



Refugee Documentation Centre (Ireland)
LEGAL AID BOARD

Albania - Researched and compiled by the Refugee Documentation Centre of Ireland on 8 July 2013

Q16894 - Treatment of homosexuals including information on whether state/police protection is available.

A document published by *International Lesbian, Gay, Bisexual, Trans and Intersex Association* states:

“Albania continued to make progress at the institutional level towards greater recognition and protection of LGBTI people. This was clearly demonstrated through amongst others: (i) the Ombudsman’s Special Report on the situation of the LGBT community and subsequent follow-up work; (ii) the Ministry of Labour, Social Affairs and Equal Opportunities’ drafting of a National Activity Plan towards the promotion of greater LGBT equality; and (iii) the State Police’s development of a Memorandum of Cooperation with LGBT civil society. At the same time, homophobia and transphobia remain widespread, and unfortunately at times fuelled by public officials, as was the case with the Deputy Defence Minister’s call for violence against LGBT people. In this context, the level of social stigma remains high, including among young people who harbour high levels of negative attitudes.” (International Lesbian, Gay, Bisexual, Trans and Intersex Association (2013) *Albania*, p.1)

A report issued in April 2013 by the *United States Department of State* commenting on events of the preceding year states:

“The law prohibits discrimination against lesbian, gay, bisexual, and transgender (LGBT) individuals. However, no official claims of discrimination have been filed, and the government has not had an opportunity to enforce the law. Despite the law and the government’s formal support for LGBT rights, homophobic attitudes remained. On March 23, the media erroneously reported that LGBT activists were planning a pride parade in May. Deputy Defense Minister Ekrem Spahiu responded to the announcement, stating, “My only commentary on this gay parade is that the organizers should be beaten with clubs.” The international community, civil society, and many citizens criticized the remarks. However, public demonstrations, some political leaders, and religious organizations supported Spahiu’s comments. On a television program a few days later, another member of Spahiu’s political party told openly gay activist Kristi Pinderi, “If you were my son, I would put a bullet in your head.” The government reiterated its support for the LGBT community, and Prime Minister Berisha stated that LGBT activists would be permitted to organize a public demonstration according to their legal rights. The state police coordinated with LGBT organizations and provided effective security for several LGBT-related events during the year. NGOs ProLGBT and Aleanca organized a pride-related bicycle ride in Tirana on May 16. During the ride a group of young men threw a smoke bomb and firecrackers at the group. Police apprehended the suspects, but no charges were filed, and they were released shortly after the incident.” (United States Department of State (19 March 2013) *Country Reports on Human Rights Practices for 2012, Albania*, Section 6. Discrimination, Societal Abuses, and Trafficking in Persons/Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity)

In January 2013 *Freedom House* points out that:

“A 2010 law bars discrimination based on several categories, including sexual orientation and gender identity, but bias against gay and transgender people remains strong in practice.” (Freedom House (January 2013) *Freedom in the World 2013 - Albania*)

A report issued in March 2013 by *Balkan Insight* in March 2013 states:

“Data from a new survey released to Balkan Insight by the Open Society Foundation, OSFA, reveal that the vast majority of Albanians are conservative and disapprove of the gay and lesbian lifestyle.” (Balkan Insight (25 March 2013) *Albania is Europe's Most Homophobic Country, Survey Says*)

Gay Star News in May 2013 notes:

“Two laws just approved by Albania's parliament make it one of the countries with the most advanced legislation in the region for protection of LGBT people...Albania amended its criminal code and put hate crimes against sexual orientation and gender identity on par with an offense against gender, race, ethnicity, religious belief, disability and so on. It also passed a new law punishing the dissemination of homophobic information through any means (including the internet) by a fine and up to two years imprisonment.” (Gay Star News (6 May 2013) *Albania passes landmark gay hate crime laws*)

References

Balkan Insight (25 March 2013) *Albania is Europe's Most Homophobic Country, Survey Says*

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http://www.ecoi.net/local_link/243031/352700_en.html

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http://www.ilga-europe.org/home/guide_europe/country_by_country/albania/albania_passes_landmark_gay_hate_crime_laws

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http://www.ilga-europe.org/home/guide_europe/country_by_country/albania/review_2013

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United States Department of State (19 March 2013) *Country Reports on Human Rights Practices for 2012, Albania*

<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>

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This response was prepared after researching publicly accessible information currently available to the Refugee Documentation Centre within time constraints. This response is not and does not purport to be conclusive as to the merit of any particular claim to refugee status or asylum. Please read in full all documents referred to.

Sources Consulted

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Electronic Immigration Network
European Country of Origin Information Network
Freedom House
Google
Human Rights Watch
Immigration and Refugee Board of Canada
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