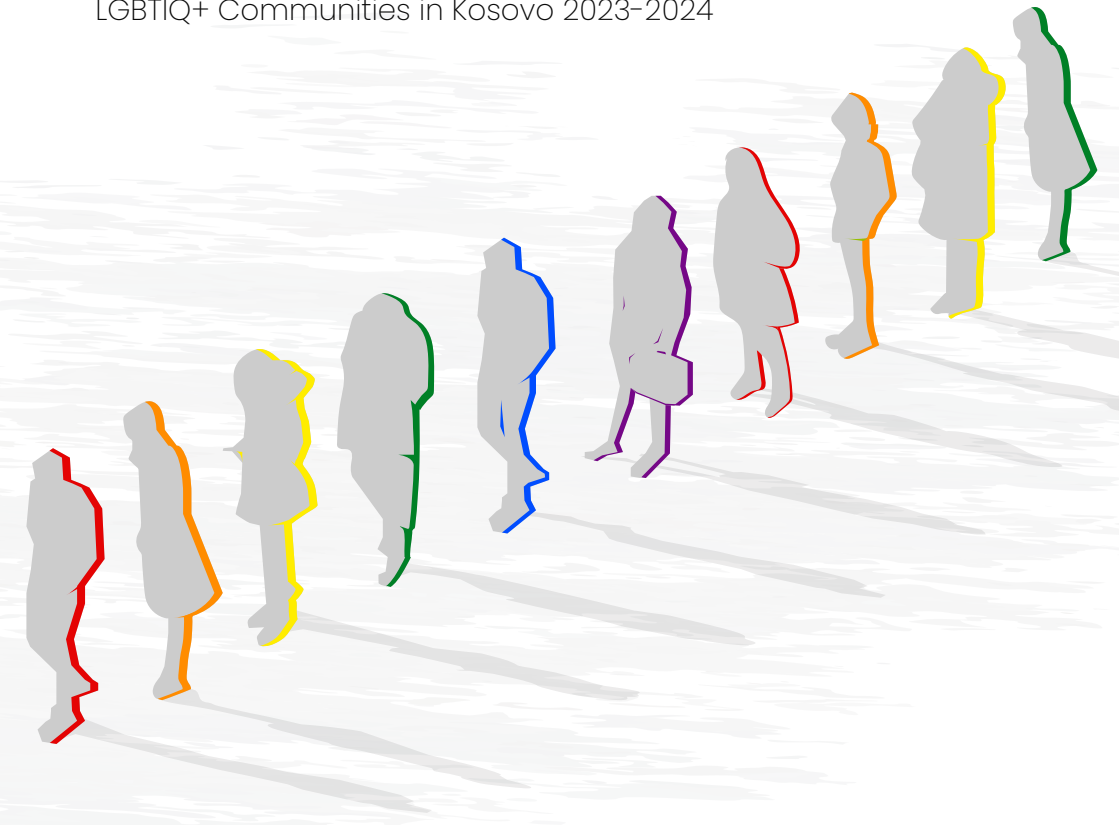


UNDER THE SPECTRUM OF INVISIBILITY

An Analysis of Gender-Based Violence against
LGBTIQ+ Communities in Kosovo 2023-2024



CENTRE FOR EQUALITY AND LIBERTY OF THE LGBT COMMUNITIES IN KOSOVA (CEL)

AUTHOR: LIRI KUÇI

COPYRIGHT © CENTRE FOR EQUALITY AND LIBERTY ALL RIGHTS RESERVED. NO PART OF THIS PUBLICATION MAY BE REPRODUCED, STORED OR TRANSMITTED IN ANY ELECTRONIC, MECHANICAL, PHOTOCOPYING, RECORDING OR OTHERWISE FORM, WITHOUT THE PRIOR PERMISSION OF CEL KOSOVA.

CEL. Tel: +383 49 701 499
e-mail: info@cel-ks.org
web-page: www.cel-ks.org

Liability clause

This report is made possible with the support of the Swedish International Development Agency (SIDA). The opinions expressed in this publication do not necessarily reflect the views of SIDA.

Contents

- **Introduction and Theoretical Framework**..... 6
 - What is Gender-Based Violence against LGBTIQ+ Communities? 7
- **Purpose and Methodology**..... 8
 - Intersectional Analysis 9
- **Legal Framework and Institutional Challenges** 10
 - Legal Framework and Practices Addressing Gender-Based Violence in Kosovo 10
 - Social Services and Welfare 14
- **Findings and Analysis** 17
 - Forms of Gender-Based Violence (GBV) against LGBTIQ+ Communities 17
 - Analysis of the Landscape Based on Field Data 19
- **Reflections and Recommendations** 26
 - Research Challenges 26
 - Recommendations 27
- **Annexes** 31

List of Abbreviations

BC – Basic Court

BPO – Basic Prosecutor's Office

CEL – Center for Equality and Liberty

CPWC – Center for the Protection of Women and Children in Pristina

CSGD – Center for Social Groups Development

CSO – Civil Society Organizations

CSW – Centers for Social Work

CSWC – Center for the Safety of Women and Children

GBV – Gender Based Violence

LGBTIQ – Lesbian, Gay, Bisexual, Transgender, Intersex, and Queer individuals and communities

MoJ – Ministry of Justice

QIPS – Center for Information and Social Improvement

VPAO – Victim Protection and Assistance Office

Author Profile

Liri Kuçi is a feminist researcher with a background in Political Theory and holds a second master's degree from England, where she specialized in methods of intersectional discourse analysis and development policies. Over the past decade, her work as an activist has included human rights, education, labor rights, environmental issues, and broader social justice causes. She is the author of numerous studies, research papers, political strategies, and articles on topics including political discourse, development economics, women's rights, and LGBTIQ+ issues, contributing both to Albanian-speaking and international publications. She also co-founded Shota.al, a bilingual feminist magazine dedicated to addressing structural inequalities and promoting critical perspectives on complex social challenges.

Introduction

This research, conducted by the Center for Equality and Freedom (CEL), sheds light on institutional practices for addressing gender-based violence (GBV) against LGBTIQ individuals and communities in five municipalities in Kosovo – Prishtina, Peja, Prizren, Ferizaj, and Gjakova. The focus is on the official mechanisms for prevention, monitoring, and protective engagement.

The report seeks to deconstruct how gender-based violence against LGBTIQ individuals in Kosovo is systematically overlooked or disregarded. It calls for a critical reassessment of institutional practices and legal definitions, as well as the establishment of comprehensive registries to document and address violence in a sensitive manner, prioritizing the diverse experiences of marginalized groups.

This CEL initiative strives to contribute to more inclusive justice frameworks that challenge existing power structures and ensure meaningful protections for all individuals, regardless of their sexual orientation, gender identity, class, race, ethnicity, religion, background, or ability.

What is gender-based violence against LGBTIQ communities?

In Kosovo, women may experience violence not only because of their gender but also due to their sexual orientation, which challenges cultural norms surrounding sexuality and gender roles. This situation becomes even more complex when homophobia and transphobia are present, leading to forms of gender-based violence that are often overlooked by legal frameworks and institutional protocols.

Violence against transgender individuals is often a punitive response to their challenge of socially constructed and enforced gender binaries. The intersectional approach examines these experiences by considering multiple dimensions of identity, rather than reducing them to a single axis. These experiences result from overlapping and intersecting forms of oppression. Such a thorough analysis is crucial for developing effective legal and institutional responses that can address the complexity of violence experienced by LGBTIQ+ individuals.

In Kosovo, where patriarchal norms prevail and heteronormativity is deeply embedded in legal and social structures, the violence experienced by LGBTIQ+ individuals is often overlooked or dismissed as incidental, rather than being recognized as part of a broader system of violence. This gap leaves these individuals—particularly those in the most marginalized groups, such as the Roma, Ashkali, and Egyptian communities—more vulnerable to multiple forms of violence that often go unreported and unaddressed.

Purpose and Methodology

In a country where socio-legal frameworks are evolving but remain constrained by patriarchal and heteronormative norms, this study examines not only the occurrence of violence but also the institutional and legal structures that either enable, permit, or inadequately address it. Adopting a critical intersectional perspective, the research explores how gender identity, sexual orientation, social class, and group affiliation intersect with institutional responses, highlighting systemic gaps and patterns of oppression.

This study utilizes a mixed-methods approach, combining qualitative interviews, questionnaires, and sampling from five municipalities, along with an analysis of the legal framework, to evaluate institutional responses to gender-based violence against LGBTIQ+ individuals in Kosovo.

Data collection involved contacting **41** entities,¹ of resulting in **26** questionnaires and interviews conducted with key actors between May and September 2024:

- Sixteen questionnaires were completed by institutional representatives, including members of the Ministry of Justice, police officers, judicial representatives, Basic Prosecutor's Offices, Victim Protection and Assistance Office, Women's Protection Centers, and social workers.
- Five civil society organizations (CSOs) participated in the study;
- Five qualitative interviews were conducted with LGBTIQ+ activists and human rights advocates.

¹ Refer to Annex, p. 31

Intersectional Analysis

This study utilizes an intersectional analysis to examine institutional responses to gender-based violence against LGBTIQ individuals in Kosovo. From this perspective, it examines the layers of vulnerability arising from the intersection of various social identities, situating the experiences of the LGBTIQ community within broader contexts of exclusion and violence.

Feminist and intersectional theorists, such as *bell hooks* (1984), highlight the importance of recognizing how intersecting systems of oppression reproduce and sustain violence against marginalized groups. In this context, the combination of gender, sexual orientation, ethnicity, and socio-economic status deepens the vulnerabilities experienced by LGBTIQ+ individuals in Kosovo.

This approach provides a comprehensive understanding of the institutional response to gender-based violence, exposing systemic gaps in the protection of marginalized individuals.

It is important to note that this study does not stand alone; rather, it builds on the contributions and recommendations² from other research and documents by partner organizations that focus on gender-based violence³ in Kosovo and the wider region.⁴ This study emphasizes the need to broaden perspectives on gender-based violence through an intersectional lens, with particular attention to the

² Center for Social Group Development (CSGD). (2023). *Annual Report on LGBTIQ+ Rights in Kosovo*

³ Amnesty International. (2023). *Kosovo: From paper to practice – Kosovo must keep its commitments to domestic violence survivors*.

⁴ Reporting Diversity Network, (2024) *Media Report: Monitoring Hate Speech in the Balkans*.

experiences and challenges faced by LGBTIQ+ individuals and communities in Kosovo.

Looking ahead, it will be essential to update this report with additional data and broader regional representation. Periodic, in-depth, and comprehensive studies should accompany it to ensure that experiences of gender-based violence are rigorously documented and addressed.

Legal Framework and Institutional Challenges

Legal Framework and Practices Addressing Gender-Based Violence in Kosovo

This section critically examines how legal frameworks, when analyzed through an intersectional perspective, fall short in protecting individuals experiencing violence—violence that cannot be understood solely through the lens of gender but must also consider factors such as sexual orientation, gender identity, and the socio-political context of Kosovo.

Given the state's ongoing efforts toward European integration, this study gains additional significance. Implementing international human rights standards, including those protecting minorities, is crucial for ensuring legitimacy in the international arena.

However, despite the existence of legal frameworks—such as the 2010 Law on Protection from Domestic Violence and its 2023⁵ amendments (08/L-185) addressing gender-based violence—along with Kosovo's commitments to international human rights standards, including the Istanbul Convention, there remains a significant gap in how these protections are effectively applied to LGBTIQ+ individuals in practice;

A deeper, contextual analysis of Kosovo's legal framework on gender-based violence and discrimination against marginalized groups, particularly LGBTIQ+ individuals, is crucial for examining how key laws—such as the Criminal Code of the Republic of Kosovo (06/L-074), the Law on Gender Equality (05/L-020), and the Law on Protection from Discrimination (05/L-021)—represent an initial stage in institutionalizing efforts for equality and justice. However, according to practical assessments by CEL's legal experts, these laws are hindered by a lack of effective means for full implementation. The handling of discrimination complaints by relevant institutions, such as courts and administrative bodies, remains problematic and requires significant improvement.

Therefore, all three laws face challenges and limitations when applied to Kosovo's complex socio-political reality, particularly in the context of intersecting gender identities, sexual orientations, and other social positions.

Specifically, as highlighted by CEL's legal professionals, Kosovo's legal framework has made progress in addressing violence against LGBTIQ+ individuals, particularly through laws like the Law on Protection from Discrimination and the

⁵ Replaced in October 2023 with *Law No. 08/L-185 On Prevention and Protection from Domestic Violence, Violence against Women, and Gender-based Violence*

inclusion of hate crime provisions. Notably, Article 70.2.12 of the Criminal Code recognizes these crimes as aggravating circumstances.

However, while the Criminal Code of Kosovo and the Law on Gender Equality are designed to offer general protection to individuals, they remain limited by narrow definitions of violence and discrimination. These definitions often focus only on biological sex or visible physical violence, primarily within the context of domestic violence.

The Law on Gender Equality, for example, although intended to combat inequality, heavily relies on gender binary and fails to fully recognize the fluidity of gender or the spectrum of diversity within the LGBTIQ+ community. This limitation not only obstructs the recognition of the everyday experiences of LGBTIQ individuals who face discrimination and violence but also perpetuates a narrow and essentialist view of gender identity and sexuality.

An even greater obstacle lies in the practical implementation of existing laws. As highlighted in [Amnesty International \(2023\)](#) research on survivors of gender-based violence in Kosovo, significant inconsistencies exist in how anti-discrimination laws are enforced by institutions. This is particularly evident in cases of gender-based violence against LGBTIQ+ individuals, where they are often ignored, mistreated, or re-victimized.

This situation is further highlighted by the CSGD Annual Report (2023) on LGBTIQ+ rights in Kosovo, which shows that, despite the existence of legal protections on paper, the institutional response remains inadequate. There is a clear lack of services specifically designed to address the unique vulnerabilities of individuals facing gender-based violence.

Feminist critiques of the law, particularly those from critical legal studies and intersectional theory, such as those by

Kimberlé Crenshaw (1991), argue that legal frameworks often reinforce the gender binary and normative assumptions. These frameworks fail to adequately protect individuals who exist outside these established boundaries.

The lack of standardized terminology, systematic registers, and consistent practices for tracking and addressing various forms of gender-based violence, as highlighted in this research, remains a significant weakness in public institutions. Comprehensive institutional and societal reforms are clearly needed to ensure that gender-based violence against LGBTIQ individuals is both recognized and effectively addressed.

As identified in this study, the lack of data on gender-based violence against LGBTIQ+ individuals primarily stems from institutions such as the police and courts, which fail to classify these cases according to gender identity or sexual orientation. Instead, these cases are often recorded under general terms like “violence” or “abuse”, without acknowledging the specific discriminatory motives targeting the LGBTIQ+ community. This lack of accurate classification, as reflected in the responses from these institutions, exacerbates the invisibility of the issue and hinders a true assessment of its scale.

Additionally, existing laws often fail to address the complex realities of LGBTIQ+ individuals’ lives. This study brings to light systemic gaps in how categories of gender-based violence are treated and addressed. As a result, institutions are unable to provide appropriate legal responses or institutional services tailored to the specific needs of these communities, thereby neglecting necessary protection and support.

Social Services and Welfare

A critical aspect of addressing GBV against LGBTIQ+ individuals is ensuring the availability of welfare institutions and support services.

The questionnaires collect data on the availability and accessibility of social welfare services, including emotional, mental, and physical safety care, revealing significant gaps in the provision of these services to LGBTIQ+ individuals.

Shelter, rehabilitation, and economic security are crucial for creating a protective and restorative environment for victims of abuse. However, state-provided services often exclude or inadequately serve LGBTIQ+ victims due to cultural stigmatization and a lack of institutional capacity.

The country's social welfare system, including shelters for victims of domestic violence, is another area where LGBTIQ+ individuals are systematically excluded. Many services operate under the assumption that those in need are cisgender, heterosexual women. As a result, in the absence of specialized shelters, LGBTIQ+ individuals seeking refuge from violence are often forced to use existing shelters, which are frequently inadequate to accommodate people from diverse communities.

For example, the Center for the Protection of Women and Children (CPWC) in Prishtina and the Center for the Safety of Women and Children (CSWC) in Prizren report that, in the

absence of specialized shelters, LGBTIQ+ individuals seeking refuge from domestic violence are often placed in women's shelters. These shelters lack the necessary training and protocols to support individuals who do not conform to binary gender norms and are unprepared to address the specific needs of LBT women or transgender individuals. This exclusion from main services further increases the vulnerability of LGBTIQ+ individuals, leaving them without access to vital safety and support.

As highlighted by the Kosovo Women's Network (KWN), shelters and protective services often operate under the assumption that victims of domestic violence are heterosexual women. These shortcomings result in inadequate care for LBT individuals, further marginalizing them.

Additionally, the lack of psychological services tailored to the needs of LGBTIQ+ victims of gender-based violence is another critical deficiency in Kosovo's social welfare system.

Psychological violence is a pervasive form of gender-based violence that disproportionately affects LGBTIQ+ individuals. It manifests through harassment, threats, blackmail, and social exclusion, all of which profoundly impact the mental health and well-being of LGBTIQ+ individuals. According to reports from CSGD and CEL, many LGBTIQ+ individuals face psychological abuse from family members, friends, and community members who attempt to "correct" their sexual orientation or gender identity through emotional manipulation, psychological pressure, or even physical violence. Unfortunately, this form of violence is not yet recognized as gender-based violence by institutions, leaving victims without the support and services needed to heal from their trauma or effectively address the violence they experience.

This research highlights the crucial role of civil society organizations (CSOs) in addressing these gaps, despite their limited resources and the significant risks they face in their work. Standard operational procedures for domestic violence designate the Centres for Social Work (CSW) as responsible for providing psychological support to victims. However, these procedures fail to offer specific guidance for Queer individuals who experience violence outside the family, highlighting the gaps in addressing this form of violence. In these circumstances, aside from CSOs like CEL and CSGD, there are no state-run mental health services dedicated to addressing the trauma experienced by LGBTIQ+ victims of violence. This lack of support leaves many victims without the resources they need to recover from the psychological impacts of gender-based violence, further deepening their marginalization.

It is also important to bring to attention how intersectional factors, such as economic status and geographic location, further exacerbate the challenges LGBTIQ+ individuals face in accessing necessary services. This is especially evident in rural areas, where there is a lack of specialized infrastructure to address their needs.

Findings and Analysis

Forms of GBV towards LGBTIQ+ Individuals

The experiences of LGBTIQ+ individuals in Kosovo are diverse, with intersecting factors such as ethnicity, socio-economic status, and geographic location further shaping their vulnerability to gender-based violence and institutional neglect. However, the nature of the violence they face is often specifically influenced by their gender identity and sexual orientation. Transgender individuals, particularly trans women, are frequently subjected to physical and sexual violence due to their visibility and perceived challenge to gender norms. Gay men and lesbian women also face violence within intimate relationships, but their experiences are largely overlooked in legal and social discourse, which predominantly focuses on heterosexual and cisgender women as primary victims of GBV.

When gender identity intersects with ethnic minority status—especially among Roma, Ashkali, and Egyptian communities—the intensity of violence often escalates. Members of these groups experience layered marginalization, encountering both racial discrimination and homophobia or transphobia, which often leads to an almost complete lack of access to legal protection and social support.

Socio-economic status also critically affects access to legal and institutional resources. LGBTIQ+ individuals from lower-income backgrounds face additional barriers in accessing justice, healthcare, and social services, leaving them more vulnerable to violence. Economic insecurity, coupled with social exclusion, often deprives marginalized LGBTIQ+

individuals of the financial means or social support necessary to access and engage with the legal and welfare systems.

Moreover, the intersection of GBV with hate crimes rooted in homophobia and transphobia complicates the institutional response to violence against LGBTIQ+ individuals. Violence targeting this community is frequently neither recognized as GBV nor classified as hate crime. Instead, it is treated as general violence, which erases its context and specific implications. This lack of acknowledgment further marginalizes LGBTIQ+ individuals, depriving them of access to both legal protections and specialized support services.

Institutional Response to Cases

The handling of gender-based violence (GBV) in Kosovo, without addressing cases of violence against LGBTIQ+ individuals, is an indicator of broader societal attitudes and reveals deep institutional gaps. At every stage of institutional response—from police intervention and judicial processes to social welfare services—LGBTIQ+ individuals face persistent barriers to accessing justice. These obstacles arise not only from social stigma but also from systemic deficiencies within Kosovo's legal and welfare frameworks. This section presents findings from interviews, surveys, and document analysis, which together highlight the disparities in handling GBV cases involving LGBTIQ+ individuals and the resulting impact on victims.

This study examines how institutional bodies treat victims based on gender identity and sexual orientation, leading to

what can be described as “intersectional invisibility”. Originating from feminist theory, this concept explains how individuals with multiple marginalized identities—such as LGBTIQ+ individuals—become invisible within systems that primarily serve the mainstream population, in this case, heterosexual and cisgender women. Consequently, the experiences of LGBTIQ+ individuals are systematically erased within institutional responses to GBV.

In a society deeply rooted in heteronormative structures, LGBTIQ+ individuals often encounter not only prejudice but also systemic discrimination from those responsible for their protection. This research highlights how ingrained biases shape the treatment of LGBTIQ+ victims, impacting both the reporting of crimes and the pursuit of justice. The marginalization of LGBTIQ+ individuals within Kosovo’s GBV framework highlights the limitations of existing legal structures in addressing their unique vulnerabilities. For instance, violence in same-sex intimate relationships is frequently unrecognized as domestic violence, and hate crimes based on sexual orientation or gender identity are often overlooked.

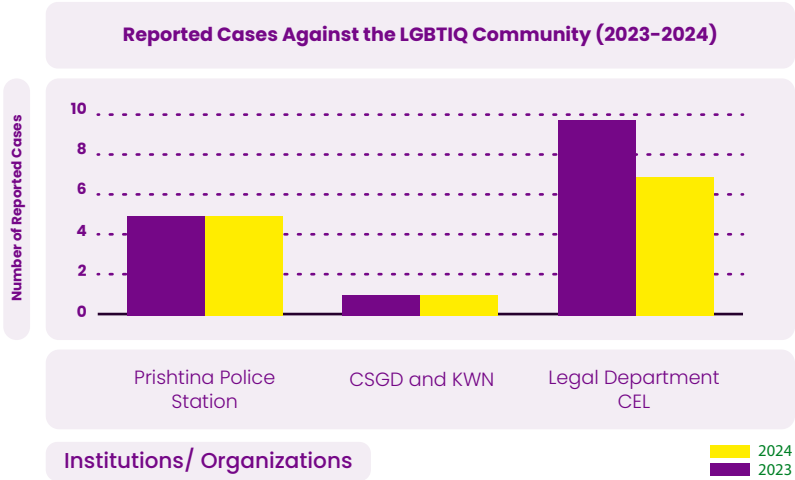
Analysis of the Landscape Based on Field Data

For LGBTIQ+ individuals in Kosovo, the **police** are often the first point of contact when seeking protection from GBV. However, interviews with law enforcement officials reveal significant gaps in their ability to provide appropriate support. Many officers lack training to handle cases involving non-heteronormative victims, leading to situations where LGBTIQ+ individuals, according to representatives from CSGD and CEL, frequently encounter indifference, ridicule, or even hostility when reporting violence.

Officials from the Prosecution, the Basic Court, and the Police in Ferizaj, Gjakova, and Prizren have admitted that cases

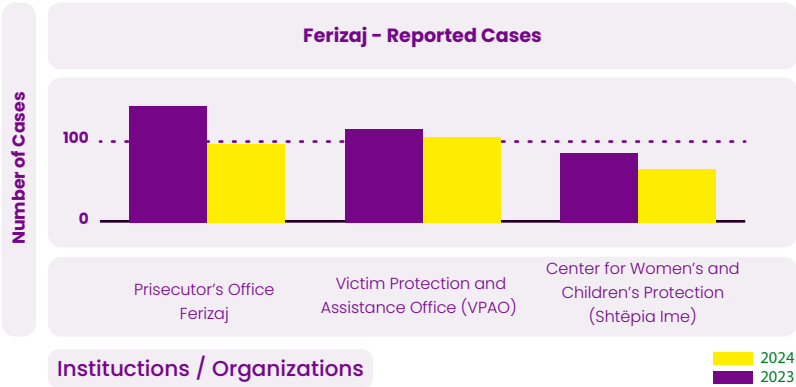
involving LGBTQ+ individuals are not separately categorized within official records of domestic violence. This lack of categorization effectively erases the experiences of LGBTQ+ victims within the institutional framework and makes it impossible to track the prevalence of violence against this group—data essential for informed policy development and resource allocation.

For example, the **Pristina Police** recorded up to five cases involving LGBTQ+ individuals between 2023 and 2024, including incidents of emotional and physical violence and hate crimes. However, these reports lack specific details on case classification and treatment. Both **CSGD** and the **Kosovo Women's Network (KWN)** have noted that harassment, blackmail, and threats against lesbian or trans women often receive inconsistent legal support, with offenders facing low or inadequate penalties. According to **CEL's** legal aid department, they provided assistance for 13 cases in 2023 and 7 in 2024.



The lack of official records on violence against LGBTIQ+ individuals creates a landscape where tracking trends, allocating resources, and developing targeted interventions are not only challenging but also nearly impossible.

The Prosecutor’s Office in Ferizaj reported handling 223 cases of domestic violence in 2023 and 139 in 2024; among these, only one case was identified as involving an LGBTIQ+ individual.



More specifically, this case of violence, filed under PP.II.621/23 by the Basic Prosecutor’s Office in Ferizaj, was categorized as “slight bodily injury” under Article 185, paragraph 3, sub-paragraph 3.2, in relation to paragraph 2 of the CCK. However, the motive for the violence was directly linked to the fact that the injured party, the defendant's son, was associated with the LGBTIQ+ community. This lack of established protocols allows officers to rely on the existing, insufficient legal frameworks when handling such cases, often influenced by their personal biases or preferences.

Among other findings, data obtained from the Municipality of Ferizaj, through the representative of VPAO Ibrahim Tërstena, reveals that 200 gender-based violence cases were handled in 2023. In the period from January to September 2024, 190 cases were addressed, with none involving LGBTIQ+ individuals. The Center for the Protection of Women and Children in Ferizaj “Shtëpia ime” (My home), reported handling 130 cases.

In this context, with 2024 still ongoing and figures already surpassing those of 2023, a significant discrepancy is evident between the documentation of domestic violence as a uniform experience and gender-based violence against LGBTIQ+ individuals.

Thus, in the absence of training or sensitivity to the specific challenges faced by LGBTIQ+ victims, many cases are neglected or left unaddressed. As community activist Lend Mustafa, a trans man, shared in an interview, he has often been turned away by the Prosecutor’s Office due to a “lack of evidence”.⁶ Consequently, in addition to the violence they suffer, victims are burdened with proving their case, gathering evidence, and providing testimony, turning the process of reporting, addressing, and seeking justice into a painful ordeal.

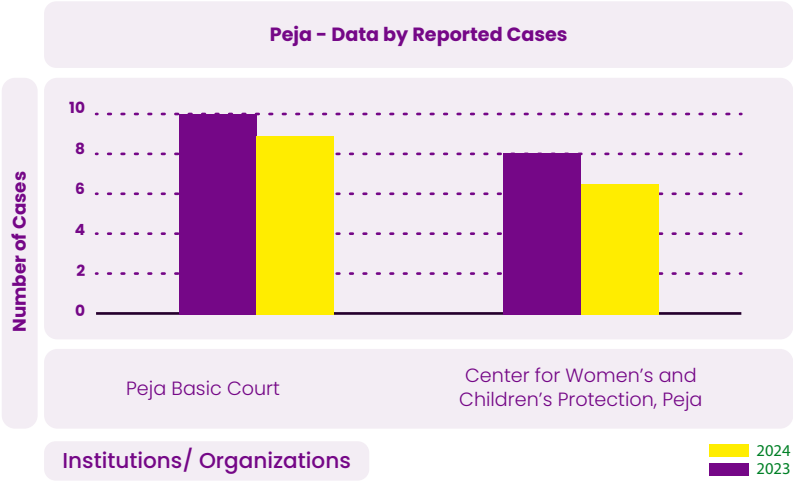
Without legal precedents or clear guidelines, judicial officials are left to make discretionary decisions, which frequently fail to adequately protect LGBTIQ+ victims.

Moreover, the lack of data on gender-based violence cases involving LGBTIQ+ individuals extends to the judiciary. Court records do not categorize cases by sexual orientation or gender identity, making it difficult to assess the extent to

⁶ Kuci, Liri. Kosovo 2.0. (2024). *Tetë vjet në dritëhije*. Kosovo 2.0. Retrieved from <https://kosovotwopointzero.com/en/eight-years-in-the-light-and-shadow/>

which LGBTIQ+ individuals are included in Kosovo’s gender-based violence framework or how their cases are handled. For instance, while the Basic Prosecutor's Office in Gjakova handled 171 domestic violence cases, Lekë Muqaj, the Head of the Office for Information and Media Communication at the Court of Gjakova, points out that data on ethnicity, religion, or sexual orientation is often not recorded. As a result, categorizing and identifying cases involving LGBTIQ+ individuals remains challenging.

Human rights advocate Edona Tolaj notes that this invisibility within the judicial system mirrors a broader institutional neglect of LGBTIQ+ issues in Kosovo. As shown in the table above, the Peja Basic Court received 140 cases in 2023, resolving 74, and handled 123 cases in 2024, resolving 43. Meanwhile, the Center for the Protection of Women and Children in Peja handled 98 cases in 2023 and 56 cases from January to September 2024.



Following this bleak and fragmented landscape of statistics and inadequate handling, it becomes evident that the judicial treatment of gender-based violence cases involving LGBTIQ+ individuals exposes significant biases within the legal system, leading to decisions that neither acknowledge nor address the specific nature of the violence experienced by LGBTIQ+ individuals.

A questionnaire distributed to Ministry of Justice representatives revealed significant deficiencies in classifying and quantifying gender-based violence cases in Kosovo. It was confirmed that cases of gender-based violence recorded in domestic violence registers are not categorized by the victim's sexual orientation or gender identity. Representatives from the Ministry of Justice were unable to provide an answer regarding the inaccessibility of gender-based violence registers in Kosovo, citing technical issues. CEL staff, who requested specific data over several weeks, did not receive a response with figures or critique of the current situation but were instead told that the Ministry of Justice is in the process of drafting by-laws to include gender-based violence cases in an integrated database.

Lack of shelters for LGBTIQ+: The Center for the Protection of Women and Children in Prizren, for example, stated that while they are mandated to protect all domestic violence victims, their services are not equipped to meet the specific needs of LGBTIQ+ individuals. Most shelters operate under the assumption that victims are heterosexual women, lacking infrastructure to provide safe care for LBT women and transgender individuals. From Prizren, we were able to obtain only the following data: In an interview with representatives from the Basic Court of Prizren, it was emphasized that there is no capacity to thoroughly review cases of violence. They stated, *"The Civil Department has over 5,000 cases pending from the past three years, and manually checking the*

records or reviewing the cases one by one is impossible, exceeding the Court's capabilities to handle and process such requests" – these requests refer to cases of gender-based violence (GBV) against LGBTIQ+ individuals. Meanwhile, the CSWC Prizren reports up to 100 documented cases and a lack of shelter for the LGBT community. This exclusion from essential services leaves LGBTIQ+ victims of violence without access to safe spaces, increasing their vulnerability to further abuse.

With the absence of comprehensive state support, civil society organizations play a crucial role in providing services to LGBTIQ+ individuals experiencing GBV. Organizations like CSGD, CEL Kosova, and KWN have been instrumental in filling gaps left by the state, offering legal aid, emergency shelter, psychological counseling, and advocacy. Despite these efforts, limited resources hinder their ability to expand services to meet the community's needs.

These organizations have also been active advocates for legal reform and institutional accountability. For example, CEL Kosova has advocated for including LGBTIQ+ protections within domestic violence legislation and for hate crime laws. Despite their efforts, the political will to implement these reforms remains weak, particularly in the face of conservative political and religious forces opposing LGBTIQ+ rights. This reliance on civil society to provide essential services emphasizes the state's failure to fulfil its international human rights obligations and highlights the urgent need for stronger collaboration between state institutions and civil society to address gender-based violence against LGBTIQ+ individuals.

REFLECTIONS AND RECOMMENDATIONS

Research Challenges

This study encountered numerous obstacles that complicated and delayed the analysis of GBV against LGBTIQ+ individuals in Kosovo. Key challenges included a lack of structured data, insufficient institutional responsiveness, and delays in addressing information requests. At times, these issues were accompanied by homophobic or passive-aggressive reactions during phone calls and follow-up emails, highlighting the need for foundational improvements to support future research. Additionally, such experiences reveal gaps in officials' capacity and training to address the specific needs and challenges faced by LGBTIQ+ individuals.

One primary challenge was the absence of a national database on hate crimes and GBV involving LGBTIQ+ individuals. The lack of an integrated system to collect and monitor data on victims' sexual orientation and gender identity obstructs efforts to understand the prevalence of such cases. Without accurate, standardized documentation, violence against LGBTIQ+ individuals remains underreported, and effective institutional reforms become challenging to implement. This gap perpetuates a cycle that complicates research efforts and impedes systemic change.

Despite these barriers, this study can serve as a foundation for more comprehensive and in-depth research that centers

the experiences of LGBTIQ+ individuals. Given their multiple and diverse experiences of violence, it is essential to undertake studies that reflect these experiences in a more critical way. Such research would not only expand knowledge about violence and discrimination but also assist in developing public policies that specifically address the needs of the LGBTIQ+ community.

RECOMMENDATIONS

To build a fairer, more inclusive system for protecting LGBTIQ+ communities from hate crimes and gender-based violence in Kosovo, essential interventions at both the institutional and legal levels are required. These efforts should focus on strengthening existing structures and closing the gaps that leave these communities vulnerable and insecure.

1 **Definition and Punishment of Hate Crimes**

Currently, Kosovo's legal system lacks explicit definitions and penalties for hate crimes based on sexual orientation and gender identity, leaving LGBTIQ+ communities unprotected against specific injustices. To address this, legislation should clearly define hate crimes targeting this community and impose stronger penalties for such offenses. In addition, specialized training for police officers, prosecutors, and judicial staff on recognizing and prosecuting these cases would support a more equitable and informed legal response. Without these measures, LGBTIQ+ individuals remain inadequately protected by the law, often feeling unsafe reporting incidents that frequently go unpunished.

2 **Expanding the Law on Protection from Gender-Based Violence**

Kosovo's Law on Protection from Gender-Based Violence operates within a heteronormative framework that excludes LGBTIQ+ individuals, who may face violence within families or same-sex relationships. Including LGBTIQ+ individuals as potential victims under the law and recognizing intimate partner violence within these communities are vital steps to ensure victims' access to legal support, protection, and appropriate services. Such inclusivity would reduce vulnerability and facilitate essential support for victims of gender-based violence.

3

Creating Inclusive Shelters and Services

The lack of inclusive services in shelters for violence victims further marginalizes LGBTIQ+ individuals, especially transgender people, who are often excluded based on their identity. The Ministry of Health, in collaboration with the Ministry of Justice and Social Welfare divisions, should establish protocols for shelters to ensure safe and inclusive services for LGBTIQ+ victims. These protocols should include training for shelter staff on the specific needs of LGBTIQ+ communities and expanded psychological and supportive services. Without such measures, shelters risk creating a discriminatory environment, significantly limiting rehabilitation and well-being opportunities for victims.

4

Improving Data Collection and Monitoring on Gender-Based Violence (GBV)

The lack of comprehensive data on cases of gender-based violence against LGBTIQ+ individuals hinders institutions' ability to protect these communities effectively. Establishing a unified system for data collection and monitoring of violence against LGBTIQ+ individuals would support the development of targeted policies and enhance institutional accountability. This system should include training for law enforcement, social workers, and other relevant personnel on comprehensive data collection and encourage the establishment of public reporting mechanisms to promote transparency. Without such a system, many cases remain unreported or are managed in a fragmented and uncoordinated manner.

5 Systematic Approaches and Integrated Policies

Without comprehensive reforms—including the clear definition of hate crimes, the inclusion of the LGBTIQ+ community in domestic violence laws, the creation of inclusive safe spaces, and improved data collection—Kosovo risks leaving its most vulnerable communities unprotected and at risk of ongoing discrimination. These gaps obstruct justice and perpetuate cycles of violence and discrimination. Breaking this cycle requires coordinated actions, strengthened inter-institutional collaboration, and greater social engagement to ensure meaningful protection and to foster a fairer, more inclusive society.



Annexes

In the course of this research, 42 entities from five municipalities in Kosovo were contacted, including courts, police, the Prosecutor's Office, VPAO, CPWC, the Ministry of Justice, CSW, NGOs, legal experts, and lawyers. While some institutions provided partial responses, none of the five CSWs contacted responded. Notably, six follow-up attempts were made over two months with representatives from the VPAO in Prishtina, but no reply was received. On a more positive note, the Municipality of Ferizaj demonstrated a notable level of institutional responsibility and a strong willingness to engage.

Out of the entities contacted, 26 provided responses, although some offered fragmented information without figures.

Category	Institutions/Organizations/Entities Contacted
NGOs and partner organizations	CSGD, KWN, KCGS
In-depth Interviews/Surveys	Edona Tolaj, Kristiani Rrasaj, QIPS, Ministry of Justice, Diva, Lend Mustafa
Police	Prishtina Police Ferizaj Police Prizren Police
Prosecutor's Office	Prishtina Prosecutor's Office Ferizaj Prosecutor's Office Gjakova Prosecutor's Office
Basic Courts	Prizren Basic Court Peja Basic Court Gjakova Basic Court
Shelter and Protection Centers	<p>Women's and Children's Shelter Center (WCSC) Prizren</p> <hr/> <p>Safe House Gjakova</p> <hr/> <p>Center for the Protection of Women and Children (CPWC) Prishtinë</p> <hr/> <p>Center for the Protection of Women and Children "Shtëpia Ime" [My home], Ferizaj</p> <hr/> <p>Ferizaj VPAO</p> <hr/> <p>Women's Welfare Center (WWC)-Peja</p>

References

Amnesty International. (2023, August 30). *Kosovo: From paper to practice – Kosovo must keep its commitments to domestic violence survivors.* <https://www.amnesty.org/en/documents/eur73/7123/2023/en/>

Center for Equality and Liberty (CEL). "Kërkojmë shkarkimin e Duda Balje nga Komisioni për të Drejtat e Njeriut, Barazi Gjinore, Viktimat e Dhunës Seksuale gjatë Luftës, për Persona të Pagjetur dhe Peticione." CEL Kosovo, <https://cel-ks.org/press-release/kerkojme-shkarkimin-e-duda-balje-nga-komisioni-per-te-drejtat-e-njeriut-barazi-gjinore-viktimat-e-dhunes-seksuale-gjate-luftes-per-persona-te-pagjetur-dhe-peticione/>.

Center for Social Group Development (CSGD). Annual Report on LGBTIQ+ Rights in Kosovo 2023. <https://csgd-ks.org/wp-content/uploads/2024/05/Annual-Report-2023-AN-A.pdf>.

Crenshaw, K. (1991). *Mapping the Margins: Intersectionality, Identity Politics, and Violence Against Women of Color.* *Stanford Law Review*, 43(6), 1241–1299.

Dukagjini. (2024, 1 nëntor). Qeveria shtyn për vitin 2024 miratimin e Kodit Civil. Marrë nga <https://www.dukagjini.com/qeveria-shtyne-per-vitin-2024-miratimin-e-kodit-civil/>

hooks, bell. *Feminist Theory: From Margin to Center.* Boston: South End Press, 1984.

Kuci, Liri. Kosovo 2.0. (2024). Tetë vjet në dritëhije. Kosovo 2.0. Retrieved from <https://kosovotwopointzero.com/en/eight-years-in-the-light-and-shadow/>

Reporting Diversity Network. (2024) Media Report: Monitoring Hate Speech in the Balkans. https://www.reportingdiversity.org/wp-content/uploads/2024/06/Monitoring-Report-on-Hate-Speech_Regional.pdf.

Media Diversity Institute. (2022). Measuring Racism, Hate Speech and Discrimination in the Western Balkans and Turkey. Reporting Diversity Network 2.0. Retrieved from https://www.reportingdiversity.org/wp-content/uploads/2022/08/MRHS_Regional.pdf

Ministria e Drejtësisë e Kosovës. "Projektligji i Kodit Civil." Ministria e Drejtësisë e Kosovës, <https://md.rks-gov.net/page.aspx?id=1,94>.

Ministria e Drejtësisë e Kosovës. Projektligji i Kodit Civil, <https://md.rks-gov.net/desk/inc/media/5582524D-4557-43D6-A814-D541D7E8E037.pdf>.

