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**Study on Homophobia, Transphobia and Discrimination on  
Grounds of Sexual Orientation and Gender Identity**

**Sociological Report: Albania**

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## **A. Executive summary**

- [1]. Until recently the situation regarding LGBT persons' rights in Albania have largely been characterised by an almost complete public invisibility. This has also characterised the public opinion or general attitudes where LGBT issues have not been dealt with, or have not been an issue as such. Recently some organised LGBT activities have not only raised the level of visibility and created some public and political attention, but also initiated a process of LGBT community building. However, the public attitude towards LGBT persons is, to a large extent, characterised by ignorance and non-acceptance and fuelled by the prevalence of very traditional notions of gender. There are no strong political extremist groups actively mobilising against LGBT persons or events.
- [2]. There have been no attempts to organise large public LGBT events such as Prides. However, the International Day Against Homophobia was marked in 2010 by Aleanca LGBT with several days of activities, including public events.
- [3]. There is no official or quantitative data on hate crime or hate speech. LGBT activists report that violent hate crime, as far as they are informed, is not a widespread phenomenon as most LGB persons are not open and not recognised as LGB, whereas transgender persons (in particular transgender women) are more subject to violence due to their visibility. There is some concern of incidents of police abuse, however reports from human rights organisations indicate that the practice of the police has somewhat improved in recent years. In a few known cases, demonstrations have been organised against specific gay men who were publicly known as being gay - the activities included threats of violent attacks in their hometowns.
- [4]. Cases of persons coming out to their families are not widely known due to the risk of not being accepted and possibly rejected by their families.
- [5]. There are no cohabitation rights in Albania.
- [6]. There have been several cases of LGBT persons from Albania having applied, and been granted, asylum in other countries.
- [7]. There is a lack of knowledge in schools not only about LGBT but about sexuality in general, coupled with the frequent use of derogatory words for LGBT persons for bullying. LGBT students are not out in schools. There are some lectures on LGBT issues taking place at university level.
- [8]. LGBT persons are largely invisible in the work place; in practice it is only in certain branches where it is possible to be open at work. Anecdotal evidence indicates that in particular persons not conforming to traditional notions of gender (e.g. butch lesbians, effeminate men and/or transgender persons) risk being fired or otherwise discriminated against in employment.
- [9]. Same-sex couples living together most often share apartments "as friends". Finding a place to live for LGBT youth who have been kicked out by their families is often difficult since most (other) young people live together with their families. Hence, flatmates can be hard to find and the economical conditions, including finding employment and an income, are difficult.
- [10]. The Ministry of Health supports (via Global Funds) HIV/aids-prevention activities targeting men who have sex with men, who are identified as a high-risk group.

- [11]. There are no possibilities for gender reassignment treatment in Albania. Due to a lack of possibilities for gender reassignment treatment, transgender people most often go abroad to receive treatment.
- [12]. Same-sex partners are typically not recognised as next of kin by health professionals.
- [13]. LGBT seems to have been a non-issue in the Albanian media in previous years, unless in relation to "sensational articles". This tendency is still observed. However, there are signs of changes to this picture with more LGBT representations and related articles - including positive or neutral ones.

## **B. Data collection**

- [14]. Data has been collected for this report through:
- [15]. A study of available online and print data on the situation regarding homophobia, transphobia and discrimination on grounds of sexual orientation and gender identity in Albania.
- [16]. Data collection through interviews in Albania held in Tirana 29 April to 4 May 2010 with:
- [17]. Authorities:
- Ministry of Labour and Social Policy
  - Ministry of Justice
  - Ministry of Health
- [18]. NGOs:
- Alliance Against Discrimination of LGBT Albania (Aleanca LGBT)
  - Albanian Helsinki Committee
  - Human Rights Group
- [19]. National Human Rights Structure:
- The People's Advocate (Ombudsman)
- [20]. Inter-Governmental organisations and Embassies:
- OSCE
  - The EU Representation in Albania
  - The Netherlands Embassy in Albania

## C. Findings

### C.1. Public Opinion and Attitudes

- [21]. Until recently the situation regarding LGBT persons, rights and practices have largely been characterised by an almost complete public invisibility. This has also characterised the public opinion or general attitudes where LGBT issues have not been dealt with, or have not been an issue as such. Recently some organised LGBT activities have not only raised the level of visibility and created some public and political attention, but also initiated a process of LGBT community building - at least in Tirana.<sup>1</sup>
- [22]. Although consensual homosexual sexual acts in Albania were decriminalised in 1994<sup>2</sup>, the general attitude towards LGBT persons remains negative.<sup>3</sup> The documents consulted and the meetings with LGBT NGOs and other relevant stakeholders all indicate that the overall attitude towards LGBT persons is very hostile in Albania. In 2003 a survey showed that in Albania 90% of respondents considered homosexuality to be a disease;<sup>4</sup> and 80% said that they would abandon a child or relative who had a homosexual orientation.<sup>5</sup>
- [23]. The survey conducted by the LGBT NGO GISH in 2006 shows that of the 87 LGBT persons questioned, 91% are not out to their families and 90% are not out to their friends. The fact that it is so hard for LGBT persons to come out is directly linked to the low level of acceptance regarding LGBT. The 8%, who are out to their families, and the 10% who are out to their friends are, according to the survey, primarily people with a high level of education, demonstrating that it takes a high level of self awareness, (financial) independence and self esteem to come out as gay, lesbian, transgender or bisexual in Albanian society.<sup>6</sup>
- [24]. The same survey has asked whether LGBT persons trust official rights protecting them and the law enforcement structures in Albania. Only 9% of the respondents replied that they trust the courts to protect their rights; 9% trust the Prosecutor institution; only 4% trust the Police and 17% trust the Ombudsman Institution to protect their citizen's rights. None of the respondents have ever complained about cases of maltreatment or discrimination to the state institutions. Very few, only 3%, have complained to human rights organisations/defenders. The low level of trust is another factor showing that the level of acceptance (at least perceived acceptance) is very low in the Albanian context<sup>7</sup>.

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1 Meetings with Aleanca LGBT (Alliance Against Discrimination of LGBT persons), 30 April 2010 and the Albanian Helsinki Committee, the Human Rights Group and the Dutch Embassy. 3 May 2010, and the Ministry of Health 4 May 2010.

2 Only male same-sex sexual acts were criminalised.

3 LGBT Advocacy in Albania, by Bill Trunk, RPVC, 2007-2009. Accessed on [http://www.lgbrpcv.org/articles/08\\_09\\_albania.html](http://www.lgbrpcv.org/articles/08_09_albania.html) (12 February 2010).

4 Homosexuals in Albania -- 2003 – Albanian Human Rights Group in collaboration with Swedish Helsinki Committee (n = 100)

5 Homosexuals in Albania -- 2003 – Albanian Human Rights Group, in collaboration with Swedish Helsinki Committee (n =100)

6 Survey Research with the LGBT Community in Albania, "GISH", 2006. Accessed on [http://www.ilga-europe.org/europe/guide/country\\_by\\_country/albania/survey\\_research\\_with\\_lgbt\\_community\\_in\\_albania\\_summer\\_2006](http://www.ilga-europe.org/europe/guide/country_by_country/albania/survey_research_with_lgbt_community_in_albania_summer_2006) (accessed 12 February 2010).

7 Survey Research with the LGBT Community in Albania, "GISH", 2006. Accessed on [http://www.ilga-europe.org/europe/guide/country\\_by\\_country/albania/survey\\_research\\_with\\_lgbt\\_community\\_in\\_albania\\_summer\\_2006](http://www.ilga-europe.org/europe/guide/country_by_country/albania/survey_research_with_lgbt_community_in_albania_summer_2006), (12 February 2010).

- [25]. Only 12% of the respondents answered that they believe their future in Albania is going to be better than at present and that the situation will change for the best. 82% believe that the only way to continue a dignified and sufficient existence is to immigrate to another country. This also shows that the perceived level of acceptance in Albanian society is low<sup>8</sup>.
- [26]. According to the GISH, the situation of lesbian and bisexual women is more difficult than that of gay and bisexual men. The survey shows that only 3 (out of 87) of the respondents were women. GISH explains the lack of female respondents is due to the generally challenging situation Albanian women are in - in any case it is indicative of limited contact by GISH to lesbian and bisexual women at the time of conducting the survey. Being a lesbian only worsens the situation of women in Albania, making them more vulnerable, invisible and dependent<sup>9</sup>. This mirrors the statements made by LGBT activists emphasising that Albania is a highly patriarchal society, where the community of lesbians and bisexual women - and female sexuality in general - is largely socially invisible and not recognised in itself.
- [27]. Even though the LGBT activists interviewed in Tirana emphasise that Albania is a highly patriarchal society, their assessments somewhat add to the complexity of the findings of GISH. They describe the overall problem in Albania to be very rigid and traditional gender stereotypes that not least impose traditional masculinity and strong straight-acting demands on men, and make male homosexuality perceived as more provocative than female homosexuality.<sup>10</sup> Hence, gay and bisexual men are particularly subject to internalised homophobia and homophobic harassment.
- [28]. Patriarchal gender relations and traditional notions of gender as integral parts of Albanian society are confirmed by several studies.<sup>11</sup> The traditional social role of "sworn virgins" in the Albanian highlands illustrates, however, that traditional notions of gender have previously created space for certain transgender identities: the sworn virgin refers to a female-born person who takes on the social role of a man. The positions of a sworn virgin implies a vow of celibacy, and in return the sworn virgin obtains the privileges of men in such as inheritance of property, work/income, and privileged social positions. The reasons for some to become sworn virgins have varied - it could be out of practical reasons with the need of a male heir in a family, or the sworn virgins chose the male identity for different personal reasons. The tradition and social position of sworn virgins is not practiced in Albania today, and the few sworn virgins left belong to the older generations. A research project estimated in the beginning of the 1990s that there were about 100 sworn virgins left in the country.<sup>12</sup>
- [29]. LGBT activists report that there are no organised extremist groups actively focusing on anti-LGBT activities as seen in some other countries in the Balkans.<sup>13</sup>
- [30]. In general there seems not to have been a big focus on discrimination in Albania prior to the adoption of the recent Anti-Discrimination Act. Indicative of this is the assessment of the People's Advocate who assesses having had only about 10 discrimination cases in the last 10 years.<sup>14</sup>

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8 Ibid.

9 Ibid.

10 Meeting with Aleanca LGBT, 30 April 2010.

11 E.g.: Mai, N. (2004) 'Albanian Masculinities, Sex work and Migration: Homosexuality, AIDS and other Moral Threats', in Worton, M. and Wilson-Tagoe, N. (eds) *National Healths: Gender, Sexuality and Health in a Cross-cultural context*, London: UCL Press, pp.45-58.

12 Associated Press, Tradition of 'sworn virgins dying out in Albania, 5 October 2008,

[http://current.com/news/89373333\\_tradition-of-sworn-virgins-dying-out-in-albania.htm](http://current.com/news/89373333_tradition-of-sworn-virgins-dying-out-in-albania.htm), accessed 1 October 2010.

13 Meeting with Aleanca LGBT, 30 April 2010.

14 Meeting with the People's Advocate, 3 May 2010.

## **C.2. Freedom of assembly and association**

- [31]. The European Commission has previously noted in its regular Progress reports that no LGBT NGOs operate in the country<sup>15</sup>. However, this report identified several civil society organisations which address LGBT rights in their work, and some are LGBT NGOs or groups as such.<sup>16</sup>
- [32]. The Alliance Against Discrimination of LGBT Persons (hereinafter Aleanca LGBT) was started as a group in 2009. The group focuses mainly on building and strengthening the LGBT community in Tirana and organises weekly parties and discussion groups. However, Aleanca LGBT also does awareness-raising activities, plan to establish human rights monitoring and have, among other things, carried out a poster campaign with the slogan: "Homophobia is a social disease."<sup>17</sup>
- [33]. There have been no attempts to organise public LGBT events in the form of demonstrations or Prides, but the International Day Against Homophobia was marked in 2010 by Aleanca with several days of activities, including public events.<sup>18</sup>
- [34]. Also, the Ministry of Health is implementing a project focused on men who have sex with men in cooperation with two other organisations: Gay Society Albania (GSA) and Association of Lesbians and Gays Albania (ALGA).<sup>19</sup>

## **C.3. Freedom of expression**

- [35]. There is no data on limitations of freedom of expression of LGBT persons.

## **C.4. Hate crime - Criminal law**

- [36]. There is no official data on hate crime or hate speech. LGBT activists report that violent hate crime, as far as they are informed, is not a widespread phenomenon, at least not against LGB persons.
- [37]. As a representative from Aleanca LGBT explained:
- [38]. "Hate crime is not widespread because it's difficult to identify LGB persons but when you are out of the closet the risk to be a victim of hate crime is very high."<sup>20</sup>
- [39]. Transgender persons (in particular transgender women) are more subject to violence due to their visibility. This is exemplified by incidents of attacks (and a case of murder) against transgender women doing sex work.<sup>21</sup> A recent attack happened on 2 June 2010 where a

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15 Albania 2009 Progress Report, European Commission, accessed through <http://www.nrc.nl/redactie/Europa/voortgangsrapporten2009/albanie.pdf> (12 February 2010).

16 Meetings with Aleanca LGBT, 30 April 2010 and Helsinki Committee, the Albanian Human Rights Group. Also confirmed by the Dutch Embassy. 3 May 2010, and Ministry of Health, 4 May 2010.

17 Meeting with Aleanca LGBT, 30 April 2010.

18 Meeting with Aleanca LGBT, 30 April 2010, more information online: [http://www.gaylbania.com/index.php?option=com\\_content&view=article&id=610&catid=44&Itemid=183&lang=en](http://www.gaylbania.com/index.php?option=com_content&view=article&id=610&catid=44&Itemid=183&lang=en) (accessed 18 May 2010).

19 Meeting with Ministry of Health 4 May 2010.

20 Meeting with Aleanca LGBT, 30 April 2010.

21 Meeting with Aleanca LGBT, 30 April 2010 and Helsinki Committee, the Human Rights Group and the Dutch Embassy. 3 May 2010, and Ministry of Health 4 May 2010..

group of men followed, insulted and attacked two transgender women with knives in Tirana.<sup>22</sup>

- [40]. In the survey, conducted by GISH in 2006 (referred to earlier), most of the respondents accuse the police of physical and psychological abuse of LGBT persons. According to the survey, they are often kept in jail for many hours without knowing the cause of the arrest, humiliated and are subjected to unjustified police violence<sup>23</sup>. A publicly known case about the arrest of five transgender women accused of sex work was referred to by several persons interviewed as indicative of this.<sup>24</sup> The case took place in 2006 when police arrested nine people - 2 women, 3 men and 4 transvestites - in a park in Tirana. Many Albanian newspapers, TV and radio stations ran the story of prostitutes, homosexuals, and transvestites being arrested behind the park behind the Culture Palace. They also reported that two persons who were arrested were HIV-positive, and they printed pictures taken by the police of the persons arrested. The arrested persons were reportedly offended and maltreated by the police.
- [41]. The People's Advocate (Ombudsman) also criticised the police behaviour in the case mentioned above, but would not label it as discrimination.<sup>25</sup>
- [42]. The following quote from a gay activist from 2007 is another example of problems with police conduct towards LGBT persons:
- [43]. "We were sitting in a park when two police vans pulled over. The officers got out of the van and dragged us away. One of the drivers came over to me and kicked me repeatedly, his boot hitting my stomach. When I begged him to stop, he just shouted 'Shut up you faggot', and continued kicking me."<sup>26</sup>, adds S.L., recalling the incident.
- [44]. The experiences of the Albanian Human Rights Group is that the police have become less discriminative and more cooperative in recent years, not least because the media is increasingly reporting on human rights abuses.<sup>27</sup>
- [45]. Even though persons interviewed during the field visit did not regard violent hate crime a main concern, there have been some concerning incidents to be mentioned. After the coming out of a participant in the reality show Big Brother in 2010, several threatening and aggressive groups were formed on the internet (e.g. on Facebook), and demonstrations were held in his home town (Lezha), where the demonstrators threatened to beat him up and even kill him. As a result his family had to move to another town.<sup>28</sup> Directly after the protests in Lezha, there were positive inputs from some known journalists.<sup>29</sup> Under headings such as "I'm homosexual" (Fatos Lubonja) and "A homophobic protest that worries no-one" (Mustafa Nano) they were critical about the conservative mentality of Albanian society and about the silence that the government and the Albanian intellectuals had in this case. It was further underlined that LGBT rights are human rights and there is

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22 Press release by Aleanca LGBT, online: <http://birdofparadox.wordpress.com/2010/06/03/albania-two-women-knifed-and-beaten-by-a-gang-of-cis-men-then-denied-hospital-treatment> (accessed 10 June 2010).

23 Survey Research with the LGBT Community in Albania, "GISH", 2006. Accessed on [http://www.ilga-europe.org/europe/guide/country\\_by\\_country/albania/survey\\_research\\_with\\_lgbt\\_community\\_in\\_albania\\_summer\\_2006](http://www.ilga-europe.org/europe/guide/country_by_country/albania/survey_research_with_lgbt_community_in_albania_summer_2006), (12 February 2010).

24 Meetings with Aleanca LGBT, 30 April 2010 and Albanian Helsinki Committee, the Human Rights Group and the Dutch Embassy. 3 May 2010.

25 Meeting with the People's Advocate, 3 April 2010.

26 S.L. from Albanian Gay and Lesbian Association, quoted in "Homophobia in Albania", 5 December 2007. Online: <http://gayswithoutborders.wordpress.com/2007/12/05/homophobia-in-albania> (accessed 16 May 2010).

27 Meeting with Albanian Helsinki Committee, the Human Rights Group and the Dutch Embassy. 3 May 2010.

28 Meetings with Aleanca LGBT, 30 April 2010 and Albanian Helsinki Committee, the Human Rights Group and the Dutch Embassy. 3 May 2010.

29 Meetings with Aleanca LGBT, 30 April 2010 and Helsinki Committee, the Human Rights Group and the Dutch Embassy. 3 May 2010.

nothing pathological in being homosexual. Another similar case involved a young openly gay man from a smaller town who was also threatened and attacked with stones from local citizens.

- [46]. Violence against LGBT persons in prisons is voiced as a concern by LGBT and human rights organisations.<sup>30</sup>

### **C.5. Family issues**

- [47]. Few LGBT persons come out to their families and this is explained by the risk of not being accepted and by a high level of maltreatment of LGBT persons by their families. According to GISH many respondents say that they are afraid of extreme physical and psychological abuse and maltreatment from their family members because of their sexual orientation. Meanwhile most of the respondents report that they live together with their families. The same NGO reports cases, when LGBT members were forced to marry by their family members or even kicked out of the home because of their sexual orientation.<sup>31</sup>
- [48]. In 2009, the Prime Minister announced that his party would propose a law legalising same-sex marriage.<sup>32</sup> However, no legal initiatives have been taken.

### **C.6. Asylum and refugee issues**

- [49]. There are no reports of persons having applied for asylum in Albania on the basis of persecution on the grounds of sexual orientation or gender identity. However, there have been several cases of LGBT persons from Albania having applied for, and been granted, asylum in other countries.<sup>33</sup>

### **C.7. Social security, social care and insurance**

- [50]. There is no data on discrimination regarding social security, social care and insurance. However, there are no cohabitation rights for unmarried couples.<sup>34</sup>

### **C.8. Education**

- [51]. In the survey, mentioned above, GISH argues that 93% of the respondents hide their sexual orientation at school. The NGO states that there are no official figures on non-

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30 Meetings with Aleanca LGBT, 30 April 2010 and Albanian Helsinki Committee, the Human Rights Group and the Dutch Embassy. 3 May 2010.

31 Survey Research with the LGBT Community in Albania, "GISH", 2006. Accessed on [http://www.ilga-europe.org/europe/guide/country\\_by\\_country/albania/survey\\_research\\_with\\_lgbt\\_community\\_in\\_albania\\_summer\\_2006](http://www.ilga-europe.org/europe/guide/country_by_country/albania/survey_research_with_lgbt_community_in_albania_summer_2006), (12 February 2010). Also meeting with Aleanca LGBT, 30 April 2010.

32 Lowen M., "Albania 'to approve gay marriage'", BBC News, 30 July 2009, <http://news.bbc.co.uk/2/hi/8177544.stm>, accessed 1 October 2010.

33 Meeting with Albanian Helsinki Committee, the Human Rights Group and the Dutch Embassy. 3 May 2010. For a case of an Albanian gay man being granted asylum in Italy in 2007 due to death threats on the eventuality of his return to Albania, see: D'Arragon B., "Rifugiato contro l'omofobia", *Arcigay*, 9 May 2007, [/www.arcigay.it/rifugiato-contro-omofobia-](http://www.arcigay.it/rifugiato-contro-omofobia-), accessed 1 October 2010.

34 Meeting with Ministry of Labour and Social Policy, 4 May 2010.

acceptance of LGBT persons in schools, but the fact that so many hide their sexual orientation shows that it is a huge taboo in the school system.<sup>35</sup>

- [52]. Lack of knowledge in schools not only about LGBT people and issues but about sexuality in general, coupled with frequent use of derogatory words for LGBT persons for bullying, is also the assessment of LGBT and human rights groups met in Tirana. However, there are LGBT-related lectures at the university level (with students appearing eager to discuss such topics).<sup>36</sup>

### C.9. Employment

- [53]. According to GISH 93% of the respondents to the survey, mentioned above, hide their sexual orientation in the workplace. Only 5% of the respondents answered that they know of concrete cases of non-acceptance and discrimination on grounds of sexual orientation at their workplace, but the fact that so many are hiding their sexual orientation shows that general level of acceptance towards LGBT persons at workplaces is perceived to be low.<sup>37</sup>
- [54]. The findings of the survey is echoed by assessments made by Aleanca LGBT who say that in practice it is only in certain branches that it is possible to be open at work, or at least one will not be questioned due to an unofficial 'don't ask don't tell' policy.<sup>38</sup>
- [55]. Anecdotal evidence indicates that, in particular, persons not performing according to traditional notions of gender (e.g. butch lesbians, effeminate men and/or transgender persons) risk being fired or otherwise discriminated against in employment.<sup>39</sup>

### C.10. Housing

- [56]. There are no studies or official data on discrimination in the area of housing. However, according to Aleanca LGBT same-sex couples living together most often share apartments "as friends".<sup>40</sup>
- [57]. Housing is in some cases a specific problem facing LGBT persons who are kicked out of their home by their families, when they find out that they are LGBT. This problem is in particular observed outside Tirana.<sup>41</sup> The solution most often is to find housing together with friends, but this is not easy in Albania, where the majority of young people live with their families. Hence it can be difficult for young LGBT persons to afford the rent of a house and to find people with whom they can share an apartment.<sup>42</sup>

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35 Survey Research with the LGBT Community in Albania, "GISH", 2006. Accessed on [http://www.ilga-europe.org/europe/guide/country\\_by\\_country/albania/survey\\_research\\_with\\_lgbt\\_community\\_in\\_albania\\_summer\\_2006](http://www.ilga-europe.org/europe/guide/country_by_country/albania/survey_research_with_lgbt_community_in_albania_summer_2006), (February 12, 2010).

36 Meetings with Aleanca LGBT, 30 April 2010 and Albanian Helsinki Committee, the Human Rights Group and the Dutch Embassy. 3 May 2010.

37 Survey Research with the LGBT Community in Albania, "GISH", 2006. Accessed on [http://www.ilga-europe.org/europe/guide/country\\_by\\_country/albania/survey\\_research\\_with\\_lgbt\\_community\\_in\\_albania\\_summer\\_2006](http://www.ilga-europe.org/europe/guide/country_by_country/albania/survey_research_with_lgbt_community_in_albania_summer_2006), (12 February 2010).

38 Meeting with Aleanca LGBT, 30 April 2010.

39 Meeting with Albanian Helsinki Committee, the Human Rights Group and the Dutch Embassy. 3 May 2010.

40 Meeting with Aleanca LGBT, 30 April 2010.

41 Meeting with Aleanca LGBT, 30 April 2010.

42 Meeting with Albanian Helsinki Committee, the Human Rights Group and the Dutch Embassy. 3 May 2010.

### C.11. Health care

- [58]. Aleanca LGBT reports of known incidents where gays and lesbians did not receive proper treatment from health professionals.<sup>43</sup> An example is the case of two transgender women who, after having been subjected to hate crime, faced degrading and offensive treatment by health staff, after they initially refused to treat them (see also chapter on *Hate crime*).<sup>44</sup> However, the Ministry of Health reports of no known cases of lack of proper treatment.<sup>45</sup>
- [59]. The Ministry of Health is collaborating with Society Gay Albania and Albanian Lesbian and Gay Association on HIV/aids prevention activities targeting men who have sex with men (MSM). The project is financed by The Global Fund and includes outreach activities not only in Tirana, but also in other cities around the country, training of (media and health) professionals, and a drop in centre for testing and counselling. MSM is identified as a high risk group regarding HIV/aids with an HIV-prevalence of 0.8 % compared to less than 0.1% of the population as a whole.<sup>46</sup>
- [60]. There are no possibilities for gender reassignment treatment in Albania.<sup>47</sup>
- [61]. Same-sex partners are typically not recognised as next-of-kin by health professionals.<sup>48</sup>

### C.12. Access to goods and services

- [62]. There is anecdotal evidence that transgender persons face discrimination in the sense that they are at times denied service in stores or bars. Similarly, lesbians and gay men risk getting thrown out of bars if they show affectionate behaviour.<sup>49</sup>

### C.13. Media

- [63]. LGBT human rights seems to have been a non-issue in the Albanian media in previous years, unless in relation to "sensational articles". This tendency is still observed by LGBT and human rights groups.<sup>50</sup> However, it appears that the situation is changing:
- [64]. A new Albanian non-discrimination law has been passed in Parliament, which generated considerable media attention - not least with a focus on the issue of sexual orientation.<sup>51</sup>
- [65]. Aleanca LGBT has met with media representatives, the media tend to mention their press releases, and there are several examples of LGBT persons and activists being interviewed in the media.<sup>52</sup>

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43 Meeting with Aleanca LGBT, 30 April 2010.

44 Press release by Aleanca LGBT, online: <http://birdofparadox.wordpress.com/2010/06/03/albania-two-women-knifed-and-beaten-by-a-gang-of-cis-men-then-denied-hospital-treatment> (accessed 10 June 2010).

45 Meeting with Ministry of Health, 4 May 2010.

46 Meeting with Ministry of Health, 4 May 2010, and: Institute of Public Opinion Studies (2008) Albania Behavioural and Biological Surveillance Study, Tirana.

47 Meetings with Aleanca LGBT, 30 April 2010, and the Ministry of Health, 4 May 2010.

48 Meeting with Albanian Helsinki Committee, the Human Rights Group and the Dutch Embassy. 3 May 2010.

49 Meeting with Aleanca LGBT, 30 April 2010.

50 Meetings with Aleanca LGBT, 30 April 2010, and Albanian Helsinki Committee, the Human Rights Group and the Dutch Embassy. 3 May 2010.

51 Meetings with EU and OSCE representatives and Aleanca LGBT, 30 April 2010, and Albanian Helsinki Committee, the Human Rights Group and the Dutch Embassy. 3 May 2010.

52 Meetings with Aleanca LGBT, 30 April 2010, and Albanian Helsinki Committee, the Human Rights Group and the Dutch Embassy. 3 May 2010.

- [66]. Another positive example is a radio programme in Tirana to mark the International Day against Homophobia in 2010 during which the Information Office of the Council of Europe in Tirana, in co-operation with the Dutch Embassy, produced a programme on Radio Tirana. The special guest was Mr Boris Dittrich, Advocacy Director, Lesbian, Gay, Bisexual, and Transgender Rights Program of Human Rights Watch.
- [67]. 31 March 2010 a newspaper (Shekulli) journalist showed up "undercover" to an LGBT party organised by Aleanca LGBT. The journalist took photos of the participants, and wrote a "sensationalist" article about the party causing the police to subsequently show up at the bar where it was held, and Aleanca LGBT to cancel the following party for security reasons.<sup>53</sup>
- [68]. The survey, referred to above, conducted by GISH shows the following figures on LGBT persons' view of the media:<sup>54</sup>
- 97% of the respondents think that LGBT issues not dealt with in the Albanian media as an important social issue.
  - 96% of the respondents think that LGBT issues are not dealt with in the Albanian media systematically.
  - 98% of the respondents think that LGBT issues are dealt with in the Albanian media in an offensive/insulting manner.
  - 60% of the respondents think that LGBT issues are dealt with in the Albanian media as a show or fashionable phenomenon.
  - 98% of the respondents think that LGBT issues are dealt with in the Albanian media as decease or something abnormal.
  - 98% of the respondents think that LGBT issues are not dealt with in the Albanian media as something natural.

#### **C.14. Transgender issues**

- [69]. There is very little data on the situation for transgender persons in Albania. Due to a lack of possibilities for gender reassignment treatment, transsexuals most often go abroad to receive treatment. Several persons interviewed referred to the fact that one publicly known transgender man now lives in Italy for this reason.<sup>55</sup>
- [70]. Due to lack of employment possibilities, and lack of social support e.g. from families, some transgender women carry out sex work in Tirana - a vulnerable position with increased risk of harassment or abuse.<sup>56</sup>
- [71]. In 2009 a transgender woman was killed by her client after finding out that she was a transgender. He was arrested by the police and he stated in court that he killed her after he realised that she was not a biological woman.

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53 Meetings with Aleanca LGBT, 30 April 2010, and Albanian Helsinki Committee, the Human Rights Group and the Dutch Embassy. 3 May 2010.

54 Survey Research with the LGBT Community in Albania, "GISH", 2006. Accessed on [http://www.ilga-europe.org/europe/guide/country\\_by\\_country/albania/survey\\_research\\_with\\_lgbt\\_community\\_in\\_albania\\_summer\\_2006](http://www.ilga-europe.org/europe/guide/country_by_country/albania/survey_research_with_lgbt_community_in_albania_summer_2006), (12 February 2010).

55 Meetings with Aleanca LGBT, 30 April 2010 and Albanian Helsinki Committee, the Human Rights Group and the Dutch Embassy. 3 May 2010.

56 Meetings with Aleanca LGBT, 30 April 2010 and Albanian Helsinki Committee, the Human Rights Group and the Dutch Embassy. 3 May 2010.

- [72]. In July 2009 there was another case of aggression to a transgender woman. The perpetrator was one of her clients. She was found by the police and was sent to the hospital. It has been reported by persons present that hospital aid was denied to the victim with knife wounds. Only after the insistence of relatives of the victim, did the hospital doctors agree to take measures for the transgender woman, but giving her degrading and offensive treatment.
- [73]. Transgender women are not only victims of their clients, there are accounts of abuse from the police too. The policemen allegedly go to the places where the trans community stays and the police commit both psychological and physical violence.
- [74]. Access to housing is also very limited.

#### **C.15. Other areas of concern**

- [75]. The level of participation and consultation of citizens and NGOs in creating any form of legislation is very low.

#### **C.16. Data availability**

- [76]. There is virtually no official data on the situation for LGBT persons in Albania - except for the previously referenced study of the Institute of Public Health, Ministry of Health.<sup>57</sup> The report includes a focus on men who have sex with men (MSM).
- [77]. The general scarcity of data from surveys or studies, and the fact that LGBT has largely been characterised by invisibility in Albania mean that it is not possible to outline a complete picture in all areas of this study. However, several similar accounts, analyses and assessments by various (primarily but not exclusively NGO) stakeholders interviewed in Tirana, a survey carried out by a LGBT NGO in 2006, and some international reports make it possible to outline key developments and somewhat comprehensively describe the overall situation for LGBT persons in Albania.

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<sup>57</sup> Institute of Public Opinion Studies (2008) Albania Behavioural and Biological Surveillance Study, Tirana.