



ALEANCA LGBTI

### **UPR Pre-Session Statement**

Esteemed people in this room,

I am Dea Nini, a lesbian human rights lawyer living and working in Albania, representing the Alliance Against Discrimination of LGBTI. Today, I address the status of Albania's implementation of the UPR 3rd cycle recommendations and our urgent calls for action.

#### **Legal Framework, Discrimination, and Hate-Motivated Crimes:**

Albania's Constitution does not explicitly protect LGBTI individuals. Efforts to amend Article 18 to include sexual orientation and gender identity have been blocked by parliamentarians and religious leaders since 2017. While the Law "On Protection from Discrimination" recognizes SOGI grounds for protection, public awareness remains low, and incidents of violence and discrimination against LGBTI individuals frequently go unreported due to a lack of trust in institutions. A recent survey reveals:

- 43% of LGBTI individuals experienced violence or discrimination in the past two years.
- 73.8% of these incidents were unreported.
- 63% of LGBTI individuals are unaware of the Commissioner for Protection from Discrimination (CPD).

#### **Family Life:**

Despite ongoing advocacy, the Constitution does not prohibit same-sex marriage, but the Family Code defines marriage strictly as a union between a man and a woman. This lack of recognition extends to same-sex partnerships and cohabitation, creating significant practical difficulties for LGBTI individuals related to property rights, inheritance, and parental rights.



ALEANCA LGBTI

### **Education:**

LGBTI individuals still face severe barriers in accessing education. Our surveys show:

- 54.3% experience peer discrimination.
- 25% face discrimination from teaching staff.
- 92% find the curricula lacking accurate LGBTI information.

### **Healthcare:**

While the Law on Public Health applies to all, it lacks specific protections against SOGI discrimination. Many LGBTI individuals avoid healthcare services due to fear of discrimination. Survey findings indicate:

- 20% of LGBTI participants could not access medical services without accompaniment.
- 16% faced discrimination while accessing the services by medical staff related to their LGBTI+ status.

For transgender individuals, there are no available sex reassignment surgeries in Albania, and national health coverage does not include such procedures. The Alliance and national CSOs have been collaborating with the Ministry of Health to establish a medical protocol for transgender people, which still awaits adoption.

### **Housing:**

Despite recognition under the Law on Social Housing, LGBTI individuals face discrimination and confidentiality concerns in accessing these programs. Between 2019 and 2024, 22 transgender women were evicted due to their gender identity, while lesbian and gay couples face hardships in renting a place because owners perceive them as LGBTI and refuse to rent to them.

### **Employment:**

Commented [JR1]: What type of discrimination? Here you could develop a little bit



ALEANCA LGBTI

The Labour Code prohibits discrimination based on SOGI, but high levels of discrimination persist.

Surveys show:

- 40.8% of LGBTI individuals never engaged in formal employment.
- 32% of employed respondents experienced workplace discrimination, with only 2% reporting it.

Recently, this situation has been exacerbated by the rise of anti-LGBTI movements in the country, led by influential political figures, religious leaders, and public figures. In May 2024, a series of pro-family/anti-LGBTI protests were organized by religious representatives in Tirana, calling for the state to disable any type of legal recognition for LGBTI people. There has been an increasing dissemination of harmful stereotypes and hate speech against LGBTI individuals, leading to a number of physical and online hate motivated attacks on LGBTI activists.

**Today, we urge the Albanian Government and encourage all representatives of other countries to call on Albania to:**

1. Amend the Constitution to explicitly protect sexual orientation, gender identity, and sex characteristics.
2. Enact laws for the legal recognition of gender identity based on self-determination, and same-sex partnerships, ensuring equal rights and protections.
3. Strengthen legal provisions on the criminalization of hate speech and hate crimes targeting LGBTI individuals.
4. Implement mandatory training programs for educators, law enforcement, and healthcare professionals on LGBTI rights.
5. Revise school curricula to include accurate information about sexual orientation, gender identity, and sex characteristics.



ALEANCA LGBTI

6. Develop comprehensive anti-bullying policies in schools to address discrimination and harassment based on sexual orientation, gender identity, and expression.

**Commented [JR2]:** Maybe you could be more precise? Which policies should be implemented? And anti-bullying policies for LGBTI

7. Ensure access to gender-affirming healthcare services and revise national health policies accordingly.

8. Implement effective social housing laws and policies to protect LGBTI individuals, particularly transgender people.

9. Strengthen enforcement mechanisms to ensure compliance with anti-discrimination laws in the workplace and hold accountable those who engage in discriminatory practices.

10. Ensure the rigorous implementation of the National Action Plan for LGBTI+ Persons 2021-2027 with dedicated resources and monitoring mechanisms.

These measures are critical for the protection and empowerment of LGBTI individuals in Albania. Agenda 2030 cannot be fulfilled without granting all human beings equal rights and protection. LGBTI Albanians deserve to live with dignity, without fear, and without the dream of leaving the country as the only solution to not be left behind by our state.

Today, I urge the international community to support Albania in making these changes.

Thank you.