-established LGBTI NGO in Albania, are also working to improve the living conditions of LGBTI people in

a number of cities in Albania, including Tirana, Durrës, Vlora, Korça and Kumanovo (see [LGBTI groups, CSOs and NGOs](#)).

2.6.3 Albania is a small country, a little larger than Wales, with a population estimated to be between 2.8 million and just over 3 million, almost 500,000 of whom live in the capital, Tirana. People are generally able to move around freely (see [Freedom of movement](#)).

2.6.4 In the country guidance case of [BF](#), the Tribunal found that:

‘[...] in Tirana, in general, an openly gay man, by virtue of that fact alone, would not have an objectively well-founded fear of serious harm or persecution on return to Tirana.

‘There is only very limited evidence that an individual would be traced to Tirana by operation of either the registration system or criminal checks at the airport. However, it is plausible that a person might be traced via family or other connections being made on enquiry in Tirana. Whether an openly gay man might be traced to Tirana by family members or others who would wish him harm is a question for determination on the evidence in each case depending on the motivation of the family and the extent of its hostility. [...]

‘In general, it will not be unduly harsh for an openly gay man to relocate to Tirana, but each case must be assessed on its own facts, taking into account an individual’s particular circumstances, including education, health and the reason why relocation is being addressed’ (paragraph 251).

2.6.5 The Court of Appeal subsequently [upheld the decision](#) on 25 October 2019 and refused permission to appeal in [BF](#) on all grounds. The Tribunal had concluded that ‘the situation in Tirana is far from perfect and [...] discrimination against gay men does arise, in particular, as regard employment...; but [...], even when considered cumulatively, such discrimination is not at a level that would make it unduly harsh for a gay man to relocate to Tirana’ (paragraph 50). The Court of Appeal found that ‘the tribunal’s analysis and conclusion are not arguably wrong in law’ (paragraph 51) and stated, ‘[...] the tribunal considered the evidence before it and the issues with which it had to deal comprehensively and with patent and commendable care, and made no error of law’ (paragraph 62).

2.6.6 Internal relocation will not be an option if it depends on the person concealing their sexual orientation and/or gender identity in the proposed new location to avoid persecution.

2.6.7 See also the [Country policy and information note: Actors of protection, Albania](#) and [Freedom of movement](#). For further guidance on considering internal relocation and factors to be taken into account see the Asylum Instruction on [Assessing Credibility and Refugee Status](#).

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2.7 Certification

2.7.1 Where a claim falls to be refused, it must be considered for certification under section 94 of the Nationality, Immigration and Asylum Act 2002 as Albania is listed as a designated state. A claim based on sexual orientation

and gender identity must be certified unless the SSHD is satisfied that it is not 'clearly unfounded'.

- 2.7.2 For further guidance on certification, see [Certification of Protection and Human Rights claims under section 94 of the Nationality, Immigration and Asylum Act 2002 \(clearly unfounded claims\)](#).

Country information

This section was updated on 6 December 2022

3. Legal context

3.1 Legal rights

- 3.1.1 LGBTI Equal Rights Association for Western Balkans and Turkey (ERA) - an association of leading LGBTI organisations in the region formed in September 2015¹ noted that same-sex relations were legalised in Albania on 20 January 1995².

- 3.1.2 Article 18 of the [Constitution of the Republic of Albania](#), states that 'No one may be unjustly discriminated against for reasons such as gender, race, religion, ethnicity, language, political, religious or philosophical beliefs, economic condition, education, social status, or parentage'³. ERA noted that: 'Currently the only law that offers some degree of protection to trans and intersex people is the Law for Protection from Discrimination. However, no other legislation offers the possibility for gender reassignment procedures. In December 2014 the Ombudsman and Council of Europe held a peer exchange workshop for Albanian officials on legal gender recognition. This was followed by a first draft law of Legal Gender Recognition. So far the Albanian government has failed to submit an official draft proposal in Parliament.'⁴

- 3.1.3 The [Law for Protection from Discrimination](#) was adopted in 2010⁵. Equal Rights Trust, an organisation campaigning for equality under the law⁶ highlighted some salient points of the law in protecting members of the LGBTI community:

'Article 2 states that the aim of the law is to ensure the right of every person to equality before the law and to equal protection of the law. It stresses the importance of promoting equality of opportunity and ensuring that every person is able to fully participate in public life. It states that the law seeks to ensure effective protection not only from discrimination, but from every form of conduct that encourages discrimination...

'...Article 1 prohibits discrimination based on gender, race, colour, ethnicity, sexual orientation, gender identity, language, political beliefs, religious beliefs, philosophical beliefs, economic status, social status, education level,

¹ ERA, '[About us](#)', nd

² ERA, '[Albania](#)', nd

³ Constitution of the Republic of Albania, '[Article 18](#),' page 4, 28 November 1998

⁴ ERA, '[Albania](#)', last updated 28 April 2016

⁵ Equal Rights Trust, '[Albanian President Signs Comprehensive Anti-discrimination Law](#)', nd

⁶ Equal Rights Trust, '[About us](#)', nd

pregnancy, parentage, parental responsibility, age, family or marital condition, civil status, residence, health status, genetic predispositions, disability, affiliation with a particular group or any other ground...

'...Article 3 provides detailed definitions of various forms of discrimination which are prohibited under the law. The prohibited forms of discrimination include direct and indirect discrimination, discrimination by association, harassment, instruction to discriminate and victimisation....'⁷

3.1.4 ERA noted in an article on the adoption of anti-discrimination law that:

'... the [amendments to the Law on Protection from Discrimination] will now provide protection from discrimination based among others also on grounds of sex characteristics and HIV status. The law provides now protection on basis of sexual orientation, gender identity and sex characteristics, meaning that from now on intersex people are also protected by the law.

'This important legal change comes only a few months after the Ministry of Health and Social Protection approved a protocol aiming to stop medical interventions on intersex babies and children.'⁸

3.1.5 Specifically considering protection from discrimination in employment, the Law on Protection from Discrimination outlines:

'In respect to employment, Article 12 provides that any distinctions, limitations or exclusions based on any of the protected grounds are prohibited in the field of employment. This includes any adverse treatment relating to job opportunities, the recruitment of staff and the treatment of staff within the workplace. Article 12 (2) states that all types of harassment – in particular sexual harassment – are prohibited in the workplace.

'Article 13 places a range of positive obligations on employers to encourage the principle of equality and facilitate its promotion within the work place. The Article creates a duty on employers to investigate any complaints of discrimination made by their employees within one month of receiving them.'⁹

3.1.6 Specifically considering protection from discrimination in education, the same law outlines:

'Article 17 sets out the scope of the prohibition of discrimination in relation to education. It provides that discrimination is prohibited in: the creation of public or private educational institutions; the financing of public education institutions; the content of principles and criteria of educational activity, including teaching; and the treatment of students or pupils, including admission, evaluation, discipline or expulsion. The denial of access to an educational establishment on the basis of a prohibited ground is also specifically outlawed (Article 17(2)).'¹⁰

3.1.7 Considering protection from discrimination in matters of access to goods and services, the same law denotes:

⁷ Equal Rights Trust, '[Albanian President Signs Comprehensive Anti-discrimination Law](#)', nd

⁸ ERA, '[Albania Amends its Law for Protection from Discrimination...](#)', 26 October 2020

⁹ Equal Rights Trust, '[Albanian President Signs Comprehensive Anti-discrimination Law](#)', nd

¹⁰ Equal Rights Trust, '[Albanian President Signs Comprehensive Anti-discrimination Law](#)', nd

‘Under Article 20, the prohibition of discrimination in respect to goods and services includes housing, health services, banking, entertainment facilities and transport. The Bill provides that people should not be denied goods or services based on any of the grounds laid out in Article 1, nor should they be provided with goods or services in a different manner to the way in which they are provided to the public in general. The Bill applies to any natural or legal person who offers goods or services to the public.’¹¹

- 3.1.8 The United States Department of State 2022 report on human rights in Albania covering the year of 2021 (USSD report 2021), noted that sexual orientation and gender identity are among the classes protected by the country’s hate crime law¹².
- 3.1.9 ERA noted ‘In 2013 Albania amended its Labour Code prohibiting discrimination based on sexual orientation, gender identity and HIV status.’¹³
- 3.1.10 With regards to health legislation for LGBTI individuals, ERA noted ‘According to a 2013 study conducted in Albania no law regulating health-care makes specific reference to LGBT individuals. Due to the fact that almost all legislation has no categorisation for different groups nothing specific can be found for LGBTI people. The Law for Protection from Discrimination offer protection also in the field of health. However no specific amendments have been made so far in subsequent legislation.’¹⁴

3.1.11 ERA also noted:

‘Albania has signed the UN Declaration on Sexual Orientation and Gender Identity in 2008. It has signed and ratified Protocol 12 to the Convention for the Protection of Human Rights and Fundamental Freedoms for a General Prohibition of Discrimination.

‘Albania has ratified Protocol 12 of the European Convention for the Protection of Human Rights and Fundamental Freedoms. While this Protocol does not mention LGBTI rights or SOGI-based discrimination specifically, the Court has ruled they are incurred directly.

‘Albania was among one of the co-signatories of the join-statement of the Ministers of the region at the 2015 IDAHOT Forum in Montenegro.

‘Cooperation with international partners (CoE, UN on LGBTI rights etc)

‘Albania is an active member in the Council of Europe LGBT project and has cooperated twice in the setting up on National Action Plans.

3.1.12 ERA also outlined that:

‘Article 113, Section VIII of the Criminal Code of the Republic of Albania criminalises sex work by a fine or up to three years of imprisonment. Article 114 punishes exploitation of prostitution [encouragement, mediation or receipt of compensation by two to five years of imprisonment.

‘As many Trans individuals have no other choice of survival but through sex work, this law makes their lives more difficult. They are forced to take more

¹¹ Equal Rights Trust, ‘[Albanian President Signs Comprehensive Anti-discrimination Law](#)’, nd

¹² USSD, ‘[2021 Country Reports on Human Rights Practices: Albania](#)’, page 29, 12 April 2022

¹³ ERA, ‘[Albania](#)’, last updated 28 April 2016

¹⁴ ERA, ‘[Albania](#)’, last updated 28 April 2016

risks and several have already paid the consequences of this law.

'In its 2015 report the European Commission against Racism and Intolerance (ECRI) called for the introduction of legal gender recognition measures...

'Albania's health system does not cover medical operations for transgender people and hospitals are ill-equipped to handle any trans related operations. This forces trans individuals to go abroad for surgery and/or treatment. It is unclear how the healthcare system currently supports this surgery and treatment, following the non-discrimination law.'¹⁵

- 3.1.13 In a 2022 report on inclusive education, the International Lesbian, Gay, Bisexual, Transgender, Queer and Intersex (LGBTQI) Youth & Student Organisation (IGLYO report 2022) noted, in terms of legal rights:

'The Law on pre-university education... grants the right to education to all, without discrimination on grounds of sexual orientation, but does not refer to gender identity, gender expression, or sex characteristics. The Law on the rights and protection of the child (2017) recognises school bullying as an issue and calls for prevention and reporting... Law prohibits discrimination on grounds of SOGIGESC [Sexual Orientation, Gender Identity, Gender Expression and Sex Characteristics] in the treatment of students including their admission, evaluation, application of disciplinary measures, or expulsion.'¹⁶

- 3.1.14 The same report noted, with reference to gender recognition legislation: 'There are no legal gender recognition procedures in place in Albania... In 2018, PINK Embassy Albania presented a draft LGR law but, to date, no law has been adopted on legal gender recognition.'¹⁷

- 3.1.15 Human Rights Watch reported in May 2020 on the banning of conversion therapy: 'Albania's Order of Psychologists has announced that it will prohibit members from offering "conversion therapy," or pseudo-therapeutic attempts to change a person's sexual orientation or gender identity.

'The decision effectively bans conversion therapy in Albania, as registered therapists are required to be members of the group in order to legally practice.'¹⁸

- 3.1.16 The ILGA-Europe Rainbow Map ranks 49 European countries on a scale from 0% to 100%, with 0% meaning a country has 'gross violations of human rights and discrimination', and 100% has full respect for human rights and full equality¹⁹. ILGA noted: 'We rank the countries based on laws and policies that directly impact LGBTI people's human rights under six categories: equality and non-discrimination, family, hate crime and hate speech, legal gender recognition and bodily integrity, civil society space and asylum...'²⁰ The 2022 ILGA-Europe Rainbow Map places Albania in the 28th position (out of 49 European countries) with 32% of the index which

¹⁵ ER ERA, '[Albania](#)', last updated 28 April 2016

¹⁶ IGLYO, '[LGBTQI Inclusive Education Report and Index 2022 \(second edition\)](#)', page 28, 2022

¹⁷ IGLYO, '[LGBTQI Inclusive Education Report and Index 2022 \(second edition\)](#)', page 29, 2022

¹⁸ HRW, '[Albanian Psychologists Prohibit Anti-LGBT "Conversion Therapy"](#)', 20 May 2020

¹⁹ ILGA, '[Rainbow Europe](#)', 2022

²⁰ ILGA, '[Rainbow Europe](#)', 2022

reflects the national legal and policy human rights situation of LGBTI people in Europe, ranking above, for example, Italy, Cyprus and Hungary²¹. In comparison, the UK ranks at 53%, with Malta ranking highest at 92%²².

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3.2 Criminal code

- 3.2.1 Article 265 of the [Criminal Code of the Republic of Albania](#) noted that ‘Inciting hate or disputes on the grounds of race, ethnicity, religion or sexual orientation, as well as intentional preparation, dissemination or preservation for purposes of distributing writings with such content, by any means or forms, shall be punishable by imprisonment of from two to ten years.’²³

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3.3 Civil rights

- 3.3.1 The European Commission’s 2021 report on Albania noted that ‘Albania does not have legislation recognising civil cohabitation and same-sex marriage, which would require amendments to the family code...’²⁴
- 3.3.2 Equaldex, a website that ‘aims to crowdsource every law related to LGBT rights to provide a comprehensive and global view of the LGBT rights movement’²⁵ noted LGBTI persons are able to serve in the military²⁶, blood donations by gay men are legal²⁷, there is an equal age of consent²⁸ and that there are no laws restricting the discussion or promotion of LGBTI rights²⁹.
- 3.3.3 ERA noted that ‘The Family Law does not guarantee the right of LGBT couples to adopt or have children via artificial insemination.’³⁰ Same-sex adoption or surrogacy is not prohibited by the law^{31 32}.

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This section was updated on 6 December 2022

4. State attitudes and treatment

4.1 LGBTI National Action Plan (2016-2020)

- 4.1.1 In reference to the introduction and aims of the LGBTI 2016-2020 National Action Plan (NAP 2016-2020) PINK Embassy noted on 25 May 2016:
- ‘Tirana, 25 May of 2016 - Albania marks another milestone towards advancing the rights of LGBTI community. Today the Albanian Government approved the National Action Plan for LGBTI people in the Republic of Albania for the years 2016 - 2020. The adoption of this document is a

²¹ ILGA, ‘[Rainbow Europe](#)’, 2022

²² ILGA, ‘[Rainbow Europe](#)’, 2022

²³ Criminal Code of the Republic of Albania, ‘Article 265’, 27 January 1995 (copy on request)

²⁴ USSD, ‘[2021 Country Reports on Human Rights Practices: Albania](#)’, page 29, 12 April 2022

²⁵ Equaldex, ‘[About](#)’, nd

²⁶ Equaldex, ‘[LGBT rights in Albania](#)’, nd

²⁷ Equaldex, ‘[LGBT rights in Albania](#)’, nd

²⁸ Equaldex, ‘[LGBT rights in Albania](#)’, nd

²⁹ Equaldex, ‘[LGBT rights in Albania](#)’, nd

³⁰ ERA, ‘[Albania](#)’, last updated 28 April 2016

³¹ [Criminal Code of the Republic of Albania](#), 27 January 1995

³² [Constitution of the Republic of Albania](#), 28 November 1998

tremendous victory for the LGBTI community since the adoption of the Law on Protection from Discrimination, in early 2010, as the government had not passed many political initiatives in support of human rights of every LGBTI individual in Albania.

‘The national plan foresees a model of change, including measures for legislation, social policy, public administration and services, in order to create a culture of inclusion and openness to diversity and contribute further to the strengthening of the LGBTI community.’³³

- 4.1.2 When assessing the efficacy of the NAP 2016-2020, the Council of Europe (CoE), the ‘continent’s leading human rights organisation’ noted in their evaluation report published in May 2021 that:

‘While the NAP 2016-2020 included measurable indicators for the majority of actions and measures that were to be implemented, for most of these it proved difficult to access data on the level of achievement. Either because this data could not be found either since it had not been collected, or because the data had not been gathered together from different organizations and sources...

‘The general impression is that the situation for LGBTI people in Albania has seen significant improvement between 2016-2020. The improvement is however not even, as mainly community members in the capital Tirana and mainly lesbian, gay and bisexual people have benefited. LGBTI people living outside of Tirana, and especially transgender and intersex people, have seen little progress...

‘The NAP 2016-2020, at the time of its adoption in 2016, was seen as an important step in the right direction, covering the sectors that are most important to LGBTI people in Albania. However...While some legislation was adopted and the activities involving the State Police saw genuine progress over the period of the NAP and were actually spurred by the NAP, in other areas little to no activity was taken by government Ministries. This is in part due to a lack of human resources and capacities within both ministries and authorities and institutions at other levels, and for another, related, part due to a lack of financial resources. Although exact figures cannot be gained, it is clear that very little state budget, compared to what would have been needed, was spent on the implementation of the NAP. In the last year of implementation, from November 2019 to December 2020, unforeseen circumstances also hampered implementation, in the form of a heavy earthquake in November 2019 and the still on-going Covid19 crisis...’³⁴

- 4.1.3 The same report noted some positive changes enacted through the 2016 – 2020 NAP, as well as areas that lacked positive change, namely:

‘Regarding legislative changes, positive steps were made with the laws on legal aid and social housing... Regarding hate crime and discrimination, police officers have been trained on some scale, but prosecutors and judges remain to be involved...Regarding employment, seen by many as an important priority for LGBTI people, very few activities were implemented. NGOs have supported a limited number of individual LGBTI people in finding

³³ PINK Embassy, ‘[Council Of Ministers Approves The National Action Plan...](#)’ 25 May 2016

³⁴ Council of Europe, ‘[Evaluation report of the National Action Plan... 2016-2020](#)’, pa May 2021

employment, but not on the scale envisioned in the NAP...Regarding education, few activities were implemented even though this is seen as a key sector... Regarding health care, health professionals have been provided with accredited training by the MHSP along with additional training by NGOs. In July 2020, the MHSP adopted a protocol for intersex children. The goals set in the NAP have not been reached though, and many cases are still recorded of LGBTI people being denied access to health care that they need, for various reasons... Regarding housing, the inclusion of LGBTI as a beneficiary group in the Law No. 22/2018 "On Social Housing" was applauded. A few LGBTI people have already benefited from this law, mainly in Tirana...³⁵

- 4.1.4 The ENPEN Albania report 2021 noted that 'The national action plan for LGBTIQ persons, which came to end in 2020, did not produce visible results, due to the lack of financial resources and political will.'³⁶

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4.2 LGBTI National Action Plan (2021-2027)

- 4.2.1 The CoE noted in February 2022 that:

'Today in the premises of the Ministry of Health and Social Protection the main features of the National Action Plan for LGBTI People in Albania 2021-2027 were highlighted. The Action Plan aims to ensure an inclusive, non-discriminatory, and safe society for LGBTI people in Albania with better access to public services and specialised support, improved legal framework and implementation, as well increasing the access of LGBTI people to the justice system.

'... Minister Ogerta Manastirliu emphasised that Albania has made significant progress in recent years regarding the protection of the rights of LGBTI + persons... But despite the achievements, we are aware that the battle against stereotypes and prejudiced attitudes is long and difficult. The presentation of this plan, which aims for more justice and equality in the protection of the freedoms and rights of the LGBTI + community, is a proof of the fact that the efforts for more rights and non-discrimination for this community are possible through concrete, multisectoral and that require the involvement of all actors'.³⁷

- 4.2.2 The LGBTI National Action Plan 2021-2027 (2021-2027 NAP) highlighted the main focus of the plan for the period it covers:

"NAP for LGBTI+ 2021-2027" is the third action plan at the national level with a focus on the protection of rights, provision of quality services, raising awareness, and reducing the level of intolerance of society against LGBTI+ people in Albania. As such, this NAP reflects the priority and special attention that the Government of Albania pays to the creation of a society based on the rights, merits, and civic, social, and professional values of each individual, as well as responsible, efficient, and transparent governance, in the interest of the country's development, fighting corruption, inequality,

³⁵ Council of Europe, '[Evaluation report of the National Action Plan... 2016-2020](#)', page 3, May 2021

³⁶ ENPEN, '[Albania report 2021](#)', page 34, 19 October 2021

³⁷ Council of Europe, '[Albania's LGBTI National Action Plan 2021-2027 presented](#)', 14 February 2022

impunity, and discrimination of any kind...

“NAP for LGBTI+ 2021-2027” was drafted based on the findings and recommendations from the “Evaluation Report of the Implementation of NAP for LGBTI persons in the Republic of Albania 2016 - 2020”, so it aims to expand, deepen and increase the measures envisaged and not fully implemented, or even implemented but still require support for long-term sustainability, according to the policy goals set out earlier in NAP 2016-2020. Among others, the evaluation report on the implementation of NAP 2016-2020 recommends focusing specifically and nationwide on the most vulnerable LGBTI+ people and those facing multiple discrimination, such as transgender and intersex persons.³⁸

4.2.3 The 2021-2027 NAP also highlighted the bodies responsible for protecting and promoting the rights of LGBTI individuals:

‘The Commissioner for Protection from Discrimination and the People's Advocate are the two main independent institutions which, among other things, have the responsibility to properly address the issues of LGBTI+ people in Albania. At the central level, the treatment of LGBTI+ issues is coordinated through the Ministry of Health and Social Protection (MHSP), specifically through the Sector of Policies and Strategies for Social Inclusion and Gender Equality, as part of the General Directorate of Health and Social Protection Policies and Development. It is clear that the responsibility for addressing various aspects of LGBTI+ issues at the central level lies with all line ministries, depending on their mission and field of activity. At the local level, the obligation and responsibility of priority treatment, without discrimination and in accordance with the approved standards and legislation in force, for all issues related to LGBTI+ people, lie with the Local Self-Government Units in cooperation with other local partner institutions.’³⁹

4.2.4 The 2021-2027 NAP also laid out three key policy goals:

‘I. Improving the access of LGBTI+ people to public services and specialized support services that are effective, of good quality, and available throughout the country, in accordance with their specific needs and national standards harmonized with European/international ones.

‘II. Ensuring protection and security for LGBTI+ people through improving the legal framework, its effective implementation, as well as increasing the access of LGBTI+ people to the justice system.

‘III. Creating an inclusive, accepting and non-discriminatory society against LGBTI+ people in Albania

‘Achieving these policy goals requires comprehensive efforts by all line ministries, central public institutions, at the regional and local level, local self-government units, independent institutions, civil society organizations especially those specializing in LGBTI+ issues, international organizations, the media, academia, and all other actors implementing policies that directly affect the guarantee of the rights of LGBTI+ people. A necessary and constant need is to find the right and appropriate mechanisms that ensure a

³⁸ Council of Europe, [‘National Action Plan for LGBTI People 2021-2027’](#) page 9-10, December 2021

³⁹ Council of Europe, [‘National Action Plan for LGBTI People 2021-2027’](#) page 13, December 2021

strong and effective inter-institutional cooperation, both in the horizontal and vertical direction.⁴⁰

- 4.2.5 The European External Action Service (EEAS) EU Annual Report on Human Rights and Democracy in the World; 2021 Country Updates (EU annual report 2021) noted that ‘policy initiatives need appropriate financial resources and political will to produce visible results...’⁴¹

See [2021-2027 NAP](#) for further information on the national plan, its goals, methodology and plan for implementation.

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4.3 Government and public officials’ attitudes

- 4.3.1 On 15 February 2021, the International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA) in partnership with ERA and a number of NGOs and CSOs published a report on the situation in Albania and their progress in terms of providing for the LGBTI+ communities⁴² (LGBTI Enlargement Review 2020). The review noted that ‘Protection and cooperation with police has been positive. [LGBTI] Events [in the community] have been attended by high-ranking government officials...’⁴³
- 4.3.2 The USSD report 2021 noted that ‘Despite the law and the government’s formal support for rights, public officials sometimes made homophobic statements.’⁴⁴
- 4.3.3 The ILGA report 2021 noted that ‘In June, the authorities refused to register two women, who are a same-sex couple, as parents of their two children. The case is now at the Administrative Court.’⁴⁵
- 4.3.4 The ENPEN Albania report 2021 noted that ‘Hate speech and discriminatory language continue to be a problem... from politicians.’⁴⁶
- 4.3.5 In a November 2021 article by Historia Ime, an Albania-based human rights organisation⁴⁷ it was noted that, whilst at a conference on an LGBTI project: ‘The Mayor of Tirana, Mr. like, expressing the support of the institution he aids the LGBTIQ - cause, mentioned the audience that the same municipality has provided to LGBTIQ - people. He, among other things, said that the progress made so far should encourage us to keep working for the benefit of LGBTIQ - people and enhance public and institutional support, especially in other municipalities.’⁴⁸
- 4.3.6 The IGLYO report 2022 noted that in March 2018, a programme which included a series of LGBTI awareness-raising workshops were proposed by multiple agencies to take place in public schools, but received significant

⁴⁰ Council of Europe, [‘National Action Plan for LGBTI People 2021-2027’](#) page 21, December 2021

⁴¹ EEAS, ‘...Human Rights and Democracy in the World; 2021...’, page 5, 30 March 2022

⁴² ILGA-Europe and ERA, [‘LGBTI Enlargement Review 2020’](#), page 3, 15 February 2021

⁴³ ILGA-Europe and ERA, [‘LGBTI Enlargement Review 2020’](#), page 9, 15 February 2021

⁴⁴ USSD, [‘2021 Country Reports on Human Rights Practices: Albania’](#), page 29, 12 April 2022

⁴⁵ ILGA, [‘Annual report on the human rights situation of lesbian... 2021’](#), page 26, 15 February 2022

⁴⁶ ENPEN, [‘Albania report 2021’](#), page 34, 19 October 2021

⁴⁷ Historia Ime, [‘Homepage’](#), nd

⁴⁸ Historia Ime, [‘To Fight Discrimination and Protect the Rights of the LGBTI...’](#) 3 November 2021

backlash by politicians and was consequently suspended⁴⁹.

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4.4 Legal aid and support

4.4.1 The IGLYO report 2022, with specific reference to support and aid for LGBTI children, noted:

‘Students who experience discrimination or violence can report cases to the CPD. Children and youth can also reach out to ALO 116, a national helpline which also supports LGBTQI people. Free Legal Aid for LGBTQI children and youth is provided by CRCA/ECPAT Albania. The hotline ISIGURT.AL supports victims of online hate speech or sexual assault. Barnahus Albania provides support to children and young people who are victim of sexual harassment and abuse.’⁵⁰

4.4.2 The USSD report 2019 noted that ‘In March [2019] the Ministry of Health and Social Protection initiated a fund of 287,450 leks (\$2,600) to cover approximately 25 percent of the yearly operating costs for Streha, the only shelter for LGBTI people in the country. Through August, Streha had assisted 16 persons who faced violence or discrimination due to their sexual orientation or gender identity.’⁵¹

4.4.3 The European Neighbourhood Policy and Enlargement Negotiations (ENPEN), a body of the European Union responsible for the enlargement process of the European Union and for the European Neighbourhood Policy⁵² noted in a 2021 report (ENPEN Albania report 2021) ‘... The shelter for LGBTIQ persons has continued to provide care, support and advocacy to homeless LGBTIQ individuals. The support from state budget has increased, covering up to 40% of the core budget of the shelter, but continued dependence on donors creates uncertainty on the continuation of services’⁵³

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4.5 Police effectiveness

4.5.1 For general information on the functioning of the police force in Albania, see [Country Policy and Information Note: Actors of protection, Albania](#).

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4.6 Police and law enforcement training

4.6.1 According to an April 2021 article by the Council of Europe on the introduction of a manual on Policing Hate Crime against LGBTI persons in Albania:

‘...To help [police officers] in developing essential skills to identify and investigate hate crimes against LGBTI persons, a Council of Europe manual “Policing Hate Crime against LGBTI persons: Training for a Professional Police Response” is adapted in Albanian, under the joint European Union

⁴⁹ IGLYO, ‘[LGBTQI Inclusive Education Report and Index 2022 \(second edition\)](#)’, page 29, 2022

⁵⁰ IGLYO, ‘[LGBTQI Inclusive Education Report and Index 2022 \(second edition\)](#)’, page 29, 2022

⁵¹ USSD, ‘[2019 Country Reports for Human Rights Practices: Albania](#)’, page 24, 11 March 2020

⁵² European Commission, ‘[European...Enlargement Negotiations – Responsibilities](#)’, nd

⁵³ ENPEN, ‘[Albania report 2021](#)’, page 34, 19 October 2021

and Council of Europe Action on “Promotion of Diversity and Equality in Albania”...The manual is designed as a practical tool for police trainers, investigators, managers, hate crime officers and frontline police officers to efficiently respond to hate crime.

‘The first set of 400 manuals were distributed at the Police Academy and Faculty of Security, General Police Directory and various police stations in Tirana. In cooperation with the Albanian State Police, Aleanca LGBT and Pro LGBT, the Police Academy hosted an event to introduce the manual... Prof.Dr. Ilirjan Mandro, Dean of the Faculty of Security and Investigation, underlined that “...the manual itself and the accompanying brochures are a good didactic basis for the teaching staff, to use it as literature for candidate police officers as well as the ongoing training of career staff. The brochure gives quick and effective answers to any hesitation or ambiguity police officers might have”. Two other events were organized with the same purpose, at the General Police Directory and Police Station number 1 in Tirana. A total of 1000 copies of the manual will be distributed in police stations all around Albania.’⁵⁴

4.6.2 The ILGA report 2021 highlighted a number of training programmes with various state bodies in 2021:

‘In March, Aleanca LGBTI and Pro-LGBTI held a training for police officers on LGBTI issues. Civil society and the police launched an informative brochure on policing anti-LGBTI hate crimes.

‘In September, Aleanca LGBTI co-organised a training with Dutch CSOs, for judges and prosecutors on handling anti-LGBTI hate crime cases.

‘PINK organised a consultation between the Chiefs of Police Stations in Tirana with the Commissioner for Protection from Discrimination and the Diversity Contact Point at the National Police Authority, to discuss better cooperation between LGBTI CSOs and the police, including through training and support.

‘On 24 November, the Council of Europe in cooperation with the police and LGBTI NGOs held meetings about the rights of the LGBTI community with the police in Vlora, Gjirokastra, Korca, Elbasan, Kavaja, and Fier. LGBTI contact points were established in each town.’⁵⁵

4.6.3 A November 2021 article by Historia Ime expanded upon a joint CSO-State project to train law enforcement in dealing with hate speech and discrimination committed against the LGBTI community:

‘The main focus of this project was to upgrade the capacity of the State Police institution watching the management of case of hate speech and discrimination compared to the LGBTI community. For the achievement of this focus, seven pieces of training were held with police officer and representative of local institutions from the Municipalities that were part of this project, namely the Municipality of Tirana, Lezha, and Vlora.

‘Consequentially, during this project, the local even staff of the institutions and the State Police were strengthened for reporting, researching,

⁵⁴ CoE, [‘Manual on Policing Hate Crime against LGBTI persons in Albania’](#), 2 April 2021

⁵⁵ ILGA, [‘Annual report on the human rights situation of lesbian... 2021’](#), page 26, 15 February 2022

registering, and prosecuting hate speech, hate crimes based on sexual orientation or gender identity.

'This activity paved the way for the declassification of institutional commitment and the establishment of cooperative relations between LGBTIQ and civil society organizations and local institutions in Albania.

'This project, which began in October 2017, was conceded in Tirana with a conference awaiting by all actors and collaborations of the project who have been engaged during this period. The results, challenges, and successes of the project were talked about during the conference.

'...This project was very successive and paved the way for institutional dedication and closer cooperation between civil society organizations and state buildings.'⁵⁶

- 4.6.4 The ENPEN Albania report 2021 noted that 'Police officers, prosecutors and gender 'focal points' in line ministries continued receiving training on preventing discrimination on the basis of sexual orientation and gender identity...'⁵⁷

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4.7 State treatment of LGB persons

- 4.7.1 In sources consulted (see [Bibliography](#)) there was a lack of detailed, specific or recent (in the last 3 years) information on adverse state treatment, such as harassment, violence or arbitrary arrests incurred by lesbian, gay, bisexual and intersex people. The limited available information focused on the experiences of trans persons with few examples, definitions of what constituted violence or discrimination, and data on the number and frequency of incidents.

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4.8 State treatment of transgender persons

- 4.8.1 In a 2021 article by PINK Embassy, it was noted that 'the lives of transgender people were seriously endangered [during the pandemic] due to a total lack of income. The government did not approve any special support for their food or shelter.'⁵⁸
- 4.8.2 A study published by Aleanca LGBTI establishing the effects on the community during the Covid-19 pandemic, reviewed the online survey responses of 228 individuals and a number of focus groups held with persons who identified as LGBTI (Aleanca Covid-19 report 2020) found that, '...one of the problems constantly encountered by the transgender community is the constant clash with the police. Given that the transgender community is also the most visible part of the LGBTI community, its confrontation with discrimination exercised not only by citizens but also institutions is many times higher and more systematic.'⁵⁹
- 4.8.3 The LGBTI Enlargement review 2020 noted that, 'The transgender

⁵⁶ Historia Ime, '[To Fight Discrimination and Protect the Rights of the LGBTI...](#)' 3 November 2021

⁵⁷ ENPEN, '[Albania report 2021](#)', page 34, 19 October 2021

⁵⁸ PINK Embassy, '[Being LGBTI in Albania: abused, hated and forgotten...](#)', 17 May 2021

⁵⁹ Aleanca, '[The situation of the LGBTI+ community during the pandemic](#)', 2020

community has reported police brutality and discrimination in the street when they go out.’⁶⁰

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4.9 State response to violence of, and discrimination against, LGBTI persons

4.9.1 The LGBTI Enlargement report 2020 noted that:

‘Most LGBTI people have difficulties in accessing the justice system. The only way to ensure action and protection from the police is to go to the station accompanied by a member of the one of the LGBTI NGOs. The Council of Europe is working in collaboration with LGBTI NGOs and stakeholders to improve this situation, by providing information to LGBTI people by putting up banners and posters in the police stations in all the country, and providing booklets for the police.’⁶¹

4.9.2 The same report noted, with reference to a June 2020 incident whereby LGBTI activist Xheni Karaj was physically attacked by a doctor and other men on a beach while on holiday with her partner that, following reporting the incident to the police, ‘the Prosecutor’s Office responded that there was no ground of hate crime and the case was closed.’⁶²

4.9.3 In a 2021 article by PINK embassy/LGBT pro Albania it was noted that ‘...state institutions at the central and local level are powerless to guarantee the enjoyment of equal rights for all LGBTI persons as other citizens...’⁶³

4.9.4 The USSD report 2021 noted the police response and arrest of several individuals after they attacked a transgender individual during 2021⁶⁴.

4.9.5 A 13 May 2021 article by ERA considered the state response to instances of hate crimes against LGBTI individuals:

‘The representative of the Albanian State Police Mr. Alma Katragjini spoke of the many efforts that the State Police is making to address hate speech and hate crimes, but recognized also the challenges that exist with prosecutors and judges. She mentioned that in the last year 4 out of 7 cases submitted were dismissed by local prosecutors. This in itself shows the huge amount of work that remains to be done with the justice system. MP Hysi advised the State Police to create a database of hate incidents based on individual characteristics of victims such as their gender, ethnicity, race, sexual orientation, religion, gender identity etc. Only a systematic and detailed collection of data will help for prosecutors, judges and the law enforcement agencies to take these incidents seriously and address them properly.’⁶⁵

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4.10 Commissioner for Protection from Discrimination (CPD)

4.10.1 According to Equinet, European Network of Equality Bodies⁶⁶, in 2018, Mr.

⁶⁰ ILGA-Europe and ERA, ‘[LGBTI Enlargement Review 2020](#)’, page 11, 15 February 2021

⁶¹ ILGA-Europe and ERA, ‘[LGBTI Enlargement Review 2020](#)’, page 8, 15 February 2021

⁶² ILGA-Europe and ERA, ‘[LGBTI Enlargement Review 2020](#)’, page 10, 15 February 2021

⁶³ PINK Embassy, ‘[Being LGBTI in Albania: abused, hated and forgotten...](#)’, 17 May 2021

⁶⁴ USSD, ‘[2021 Country Reports on Human Rights Practices: Albania](#)’, page 29, 12 April 2022

⁶⁵ ERA, ‘[ERA and OMSA hold online forum on hate speech in Albania](#)’, 13 May 2021

⁶⁶ Equinet, ‘[Equinet at a glance](#)’, nd

Robert Gajda was elected as Commissioner for a term of 5-years⁶⁷. The responsibilities of the CPD were also noted:

‘The Commissioner for Protection from Discrimination (CPD) is the equality body in Albania, established since 2010, upon the Law 10221/2010 "For Protection from Discrimination", that is aligned/approximated with four European Directives in the field of non-discrimination. The CPD is a public legal person, responsible to assure effective protection from discrimination. The CPD is independent in the exercise of duty and is subject only to the Constitution and law.’⁶⁸

4.10.2 The same source further highlighted responsibilities of the CPD:

‘Litigation power:

- Representing in front of courts
- Formally deciding on complaints (e.g. decision or recommendation addressed to the parties) legally binding
- The CPD takes part in judicial proceedings in the quality of the defendant. In these cases the plaintiff may object to the court the Decisions of the CPD (including the decisions on Discrimination and those imposing sanctions by fine) and ask for their cancellation. Assistance of the victims of discrimination to the court by the CPD as third/interested party in the process, in cases which have been handled previously by the CPD or not. The CPD asks the court for issuing the execution procedures of fines, imposed by the CPD.’

4.10.3 Equinet also noted some of the activities of the CPD, including activities aimed at supporting vulnerable groups (for example, through training), campaigns to raise awareness for vulnerable groups, making recommendations on issues surrounding discrimination, publications and reports and research⁶⁹. Equinet also noted further issues the CPD institution is mandated to address, including:

- ‘UN Convention on the Rights of Persons with Disabilities (CRPD)
- ‘Hate speech
- ‘Severe forms of discrimination (including multiple and intersectional discrimination)
- ‘Segregation, structural discrimination, incitement to or aiding another to discrimination, proclaimed intention of discrimination)’⁷⁰

4.10.4 In terms of the cases (of all kinds, not just limited to those related to LGBTI persons) processed by the CPD, Equinet noted:

Table 1⁷¹

⁶⁷ Equinet, ‘[Commissioner for the Protection from Discrimination](#)’, nd

⁶⁸ Equinet, ‘[Commissioner for the Protection from Discrimination](#)’, nd

⁶⁹ Equinet, ‘[Commissioner for the Protection from Discrimination](#)’, nd

⁷⁰ Equinet, ‘[Commissioner for the Protection from Discrimination](#)’, nd

⁷¹ Equinet, ‘[Commissioner for the Protection from Discrimination](#)’, nd

	2015	2016	2017	2018	2019
Number of inquiries handled per year (all contact even if not resulting in a formal complaint)	180	120	166	197	163
Number of cases handled per year (case files opened and processed...)	288	239	209	287	225

- 4.10.5 According to the USSD report published in 2020, covering the year 2019: ‘Aleanca, an NGO advocating for the lesbian, gay, bisexual, transgender, and intersex (LGBTI) community, reported four cases of discrimination based on sexual orientation and gender identity reported to the CPD as of September. In one case, the CPD ruled against a police commissariat and imposed a fine.’⁷²
- 4.10.6 According to the USSD report 2021 ‘As of August, the commissioner for protection from discrimination had received seven cases of discrimination based on sexual orientation, gender identity, or both. Most cases were under review. In one case, the commissioner ruled against a Tirana taxi company that had refused services to transgender persons. The company had yet to respond to the commissioner....’⁷³
- 4.10.7 The same report noted that ‘The commissioner for protection from discrimination reported that most allegations of discrimination involved race, sexual orientation, economic status, or disability.’⁷⁴
- 4.10.8 In the summary document of the Commissioner for Protection from Discrimination’s 2019 annual report, published 6 November 2020, it was noted that the Commissioner handled ‘14 cases (12 complaints and 2 ex-officio) on hate speech, mainly related to the affiliation in LGBTI... 3 cases the Commissioner has found discrimination of the complainants... 2 of them are in process of implementing the regulatory measures, imposed by the CPD, and 1 decision has been appealed to the court. In 4 cases no discrimination was found, in 1 case the complaint was not accepted, 1 case was dismissed for being abandoned by the complainant, 2 cases were dismissed due to achieved effectiveness because the subjects, against whom the investigation proceeding had started, apologized publicly for the language used and 3 complaints are still under review process.’⁷⁵
- 4.10.9 The annual ILGA report on the human rights situation of LGBTI persons noted, during 2021, ‘Aleanca [an Albania-based LGBT NGO] presented three hate speech complaints to the Commissioner Against Discrimination, who failed to establish discrimination.’⁷⁶

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⁷² USSD, ‘[2019 Country Reports for Human Rights Practices: Albania](#)’, page 23, 11 March 2020

⁷³ USSD, ‘[2021 Country Reports on Human Rights Practices: Albania](#)’, page 29, 12 April 2022

⁷⁴ USSD, ‘[2021 Country Reports on Human Rights Practices: Albania](#)’, page 28, 12 April 2022

⁷⁵ Equinet, ‘[Albania report 2019](#)’, page 13, 6 November 2022

⁷⁶ ILGA, ‘[Annual report on the human rights situation of lesbian... 2021](#)’, page 25, 15 February 2022

4.11 People's Advocate (Ombudsman)

4.11.1 According to the People's Advocate website:

'The Ombudsman Institution was first envisaged in the Albanian Constitution adopted in November 1998, while the law "For the Ombudsman" was adopted by the Albanian Parliament in February 1999. This law has been drafted in view of the legislation of other European countries, which have previously created such an Institution. The direction of the Ombudsman Institution is monocratic. The Ombudsman is elected by three-fifths of all members of the Assembly for a 5-year period with the right to re-election.'⁷⁷

4.11.2 The USSD report 2021 noted:

'The Office of the Ombudsman is the main independent constitutional institution for promoting and enforcing human rights. It is authorized by law to monitor and report on prisons and detention centers and conduct administrative investigation of complaints from citizens. Although the Ombudsman's Office lacked the power to enforce decisions, it acted as a monitor of alleged human rights abuses, and institutions made efforts to meet its recommendations.

'The Assembly has committees on legal issues, public administration, and human rights that review the annual report of the Office of the Ombudsman. The committee was engaged and effective in legislative matters.'⁷⁸

4.11.3 The same report also noted that 'The Office of the Ombudsman also processed complaints against police officers, mainly concerning problems with arrests and detentions.'⁷⁹

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This section was updated on 6 December 2022

5. Societal treatment and attitudes

5.1 Cultural norms

5.1.1 The Everyculture website published an undated article which stated:

'Albania is a patriarchal society based on male predominance. Women are accorded subordinate roles...

'Marriages in Albania are socially and legally restricted to heterosexual couples. They often are arranged at an early age in the countryside, traditionally by the parents of the groom with the help of a matchmaker rather than by the couple. Remaining unmarried is looked on as a great misfortune...'⁸⁰

5.1.2 A March 2021 article by Reuters reporting on the experiences of LGBTI individuals in Albania also noted, with reference to traditional views on relationships and families:

'In a largely patriarchal society, however, those who are open about their

⁷⁷ Ombudsman Republic of Albania, '[About us](#)', nd

⁷⁸ USSD, '[2021 Country Reports on Human Rights Practices: Albania](#)', page 20, 12 April 2022

⁷⁹ USSD, '[2021 Country Reports on Human Rights Practices: Albania](#)', page 19, 12 April 2022

⁸⁰ Everyculture, '[Albania](#)', nd

sexual orientation are often judged by family and friends.

“Any kind of relationship that is not crowned with starting a family is totally unacceptable,” Sara, who gave only her first name to protect her identity, told Reuters.

‘Sara said the dream of every LGBT person was “to come out openly in a close social network or family”. Because of prejudice, however, some people like her opted to keep a low profile.’⁸¹

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5.2 Societal treatment of and attitudes towards LGBTI individuals

- 5.2.1 In sources consulted (see [Bibliography](#)) the majority of information either focused on the general treatment of the whole LGBTI community with few examples, definitions of what constituted violence or discrimination, and data on the number and frequency of incidents.
- 5.2.2 In the summary document of the Commissioner for Protection from Discrimination’s 2019 Annual report, it was noted that ‘During 2019, The Commissioner for the Protection from Discrimination has handled 14 cases (12 complaints and 2 ex-officio) on hate speech, mainly related to the affiliation in LGBTI...’⁸²
- 5.2.3 The USSD report 2019 noted: ‘As of September, Aleanca reported 46 cases of physical and psychological violence, six of which involved minors. In 201, [sic] Aleanca documented 421 cases of physical and psychological violence against LGBTI community members.’⁸³
- 5.2.4 The LGBTI Enlargement review 2020 noted that, ‘This year, as in previous years, OMSA has reported an increasing number of LGBTI people (especially youth but not only) asking for help to leave Albania and seek asylum in EU countries, the U.S. and Canada due to fear of violence and discrimination based on SOGI.’⁸⁴
- 5.2.5 The same report noted that, ‘In June [2020], LGBTI activist Xheni Karaj was physically attacked by a doctor and other men on a beach while on holiday with her partner. The doctor said he should have left “people like you” to die when he had the chance in hospital...’⁸⁵
- 5.2.6 The ENPEN Albania report 2021 noted that ‘Discrimination against lesbian, gay, bisexual, transgender, intersex and queer (LGBTIQ) persons remains pervasive and dominant in the Albanian society, especially regarding access to health care, education, justice, employment and housing. Cases of physical aggression against members of the community still occur and hate speech continues, particularly in social media...’⁸⁶
- 5.2.7 The same report noted: ‘Public awareness and acceptance of LGBTIQ persons remain low, particularly in rural areas. Hate speech and discriminatory language continue to be a problem in the media, especially

⁸¹ Reuters, ‘[Patriarchal Albania offers little compassion for same-sex relationships](#)’, 9 March 2021

⁸² Equinet, ‘[Albania report 2019](#)’, page 13, 6 November 2022

⁸³ USSD, ‘[2019 Country Reports for Human Rights Practices: Albania](#)’, page 24, 11 March 2020

⁸⁴ ILGA-Europe and ERA, ‘[LGBTI Enlargement Review 2020](#)’, page 8, 15 February 2021

⁸⁵ ILGA-Europe and ERA, ‘[LGBTI Enlargement Review 2020](#)’, page 10, 15 February 2021

⁸⁶ ENPEN, ‘[Albania report 2021](#)’, page 34, 19 October 2021

online media...'⁸⁷

5.2.8 The USSD report 2021 also considered hate speech against LGBTI individuals in Albania, 'Some incidents of hate speech occurred online and in the media after an LGBTQI+ activist suggested changing the law to enable registering the children of LGBTQI+ couples...'⁸⁸

5.2.9 A study conducted by the Council of Europe on hate speech in Albania, published November 2021, used interviews to survey the responses of 1,500 participants (including a boosted number of 'vulnerable' participants who identified as LGBTI and/or were from the Roma/Egyptian communities) to ascertain their perception and experience of hate speech in Albania⁸⁹. Of the boosted sample of 301 participants, 159 identified as belonging to the LGBTI community⁹⁰. According to the findings:

'It shows growing concerns, particularly among vulnerable groups, about the spread of hate speech in Albania (ca. 58% of the respondents think that hate speech is a national issue, even more during and after the pandemic) and the role of the media in spreading it. As far as triggers of hate speech are concerned, poverty (54 %), social status, political opinion, and physical appearance (44 %) are perceived as the main grounds of discrimination. However, this perception changes when considering vulnerable groups... more specifically responses by LGBTI people, for which homo-bi-lesbo-transphobia is the most common motivation triggering hate speech (68 %). According to the respondents, hate speech propagates not only in Social media, but also in schools, universities, and workplaces...'⁹¹

5.2.10 The same study found that almost half of the (159 total) LGBTI respondents claim to have been exposed to online hate speech⁹². Of the total boosted sample, the study found 'Results for the vulnerable groups, show that family and friends are the main channels of asking for help (33 %), but the ascendant choice among alternatives, is Civil Society Association, 37 %, which shows that this community holds faith in favour of them, in case they need help. About 10 % would not ask for help due to the common belief that no one would care (68 %) and because they are ashamed to tell others their experience (60 %).'⁹³

5.2.11 In considering hate speech against LGBTI individuals, the ILGA annual report 2021 noted one example in the media: :

'The LGBTI community was under continuous attack from religious groups, media and public figures.

'In June, journalist Blerta Tafani made several homophobic statements on TV, saying that "it's a great misfortune [that an LGBTIQ person] gives birth to a child"; that "life with two fathers doesn't work, life with a gay family ends,

⁸⁷ ENPEN, '[Albania report 2021](#)', page 34, 19 October 2021

⁸⁸ USSD, '[2021 Country Reports on Human Rights Practices: Albania](#)', page 29, 12 April 2022

⁸⁹ CoE, '[Beyond definitions. A call for action against hate speech in Albania](#)', page 5, November 2021

⁹⁰ CoE, '[Beyond definitions. A call for action against hate speech in...](#)', page 125, November 2021

⁹¹ CoE, '[Beyond definitions. A call for action against hate speech in Albania](#)', page 5, November 2021

⁹² CoE, '[Beyond definitions. A call for action against hate speech in...](#)', page 23, November 2021

⁹³ CoE, '[Beyond definitions. A call for action against hate speech in...](#)', page 23, November 2021

this is offensive”; and that “an adopted child isn’t a healthy child”.⁹⁴

- 5.2.12 The same report also noted ‘In November, the founder of the Coalition for the Traditional Family, pastor Akil Pano organised an event in his church where Italian journalist Nausica Della Valle shared her experiences as a “former lesbian” who was “cured” by the Church. Aleanca decided to show up at the event, affirming their identity. Pano and Della Valle gave an interview on national TV saying “homosexuality” can be cured.’⁹⁵
- 5.2.13 A March 2021 article by Reuters noted that:
‘A survey by the Streha organisation... found that 80% of 200 LGBT respondents had considered leaving Albania...
‘... [A] study, by Abania’s [Albania’s] Alenacea non-governmental organisation, found one in two LGBT community members had experienced psychological violence and bullying, one in five had been sexually harassed and some had been raped.... Only 7% reported the incidents to the authorities.’⁹⁶
- 5.2.14 The Amnesty International (AI) annual report published in 2022 and focusing on events in Albania in 2021 (AI report 2022) noted that ‘LGBTI people remained subject to discrimination and harassment.’⁹⁷ However, AI did not provide definitions of what constituted discrimination and harassment in this context, or data on the number and frequency of incidents.
- 5.2.15 The Freedom in the World annual report published in 2022 noted that despite legal protections against hate crimes and hate speech against LGBTI individuals, ‘...bias against LGBT+ people is strong in practice.’⁹⁸
- 5.2.16 Considering factors that may exacerbate treatment of LGBTI individuals, the ILGA report 2021 noted that ‘Aleanca, Roma and disability rights organisations worked closely together, for instance by organising a theatre show and an exhibition on multiple discrimination... Roma LGBTI people, and LGBTI with disabilities remain the most marginalised groups in the community.’⁹⁹
- 5.2.17 The Aleanca Covid-19 report 2020 noted that, during the pandemic, ‘A good part of the community members have been forced to return to their families... and this has also increased the fear of exposing their sexual orientation/gender identity. 79 persons who stayed close to the family during this period reported fears of being identified by the family regarding gender orientation/identity.’¹⁰⁰
- 5.2.18 The same report noted that, as a result of 25.4% of the study respondents being unable to meet their housing needs during the pandemic, ‘many of them have been forced to return to their families during this period. Returning to the family in cases where the family has been aware of the sexual orientation of their children, has been followed by conflict,

⁹⁴ ILGA, ‘[Annual report on the human rights situation of lesbian... 2021](#)’, page 25, 15 February 2022

⁹⁵ ILGA, ‘[Annual report on the human rights situation of lesbian... 2021](#)’, page 25, 15 February 2022

⁹⁶ Reuters, ‘[Patriarchal Albania offers little compassion for same-sex relationships](#)’, 9 March 2021

⁹⁷ Amnesty International, ‘[Amnesty International Report 2021/22... Albania 2021](#)’, 29 March 2022

⁹⁸ Freedom House, ‘[Freedom in the World 2022 – Albania](#)’, section F4, 24 February 2022

⁹⁹ ILGA, ‘[Annual report on the human rights situation of lesbian... 2021](#)’, page 26, 15 February 2022

¹⁰⁰ Aleanca, ‘[The situation of the LGBTI+ community during the pandemic](#)’, 2020

psychological and physical violence.’¹⁰¹

- 5.2.19 The same report also noted that ‘13.2% of the respondents state that they have experienced psychological violence and have been bullied, 4 of them have been physically abused; 5 of them were sexually harassed, and 1 of them was abandoned and experienced disinterest from the family... The most frequent places where discrimination and violence occurred are reported to have been; social networks, on the streets, in the neighborhood and at home... the vast majority of those who experienced violence did not report it, about 74.8%, while only 9.9% reported it.

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5.3 Discrimination and violence against trans persons

- 5.3.1 A 2020 report by Association Spectra, a Montenegro-based LGBTI NGO¹⁰² (AS report 2020) gave an overview of some of the challenges trans individuals face in Albania:

‘Transgender people in Albania face a huge amount of violence and bullying because of their non-conforming appearances and strictly defined gender roles of Albanian mentality and culture. Due to systematic discrimination and exclusion from the society many homeless transgender people are forced to engage in sex work online and on the streets of the capital city to earn a living and often maintain their families as well. Since sex work in Albania is prohibited by the law, these community members continuously stare in the face of danger coming by the clients and the police. Transgender sex workers are victims of rape and other forms of brutal sexual violence, harassment and sexual harassment. Due to this situation most cases of violence and rape targeting transgender sex workers are not reported to the police since with the report they can actually incriminate themselves. For example in 2009, a transgender woman was stabbed by a client who claimed to have been shocked to learn that the sex worker was not a “real woman”.’¹⁰³

- 5.3.2 The same report also noted, more generally, ‘Due to the fact that Albania is a patriarchal society it is very difficult for non/binary individuals to express their gender freely. Therefore, they easily become direct targets of bullying, discrimination and violence which has been leading to exclusion, poor mental health and high numbers of self harm and attempted suicide cases.’¹⁰⁴
- 5.3.3 The ILGA report 2021 noted that transgender women form one of the most marginalised groups in the community¹⁰⁵.
- 5.3.4 The ENPEN Albania report 2021 noted that ‘...Violence and discrimination against members of the trans-community is still a worrying phenomenon in the country.’¹⁰⁶

¹⁰¹ Aleanca, ‘[The situation of the LGBTI+ community during the pandemic](#)’, 2020

¹⁰² Association Spectra, ‘[About us](#)’, nd

¹⁰³ Association Spectra ‘[Community \(self\)organising of transgender...](#)’, page 57, 2 December 2020

¹⁰⁴ Association Spectra ‘[Community \(self\)organising of transgender...](#)’, page 57, 2 December 2020

¹⁰⁵ ILGA, ‘[Annual report on the human rights situation of lesbian... 2021](#)’, page 26, 15 February 2022

¹⁰⁶ ENPEN, ‘[Albania report 2021](#)’, page 34, 19 October 2021

5.3.5 The AI report 2022 noted one instance in 2021 whereby ‘A transgender woman was beaten in the street.’¹⁰⁷

5.3.6 The ILGA report 2021 noted instances of discrimination against trans individuals during 2021:

‘In April, the Green Taxi company issued a public apology after their drivers refused to drive trans people, took disciplinary action against the employees, and pledged that the entire taxi fleet would display rainbow flags on IDAHOBIT.

‘Three trans people were thrown out of a café in Tirana and complained to the Commsioner [Commissioner] Against Discrimination.

‘It took Aleanca [an LGBT NGO] almost a year to find a space for their community centre, having been turned down by several property owners, saying they did not want “faggots’ money”.

‘... A trans person was assaulted by ten young men in Tirana in June.’¹⁰⁸

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This section was updated on 6 December 2022

6. Access to services

See [Legal rights](#) for information on legislation surrounding LGBTI individuals’ access to services including healthcare, employment and education.

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6.1 Healthcare

6.1.1 The June 2020 report by the European Commission Against Racism and Intolerance (ECRI) noted:

‘In this monitoring cycle, ECRI also covers the situation of intersex persons. ECRI was informed by the authorities that it is not mandatory in Albania to carry out so-called “sex-normalising” surgery on newly-born intersex babies. According to the information available, such operations are, in fact, not carried out currently in Albania at all. ECRI was informed by the authorities about their intention to look more closely into the needs of intersex persons in the country...’¹⁰⁹

6.1.2 The June 2020 report by the European Commission Against Racism and Intolerance (ECRI) noted: a March 2021 article by Reuters, in considering treatment of LGBTI individuals, it was noted ““Another problem lies in access to health care,” Xheni Karaj, an LGBT activist, told Reuters.

““When I took transgender people to the hospital, the doctors said why not let these people die.””

6.1.3 Specifically considering LGBTI sufferers of HIV and AIDS, the ILGA report 2021 noted:

‘Aleanca reports that the number of HIV infections doubled over the past

¹⁰⁷ Amnesty International, ‘[Amnesty International Report 2021/22... Albania 2021](#)’, 29 March 2022

¹⁰⁸ ILGA, ‘[Annual report on the human rights situation of lesbian... 2021](#)’, page 25, 15 February 2022

¹⁰⁹ ECRI, ‘[Sixth report on Albania](#)’, 2 June 2020

year and services are lacking. PrEP and PEP [anti-HIV medications¹¹⁰] continue to be unavailable to LGBTI people. Viral load tests are unavailable at public hospitals and private clinics remain unaffordable for most. Lastly, the National Strategy for People Living with HIV expired in 2020 and has not been renewed. Aleanca provided rapid HIV testing to 1131 people and medical support to 30 LGBTI people. Streha provided medical visits to 49 people and medication to 127.¹¹¹

- 6.1.4 The Aleanca Covid-19 report 2020 found that, during the pandemic, 11.5% of respondents stated they encountered difficulties in obtaining medication on time, though reasons they provided for these difficulties related to general issues such as drug shortages, a lack of public transport and difficulties accessing services at the Institute of Public Health¹¹².
- 6.1.5 The same report demonstrated the difficulties reported by those living with HIV and AIDS: 'Difficulty in accessing medication has been problematic mainly for people living with HIV/Aids. During March-May, persons from the community living with HIV/Aids found it impossible to travel to Tirana to receive medication as a result of restrictive measures. A large number of them were forced to discontinue treatment and constantly contacted the LGBTI Alliance to address this issue.'¹¹³
- 6.1.6 The LGBTI Enlargement review 2020 noted that 'Trans people have continued to report a lack of access to basic trans-specific healthcare services. In June, ECRI called on Albania to regulate the provision of trans-specific healthcare. Due to lockdown 10 measures between March-May, access to gender affirmative treatments were disrupted.'¹¹⁴
- 6.1.7 The same report noted 'Trans people do not enjoy the right to change their name or gender marker. There are no specific services or clinics for trans people. Hormone therapy and sex affirmation procedures are not available. Discrimination or refusal of public health services is commonplace.'¹¹⁵

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6.2 Housing

6.2.1 The AS report 2020 noted:

'Another issue that transgender people face in their everyday life is homelessness and the difficulty in finding a rented apartment because the owners refuse rent after seeing that the client is from the transgender community. Also, in cases when the owner of the apartment accepts to rent, the situation becomes difficult with the community and neighbors so most of the transgender people who try to live in Tirana are forced to change location and apartments every month or every other month. Although the law on housing has been amended and LGBTIQ+ people are benefactors amongst other communities for the past two years, the government has failed to provide service to the community in general, but to the transgender

¹¹⁰ Aidsmap, '[What's the difference between PrEP and PEP for HIV prevention?](#)', January 2022

¹¹¹ ILGA, '[Annual report on the human rights situation of lesbian... 2021](#)', page 26, 15 February 2022

¹¹² Aleanca, '[The situation of the LGBTI+ community during the pandemic](#)', 2020

¹¹³ Aleanca, '[The situation of the LGBTI+ community during the pandemic](#)', 2020

¹¹⁴ ILGA-Europe and ERA, '[LGBTI Enlargement Review 2020](#)', page 9-10, 15 February 2021

¹¹⁵ ILGA-Europe and ERA, '[LGBTI Enlargement Review 2020](#)', page 11, 15 February 2021

community especially. This failure in providing social housing first of all is a result of horrendous and difficult applying procedures that almost no one from the community can follow through...¹¹⁶

6.2.2 The ILGA report 2021 outlined that ‘A number of trans people reported that they were denied rentals due to their gender identity.’¹¹⁷

6.2.3 The Aleanca Covid-19 report 2020 noted that:

‘Housing is a daily challenge for the LGBTI community, especially for that part of the community that has come out to their family and has not been accepted by them, or for people whose appearance does not conform to gender norms, such as transgender people... Due to the pandemic many of them lost their jobs and as a result remained homeless. Another part of them was forced to return to their families, and others found shelter and support from friends or relatives.’¹¹⁸

6.2.4 To provide context on the housing situations for the respondents in the Aleanca study, it was noted: ‘When asked who they currently live with, 63.2% say they live with their family, 18% live alone and 12.7% live with their partner. Rental expenses: 62.7% of respondents say that the house in which they live is owned by the family, and 31.1% say that they live in rented apartments.’¹¹⁹

(See also [NGOs and support](#) for information on assistance available to LGBTI individuals seeking housing).

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6.3 Employment

6.3.1 The USSD report 2021 noted, without specific reference to LGBTI persons, that individuals with HIV or AIDS faced employment discrimination¹²⁰.

6.3.2 The same report also highlighted that ‘The law prohibits discrimination based on sexual orientation, including in employment. Enforcement of the law was generally weak.’¹²¹

6.3.3 The LGBTI Enlargement review 2020 noted that, as a result of bullying in schools due to their gender identities and leaving school early as a result, ‘many end up working as sex workers. Sex work is criminalized in Albania. Thus, sex workers are in danger not only of abuse and harassment, but also arrest and imprisonment.’¹²²

6.3.4 The Aleanca Covid-19 report 2020 noted that, with specific reference to transgender persons:

‘The transgender community in Albania finds it very difficult to be employed, almost impossible, especially in the difficult socio-economic conditions created by the pandemic. Inability to find employment is directly related to

¹¹⁶ Association Spectra ‘[Community \(self\)organising of transgender...](#)’ page 57, 2 December 2020

¹¹⁷ ILGA, ‘[Annual report on the human rights situation of lesbian... 2021](#)’, page 26, 15 February 2022

¹¹⁸ Aleanca, ‘[The situation of the LGBTI+ community during the pandemic](#)’, 2020

¹¹⁹ Aleanca, ‘[The situation of the LGBTI+ community during the pandemic](#)’, 2020

¹²⁰ USSD, ‘[2021 Country Reports on Human Rights Practices: Albania](#)’, page 28, 12 April 2022

¹²¹ USSD, ‘[2021 Country Reports on Human Rights Practices: Albania](#)’, page 28, 12 April 2022

¹²² ILGA-Europe and ERA, ‘[LGBTI Enlargement Review 2020](#)’, page 11, 15 February 2021

the strong prejudice and discrimination that exists against this community. Involvement in sex work is seen as the only way to survive by the transgender community. During the period of the pandemic, some of them found it impossible to work as sex workers therefore losing [losing] their income to meet basic needs such as food, shelter, medicine. Food packages distributed by the LGBTI Alliance and LGBTI Shelter and support through rent refunds have been the only sources of support for many of the LGBTI community.¹²³

- 6.3.5 Of the respondents in the Aleanca Covid-19 study, '43.9% of respondents work in formal jobs, 29.4% are self-employed, 12.3% work in informal jobs and the rest [14.4%] are unemployed.'¹²⁴

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6.4 Education

- 6.4.1 The LGBTI Enlargement review 2020 noted that, specifically referring to transgender persons, 'Trans people are discriminated against... at school, where trans youth experience a lot of bullying. As a result, many trans youth leave school very young...'¹²⁵

- 6.4.2 The ILGA report 2021 noted that:

'CSOs continued to experience difficulties working with the Ministry of Education and there has been no progress on including LGBTI rights issues into the curriculum. Aleanca has conducted a study on the issue.

'Aleanca's study with LGBTI high school and university students found that 65% feel unsafe at school; 93% heard homophobic slurs in school very often and almost a third have skipped or changed schools due to bullying.

'PINK, Aleanca, and Streha supported the first openly trans person to attend university and was met with a welcoming attitude from teachers and students.'¹²⁶

- 6.4.3 The IGLYO report 2022 noted that Albania is one of 19 Council of Europe Member States to 'have implemented concrete policies or action plans to make schools safe, inclusive and supportive of LGBTQI learners...'¹²⁷
- 6.4.4 The same report noted that 'In 2018, LGBTQI organisations, public institutions, and the Ministry of Health and Social Protection found that violence in schools [against LGBTI students] remained a serious issue and public attitudes towards LGBTQI people were largely negative.'¹²⁸
- 6.4.5 The same report noted: 'All LGBTQI organizations in Albania run awareness raising programs in schools. As part of the National Strategy for Gender Equality (2016-2020), the Ministry of Education, the Municipality of Tirana and local NGO Aleanca LGBT, launched a series of awareness raising workshops in public schools in March 2018. The program received

¹²³ Aleanca, '[The situation of the LGBTI+ community during the pandemic](#)', 2020

¹²⁴ Aleanca, '[The situation of the LGBTI+ community during the pandemic](#)', 2020

¹²⁵ ILGA-Europe and ERA, '[LGBTI Enlargement Review 2020](#)', page 11, 15 February 2021

¹²⁶ ILGA, '[Annual report on the human rights situation of lesbian... 2021](#)', page 25, 15 February 2022

¹²⁷ IGLYO, '[LGBTQI Inclusive Education Report and Index 2022 \(second edition\)](#)', page 24, 2022

¹²⁸ IGLYO, '[LGBTQI Inclusive Education Report and Index 2022 \(second edition\)](#)', page 28, 2022

significant backlash... Ultimately, the program was suspended.¹²⁹

6.4.6 The IGLYO report 2022 highlighted some of the experiences LGBTI children in education in Albania:

'In 2018, PINK Embassy published 'Teachers' perceptions and attitudes towards LGBTI persons in public high schools in Albania' and highlighted alarming findings about school environments. Two-thirds of teachers responded that they did not address anti-LGBT bullying that they witnessed in their classrooms. Furthermore, over two-thirds stated they would not support LGBTQI students and almost 10% said they would not even want them in their class.

'In 2019, a high school student in the town of Vlora suffered repeated attacks from peers after coming out, including being kicked and strangled. The school failed to protect the student who ended up dropping out.

'In 2020, local NGO Streha's survey found that 72% of its respondents experienced school bullying due to being LGBTQI.¹³⁰

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6.5 Participation in the political sphere

6.5.1 A research study conducted by Open Mind Spectrum Albania (OMSA) with the support of the LGBTQ Victory Institute and the Council of Europe in 2018 on the representation of LGBTI persons in politics based on interviews, desk-based research and surveys found that:

'Regarding the positioning of political parties around LGBTI rights, they can be divided into two main groups. This division into two groups...reflects the weight of these parties in the party system (number of seats), their size, and their level of influence and responsibility within decision-making institutions in the country. The first group consists of the main parties in Albania. The parties that have larger electoral and parliamentary weight exhibit a neutral position (rather positive, but not public). Meanwhile, the second party group includes small parties with less electoral weight and representation in parliament/executive institutions, including new parties. These parties have more open positions against or for LGBTI rights. This kind of positioning seems to be not merely ideological but also strategic, with the aim of dictating the political agenda, attracting public attention and addressing certain electoral segments that could potentially mobilize around this discourse.¹³¹

6.5.2 The same study found:

'All political party representatives interviewed do not know anyone within their political party - in the capacity of members, bureaucrats, elected persons within parties, or candidates for municipal councils and parliamentary elections - who are openly LGBTI. They also believed that there are, potentially, LGBTI people at all levels of organization and representation of parties, but the respondents themselves were unaware.

¹²⁹ IGLYO, '[LGBTQI Inclusive Education Report and Index 2022 \(second edition\)](#)', page 29, 2022

¹³⁰ IGLYO, '[LGBTQI Inclusive Education Report and Index 2022 \(second edition\)](#)', page 30, 2022

¹³¹ OMSA and Victory Institute, '[LGBTI Albanians Respond: Politics and Representation...](#)', 2018

Most of them think that sexual orientation is a personal choice and it is important that nobody within the party be discriminated against as a result of this choice.¹³²

6.5.3 The same study also noted, with reference to LGBTI persons' 'Political party membership and the desire to get involved in politics' that

'These two questions demonstrate the level of current direct involvement in politics and the willingness to become politically involved in the future. Regarding membership to political parties, about 11% of the respondents indicate that they were party members - more specifically 5.47% were members of the Socialist Party, 4.11% of the Democratic Party and 1.37% of the Socialist Movement for Integration party. Almost all respondents who were party members also were part of the youth forums of the parties. Regarding the "willingness to participate further in politics" given the opportunity in the future, 38.36% expressed direct interest, 38.36% were undecided if they would like to become involved, while 23.29% were against becoming involved.'¹³³

6.5.4 A June 2020 article by PINK Embassy outlined:

'The Electoral Code of the Republic of Albania, in article 3, point 3, explicitly provides that: "Every Albanian citizen, who has reached the age of 18, even on election day, regardless of race, ethnicity, gender, language, political conviction, trust, physical ability or economic status has the right to choose and be elected in accordance with the rules provided for in this Code. "

'In this context, the Albanian law for the Electoral Code doesn't guarantee the right to vote and to be elected (political rights) to LGBT persons. The current Electoral Code does not provide guarantees, and leaves room for discrimination in the exercise of the right to vote and to be elected, to the detriment of LGBTI persons due to their gender identity or sexual orientation.'¹³⁴

6.5.5 The LGBTI Enlargement Review 2020 noted, on the basis of the OMSA and Victory Institute study, that 'Sensitized informational trainings with youth political forums were held from October-December 2020, based on the first research on the political participation of LGBTI people in Albania...'¹³⁵

6.5.6 The same report also noted that 'In February, a study by the University of Tirana showed that Albania's political parties are not hostile to LGBTI equality, but lack information on issues faced by the community, and are also hesitant to make their supportive stance public. The study focused on the Socialist Party, the Democratic Party, the Socialist Movement for Integration, and other smaller parties.'¹³⁶

6.5.7 The ILGA report 2021 noted: 'The manual 'Political Participation of LGBTI Persons: A Guide for Albanian Political Parties' was published in February - the first of its kind in the country.

¹³² OMSA and Victory Institute, '[LGBTI Albanians Respond: Politics and Representation...](#)', 2018

¹³³ OMSA and Victory Institute, '[LGBTI Albanians Respond: Politics and Representation...](#)', 2018

¹³⁴ PINK Embassy, '[The Electoral Code openly discriminates LGBTI people in Albania!](#)', 9 June 2020

¹³⁵ ILGA-Europe and ERA, '[LGBTI Enlargement Review 2020](#)', page 3, 15 February 2021

¹³⁶ ILGA-Europe and ERA, '[LGBTI Enlargement Review 2020](#)', page 10, 15 February 2021

'None of the political parties running in the elections answered Aleanca's questionnaire on LGBTI right issues, or include LGBTI issues in their programmes.'¹³⁷

This section was updated on 6 December 2022

7. LGBTI groups, CSOs and NGOs

7.1 NGOs and support

7.1.1 [Aleanca](#), a grassroots organisation created in 2009 to assist LGBTI individuals in Albania, noted on their website:

'The Alliance against discrimination of LGBT (Aleanca LGBT) is an Albanian non-governmental organization that envisions a free, open and equal Albanian society that embraces diversity and is inclusive of people of all sexual orientations and gender identities.

'... In 2011 with the support of Civil Rights Defenders Aleanca managed to open the first [sic] LGBT community center in Albania... The main areas of our work during these years have been the following:

'Community Building - Community events (discussion groups...workshops on life skills, job counseling etc)...

'Awareness Raising - Organizing of the biggest LGBT pride event: Tirana Pride, public lectures in universities and high schools...

'Advocacy and Lobbying - Aleanca has been part of the working group that has drafted the Law against discrimination of LGBT people which was approved in February 2010... Aleanca has set up a system of monitoring and documenting cases of discrimination towards LGBT community members and has used these data's in national and international reports... Aleanca has been working very closely with woman [sic] organization to train them on LGBT issues so they could serve as focal points in other towns for LGBT members of community, when they need a safe place to go to or when they need psychological or legal support.

'Training of different groups of professionals ... that work directly with people from the LGBT community... training police officers, school psychologist, teachers, journalists, other human rights activists, public officials, social workers etc.'¹³⁸

7.1.2 [Streha](#), an NGO assisting LGBTI individuals in Albania, outlined their services on their website: 'Streha is a concrete service which answers immediately and professionally to emergent needs of LGBTI youth community. Our services include safe housing, accommodation [accommodation], individual development plans, psycho-social support, group therapy, performing basic skills, career counseling, referrals to specialised services, negotiation for employment, negotiation with families, medical/legal assistance.'¹³⁹

7.1.3 The ILGA report 2021 outlined that '...Streha continued to provide shelter this year, to five trans people, nine gay men, and two lesbians; emergency

¹³⁷ ILGA, '[Annual report on the human rights situation of lesbian... 2021](#)', page 25, 15 February 2022

¹³⁸ Aleanca, '[About us](#)', nd

¹³⁹ Streha, '[About](#)', nd

shelter to five people; and rent payments to 33. Aleanca supported 15 LGBTI people with rent.¹⁴⁰

- 7.1.4 [PINK Embassy/Pro LGBT Albania](#) is a non-profit organisation working for the rights of LGBTI individuals in Albania and on their website noted:

‘PINK Embassy/LGBT Pro Albania is a non-profit organization which works for the protection and advancement of the rights of lesbians, gays, bisexuals, transgender, intersex and queer people in Albania...

‘We have worked and lobbied for different reports such as legal amendments, action plans and measures and have served as a research and information centre for LGBT issues in Albania and abroad and have done our best to create an emancipatory and progressive environment for the recognition of LGBT rights in the country.’¹⁴¹

- 7.1.5 PINK Embassy also noted the work they are undertaking to improve the lives of LGBTI individuals in multiple cities in Albania:

‘Currently the PINK/LGBT Pro Albania Embassy is working to improve the living conditions of LGBT people in six cities in the country, namely Tirana, Durrës...Vlora, Korca and Kumanovo. In collaboration with the Municipalities of these cities we will try to increase the capacities of service providers near Municipalities and to raise awareness among local actors of community rights.

‘One of the final objectives is the integration of LGBT people into the lives of local communities.

“Cities of color” are very well known in different countries of Europe and thanks to them the lives of LGBT people have become easier at the community level.’¹⁴²

- 7.1.6 Amera International, an NGO who work ‘with refugee-led and community-based organisations, NGOs, legal aid clinics, and law firms around the world’¹⁴³, listed an Albanian LGBTI web page and online community ‘Gay.al is Albania’s biggest gay community website and offers a forum for advice and personal stories. The website is available in Albanian and English and is useful for LGBTI persons originating from other countries.’¹⁴⁴

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7.2 LGBTI events in the community

- 7.2.1 In a June 2020 article by OBC Transeuropa, a think tank focused on South-East Europe¹⁴⁵ noted that ‘[In May]...LGBT organisations set up the Tirana Pride 2020 in virtual form, due to the coronavirus pandemic. The multicoloured flag was distributed to ministries and other major public institutions under the motto "Be proud! Raise the flag!"’¹⁴⁶

¹⁴⁰ ILGA, ‘[Annual report on the human rights situation of lesbian... 2021](#)’, page 26, 15 February 2022

¹⁴¹ PINK Embassy, ‘[About Pink](#)’, nd

¹⁴² PINK Embassy, ‘[Cities of colour](#)’, nd

¹⁴³ Amera International, ‘[What we do](#)’, nd

¹⁴⁴ Amera International, ‘[Albania LGBTI resources](#)’, nd

¹⁴⁵ OBC Transeuropa, ‘[About us](#)’, nd

¹⁴⁶ OBC Transeuropa, ‘[Lgbt in Albania, goodbye conversion therapy](#)’, 24 June 2020

7.2.2 A May 2020 article by United Pro LGBT Albania, an LGBTI activism group¹⁴⁷ provided details of the virtual Pride event:

‘Over 100 Albanian activists and their supporters organized today the first event in the world of Pride that took place using online technology, in times of social distancing.

‘... the LGBTI NGO’s stated that “the parade is not an event, but a meeting point with our common past and future; a process that begins initially under the violence of personal isolation, violence that keeps us for years intimidated and isolated within ourselves, to then explode, finally, in the form of a social protest”.

‘...activists, representatives of foreign embassies in Tirana, members of the LGBTI community and supporters of the cause, came together to bring the focus once again on love...’¹⁴⁸

7.2.3 On 17 May 2020 PINK Embassy documented the Tirana Pride March:

‘This morning, the PINK Embassy, together with its partner organizations, held the 11th Tirana Pride march, an annual event aimed at raising public awareness on the situation of LGBTI people in Albania...

‘This year #TIRANAPRIDE2020 takes place under the motto “Be proud! Raise the flag!” and is part of the events taking place on 11th Festival of Diversity for LGBTI Rights in Albania, a national event of PINK Embassy. Due to Covid19 and the measures imposed on the security of citizens in Tirana, the Pride took place with very limited participation, but this did not diminish the meaning and importance that it has for Albania and the LGBTI community itself...

‘... "Albania was the first country in the Western Balkans to break the taboo of organizing the Pride March. I am really happy that Pride marches have received so much support from public institutions, but also citizens, which is an indicator of the hospitality of Tirana, as the capital of all the citizens. "- said Altin Hazizaj, Director of CRCA/ECPAT Albania and President of the PINK Embassy Albania...’¹⁴⁹

7.2.4 On their website, PINK Embassy also highlighted their annual diversity festival:

‘The "Diversity Festival" is the most important event of the year for the PINK Albania Embassy and takes place every year - starting on 17 May - on the occasion of the International Day Against Homophobia and Transphobia (IDAHOT). This event takes place over a week, called diversity week, and usually culminates in pride marches and numerous social and fun activities such as concerts, film screenings, exhibitions, conferences and work tables, etc.

‘Diversity Week is an opportunity to [show] solidarity with human rights and excluded groups in particular, to get more information on these issues and to celebrate the fact that a society is happier and more emancipated if it

¹⁴⁷ United Pro LGBT Albania, ‘[About us](#)’, nd

¹⁴⁸ United Pro LGBT Albania, ‘[Albania holds its first online parade...](#)’, 20 May 2020

¹⁴⁹ PINK Embassy, ‘[Tirana welcomes the 11th Pride March of the LGBTI community](#)’, 17 May 2020

manages to accept in its bosom all people regardless of race, gender, sexual orientation, gender identity, beliefs, etc.

'The festival began in 2009-10 at a time when lgbt rights were not publicly spoken [about]. The Diversity Festival will take place this year on 16-21 May and is carried out by the PINK Albania Embassy in co-operation with the House of Human Rights in Albania and CRCA/ECPAT Albania and the participation of institutions, civil society organisations, international partners and the LGBT community in the country.'¹⁵⁰

- 7.2.5 The LGBTI Enlargement review 2020 highlighted: 'Events have been attended by... CSOs, friends, families and supporters. On 4 February the launch event of the "LGBTI Civic Engagement Program: Politics and Representation for the Advancement of the Rights of the LGBTI Community in Albania", organised by OMSA, was held in cooperation with the Ministry of Health, the European Union and the Council of Europe...'¹⁵¹
- 7.2.6 On 29 May 2021, an article by Albawaba, a news source primarily focused on the Middle East¹⁵², noted the establishment of a photo exhibition documenting photographs of members of the transgender community in the capital of Tirana¹⁵³.

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8. Freedom of movement

8.1 Demography and relocation rights

- 8.1.1 Albania is roughly 28,000sqkm¹⁵⁴, a little larger than Wales¹⁵⁵, with a population estimated to be between 2.8million¹⁵⁶ and just over 3million¹⁵⁷, of whom (almost 500,000) live in the capital, Tirana¹⁵⁸. Over 60% of the population live in urban areas and people continue to move to towns and cities, however in general according to the CIA World Factbook there is a fairly 'even distribution, with somewhat higher concentrations of people in the western and central parts of the country.'¹⁵⁹
- 8.1.2 Around a third of the population is estimated to be under 24, two-fifths between 25 and 54 and remainder 55 and older. Most are ethnic Albanian, around 1% other ('including Vlach, Romani, Macedonian, Montenegrin, and Egyptian') and the remainder 'unspecified'. A small majority are Muslim, while the rest are a mix of faiths, including 'Roman Catholic 10%, Orthodox 6.8%, atheist 2.5%, Bektashi (a Sufi order) 2.1%, other 5.7%, unspecified 16.2%.'¹⁶⁰

¹⁵⁰ PINK Embassy, '[Diversity Festival](#)', nd

¹⁵¹ ILGA-Europe and ERA, '[LGBTI Enlargement Review 2020](#)', page 9, 15 February 2021

¹⁵² Albawaba, '[About us](#)', nd

¹⁵³ Albawaba, '[Trans People Look For Acceptance In Conservative Albania](#)', 29 May 2021

¹⁵⁴ UN data, '[Albania](#)', no date

¹⁵⁵ CIA, The World Factbook, '[United Kingdom](#)', updated 23 September 2022

¹⁵⁶ UN data, '[Albania](#)', no date

¹⁵⁷ CIA, The World Factbook, '[Albania](#)', updated 30 August 2022

¹⁵⁸ UN data, '[Albania](#)', no date

¹⁵⁹ CIA, The World Factbook, '[Albania](#)', updated 30 August 2022

¹⁶⁰ CIA, The World Factbook, '[Albania](#)', updated 30 August 2022

- 8.1.3 The USSD human rights report 2021 noted ‘The constitution and law provide for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights.’¹⁶¹
- 8.1.4 Freedom House in its report covering events in 2021 similarly noted ‘Albanians generally enjoy freedom of movement, though criminal activity and practices related to historically predominant honor codes limit these rights in some areas. People are generally free to change their place of residence or employment.’¹⁶²

¹⁶¹ USSD, [Human rights report 2021](#) (section 2d), 12 April 2022

¹⁶² Freedom House, [‘Freedom in the World 2022’](#) (G1), February 2022

Terms of Reference

A 'Terms of Reference' (ToR) is a broad outline of what the CPIN seeks to cover. They form the basis for the [country information section](#). The Home Office's Country Policy and Information Team uses some standardised ToR, depending on the subject, and these are then adapted depending on the country concerned.

For this particular CPIN, the following topics were identified prior to drafting as relevant and on which research was undertaken:

- Legal framework
 - Legal rights
 - Civil rights
- Treatment by, and attitudes of, state authorities
 - National Action Plan 2016 – 2021
 - National Action Plan 2022 - 2027
 - Commissioner for Protection from Discrimination and Peoples Advocate (Ombudsman)
 - Legal aid
 - Police: Effectiveness
 - Police: Ill-treatment
- Societal treatment and attitudes
 - Cultural norms
 - Media
 - Societal violence
 - Family attitudes and treatment
 - Public events
- Access to services
 - Education
 - Health
 - Housing
 - Employment
- Support groups
 - Non-Governmental Organisations (NGOs) and shelters

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