

# Analysis on Gender Equality and Prevention of Violence against Lesbian, Bisexual and Queer (LBQ<sup>1</sup>) Women

in Albania, Bosnia and Herzegovina,  
Kosovo and Serbia

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# Introduction

This analysis, supported by the EuroCentralAsian Lesbian\* Community (EL\*C) and the European Union, delves into the pervasive challenges of gender-based violence (GBV) and the pursuit of gender equality (GE) as they critically impact lesbian, bisexual, and queer (LBQ) women across Albania, Bosnia and Herzegovina, Kosovo, and Serbia. Despite advancements in international human rights frameworks, including the spirit of the Council of Europe's Recommendation (2010)/5 on combating discrimination based on sexual orientation and gender identity, and the comprehensive scope of the Istanbul Convention which this report analyzes, the violence experienced by LBQ women frequently remains unacknowledged and unaddressed within existing national legal and social systems. This oversight contributes to their profound invisibility, continued vulnerability and often placing them at the forefront of multiple marginalizations.

The persistent failure to explicitly name LBQ women within national policies and gender equality action plans creates significant barriers to justice, dignity in social life, adequate healthcare, and vital support services.

Our experiences, rooted in the complex intersection of misogyny, homophobia, and transphobia—a phenomenon often termed lesbophobia—are distinct and demand targeted responses. Lesbophobia, a structural form of discrimination, specifically undermines LBQ women by challenging societal expectations of gender roles and female sexuality, this report seeks to disrupt this invisibility. By thorough documenting the specific forms of violence perpetrated against LBQ women, examining profound systemic gaps in reporting and response mechanisms, and critiquing insufficient institutional engagement, our findings lay the groundwork for urgent action. We advocate strongly for:

**Systemic Change:** A fundamental transformation of institutional practices and societal norms to dismantle the structural biases that perpetuate violence against LBQ women.

**Comprehensive Policy Reforms:** The swift development and implementation of national legislation and policies that explicitly name and protect LBQ women, ensuring respect and full alignment with international human rights standards.

**Inclusive National Gender Equality Action Plans:** The imperative to integrate the specific needs and realities of LBQ women into national gender equality strategies, thereby ensuring their visibility, access to justice, and full participation in efforts to eradicate violence at all levels.

This analysis presents detailed, evidence-based arguments on the imperative to center LBQ women in ongoing discussions about gender equality and violence prevention. It offers comprehensive, actionable recommendations for public authorities, civil society partners, and other key stakeholders in Albania, Bosnia and Herzegovina, Kosovo, and Serbia. Designed as a practical resource, this work aims to empower advocates, policymakers, and community builders alike to leverage its findings for tangible change.

Crucially, this report is a testament to dedicated community collaboration. Numerous members of the Women loving Women caucus at ERA LGBTI Association for the Western Balkans and Türkiye and other NGO organizations working on gender equality actively contributed through insightful focus groups, detailed questionnaires, and in-depth interviews. The collective expertise and lived experiences generously shared were invaluable, profoundly shaping the depth and accuracy of this analysis. We invite you to delve into the findings of this collective endeavor and join us in driving forward the essential work of securing the rights and safety of LBQ women everywhere.

Elena Petrovska

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# Methodology

## Purpose and Scope

The purpose of this research is to examine how national policy and legal frameworks on gender equality and the prevention of GBV in Albania, Bosnia and Herzegovina, Kosovo, and Serbia reflect, or fail to reflect, the specific needs of LBQ women and non-binary individuals. The analysis focuses on the inclusion of sexual orientation and gender identity within existing strategies, laws, and institutional mechanisms for preventing and responding to GBV. The research assesses the structural impact of institutional responses, drawing on the perspectives of CSOs that work directly with affected communities. The scope of the study includes national strategies, legal instruments, and relevant reports, with particular attention to how these frameworks align with the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention), and whether they recognize intersectional forms of discrimination. The findings aim to identify gaps, highlight good practices, and inform the development of country-specific policy recommendations and a cross-country comparative analysis.

## *Research Design, Methods, Analytical Approach*

This research applies a qualitative, feminist, and intersectional lens to examine how national strategies and legal frameworks addressing gender-based violence engage with the specific risks faced by LBQ women and non-binary individuals in Albania, and Bosnia and Herzegovina, Kosovo, and Serbia. The analysis focuses on institutional responses and evaluates alignment with key international standards, particularly the Istanbul Convention. The research draws on the structural knowledge of CSOs that work directly with LBQ communities and are best positioned to assess the practical impact of policy measures.

The research combines desk-based document analysis with qualitative data from focus group discussions held with CSO representatives and a limited institutional perspective, following only two institutional responses from the countries included. This combination enabled a grounded understanding of how laws and policies are interpreted and applied on the ground, and where systemic barriers continue to exclude LBQ women from protection and services. Through comparative analysis, the research also identifies cross-cutting regional patterns, such as institutional neglect, underfunded implementation, and growing anti-gender sentiment, as well as notable differences in legal treatment and advocacy space across the four countries. Key themes from both the literature review, focus group discussions and the institutional questionnaire were systematically compared, allowing the research to highlight both region-wide structural gaps and country-specific practices that may offer valuable lessons.

The research is based on three main methods of data collection: desk-based document analysis, focus group discussions with CSOs and institutional questionnaire.

- The **literature review** covered national strategies and action plans on gender equality and violence against women, relevant laws and by-laws, GREVIO baseline and thematic reports, shadow reports by civil society, and select academic and policy literature. These documents were examined for references to sexual orientation and gender identity, recognition of intersectional discrimination, definitions and forms of violence, and the inclusion of LBQ women within prevention, protection, prosecution, and service provision measures.

- Four **focus groups** were conducted online, during March and April 2025, one in each of the target countries, with 3 to 5 representatives from both LGBTIQ organizations and women's rights organizations. Participants were selected based on their expertise in gender-based violence and their direct involvement in service provision, advocacy, and policy monitoring. The focus groups were guided by a semi-structured set of questions and held in accordance with participatory and ethical standards, ensuring confidentiality and respectful engagement. The insights of participating organizations were essential for understanding how policies and laws are implemented in practice, the challenges faced by LBQ women in accessing protection and services, and how institutional and political dynamics, including anti-gender discourse, shape the response to violence.

- **Questionnaire for institutions**, which invited relevant national institutions in the period from March to May 2025 to an interview or to provide written responses on key issues of policy and legal implementation. Despite outreach efforts in each country, only two responses were received -from the Commissioner for Protection of Equality in Serbia and the Agency for Gender Equality of Bosnia and Herzegovina, at the Ministry for Human Rights and Refugees, which provided a limited but valuable institutional perspective.

The analysis employed a **thematic content analysis** approach to assess both the language and structure of relevant policies, as well as their alignment with the obligations set out in the Istanbul Convention. Documents were reviewed for the presence of inclusive definitions of violence, references to sexual orientation and gender identity, intersectionality, recognition of marginalized groups, and the articulation of specific measures addressing the protection of LBQ women. Where possible, findings were cross-referenced with institutional evaluations, such as GREVIO reports, and alternative assessments submitted by civil society actors.

The analysis of **alignment with the Istanbul Convention** was guided by a set of selected articles that are particularly relevant to the experiences and protection needs of LBQ women and non-binary individuals. These include Article 3 (definitions), Article 4 (non-discrimination), Article 9 (role of NGOs), Article 11 (data collection), Article 12 (prevention), Article 18 (protection and support), Articles 22 and 23 (specialist support services and shelters), Article 46 (aggravating circumstances), and Article 49 (law enforcement). For each article, a set of structured questions was developed to examine both the formal legal and policy frameworks and their practical implementation in each of the four countries.

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<sup>1</sup>Read more under Limitations.

<sup>2</sup>Poverenik za zaštitu ravnopravnosti.

<sup>3</sup>Agencija za ravnopravnost spolova Bosne i Hercegovine, Ministarstvo za ljudska prava i izbjeglice

## Limitations

A significant limitation of the research was the **lack of engagement from relevant state institutions**. In each country, institutional representatives were identified through a combination of official websites, referrals from CSOs, and personal contacts. Invitations for interviews with the questionnaire were sent in the respective local languages, offering full flexibility in terms of scheduling, format (online or in writing), and preferred medium. Despite multiple reminders and extensions of the deadline, only two responses were received, within the three-month outreach period. While this limited institutional perspective added some insight, the broader absence of institutional engagement restricted the ability to directly assess official perspectives on the development and implementation of gender equality and GBV-related frameworks across all four countries.

The research was also constrained by the **limited availability of disaggregated data**. Not only are LBQ women and non-binary individuals largely invisible in national statistics and policy documents, but even within broader LGBTIQ research and reporting, data specifically reflecting the experiences of LBQ women is scarce or aggregated in ways that obscure distinct patterns of risk and exclusion. This lack of targeted information limited the depth of the analysis in certain areas and underscores the structural barriers that continue to hinder visibility, recognition, and policy responsiveness toward LBQ communities.

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# COUNTRY PROFILES:

## Albania

# National Framework

Albania ratified the Istanbul Convention in 2013, integrating it into its legal framework in 2014 without reservations, and underwent its first GREVIO baseline evaluation in 2017. The latest thematic evaluation, "Building Trust by Providing Support, Protection, and Justice," was conducted in the period 2023-2024.

The legal and institutional framework for gender equality and non-discrimination in Albania is partially aligned with EU and European standards.<sup>4</sup> The **Constitution** guarantees fundamental rights and equality before the law, but its implementation lacks effective mechanisms explicitly address crucial aspects of intersecting forms of discrimination, such as sexual orientation, gender identity and expression, or sex characteristics.<sup>5</sup> Focus group participants pointed to the vagueness of existing instruments, noting that *"there are no targeted measures for LBQ women in the law. For example, in the municipality strategy it said that it is general for every woman, not to look like they are different from other women."*

The **Law on Gender Equality in Society** regulates the fundamental issues of gender equality in public life and established key frameworks for gender equality, including gender quotas, mechanisms for gender mainstreaming, and policies for gender-responsive budgeting.<sup>6</sup> However, its implementation has been inconsistent, prompting a full revision under the **National Strategy on Gender Equality 2021-2030**<sup>7</sup> to align with international and EU standards.<sup>8</sup> While the law broadly addresses discrimination, it lacks clear provisions on temporary special measures for marginalized groups, including LBQ women.<sup>9</sup>

The **Law on Protection from Discrimination** upholds equality and non-discrimination, explicitly recognizing gender identity, sexual orientation, and sex characteristics as grounds for protection. Despite these legal advancements, enforcement remains weak, particularly in cases involving LBQ women, who face systemic barriers in reporting and accessing justice. The law prohibits discrimination in employment and services but does not recognize same-sex civil unions or parenting, leaving LBQ women without legal recognition of their families.<sup>12</sup>

<sup>4</sup> European Commission. (2024). Country Report Albania 2024. Available at: [https://neighbourhood-enlargement.ec.europa.eu/document/download/a8eec3f9-b2ec-4cb1-8748-9058854dbc68\\_en?filename=Albania%20Report%202024.pdf](https://neighbourhood-enlargement.ec.europa.eu/document/download/a8eec3f9-b2ec-4cb1-8748-9058854dbc68_en?filename=Albania%20Report%202024.pdf)

<sup>5</sup> The Alliance Against Discrimination of LGBTI. (2023). Written Contribution: The Situation of LGBTI+ Women in Albania in the Framework of GREVIO. Available at: <https://rm.coe.int/the-situation-of-lbti-women-in-albania-in-the-framework-of-grevio-/1680acde8f>

<sup>6</sup> Law on Gender Equality in Society. Available at: <https://platform.who.int/docs/default-source/mca-documents/policy-documents/law/ALB-GBV-19-LAW-2008-eng-No-9970-Gender-Equality-in-Society.pdf>

<sup>7</sup> CEDAW recommended revising Law on Gender Equality in line with the National Strategy on Gender Equality 2021–2030 to advance legal and substantive gender equality and it calls for the application of intersectionality to ensure access to public services for women facing multiple forms of discrimination. in CEDAW. (2023). Concluding observations on the fifth periodic report of Albania. Available at: <https://digitallibrary.un.org/record/4035109?v=pdf#files>

<sup>8</sup> UN Women. (2024). Albania reviews its Gender Equality Law. Available at: <https://albania.unwomen.org/en/stories/news/2024/09/albania-reviews-its-gender-equality-law>

<sup>9</sup> UN Women. (2023). Accelerating progress on gender equality in Albania- A UN perspective on the revision of the Law on Gender Equality in Society. Available at: [https://albania.unwomen.org/sites/default/files/2023-03/FINAL%20UN%20Position%20Paper%20on%20GE%20Law\\_FINAL.pdf](https://albania.unwomen.org/sites/default/files/2023-03/FINAL%20UN%20Position%20Paper%20on%20GE%20Law_FINAL.pdf)

<sup>10</sup> The Alliance Against Discrimination of LGBTI. (2023). Written Contribution: The Situation of LGBTI+ Women in Albania in the Framework of GREVIO. Available at: <https://rm.coe.int/the-situation-of-lbti-women-in-albania-in-the-framework-of-grevio-/1680acde8f>

<sup>11</sup> Ibid.

<sup>12</sup> US Department of State. (2024). ALBANIA 2023 HUMAN RIGHTS REPORT

**The National Strategy for Gender Equality 2021-2030** prioritizes reducing gender-based and domestic violence and aligns with Albania's obligations under the IC.<sup>13</sup> It recognizes the intersectional discrimination faced by women from marginalized communities, including the LGBTIQ community, and calls for targeted measures to support them. However, GREVIO noted that the strategy remains largely focused on domestic violence, often at the expense of other forms of GBV such as sexual violence,<sup>14</sup> which disproportionately impacts LBQ women. While the strategy acknowledges the need for inclusive measures, tangible actions and sustainable funding are required to ensure the implementation of protections for LBQ individuals.<sup>15</sup> Weaknesses remain in implementing the strategy and its Action Plan, which focus on overlapping forms of discrimination and vulnerability.<sup>16</sup> These implementation gaps were confirmed strongly in the focus group. One participant noted that “the National Strategy on Gender Equality includes LBTI women, but considering how institutions work and how reporting is handled, that doesn't guarantee the process will be smooth or without obstacles”.

The **Law on Measures against Violence in Family Relations** is the primary legal framework addressing domestic violence in Albania. Amendments in 2018 and 2020 aligned it with IC and CEDAW recommendations by expanding protection to intimate partner violence and introducing emergency provisions, such as those applied during the COVID-19 crisis.<sup>17</sup> The law defines domestic violence broadly, covering physical, psychological, sexual, social, and economic violence, and establishes the Coordinated Referral Mechanism to enhance institutional cooperation in victim protection. However, it lacks targeted measures for LBQ women, who face additional risks of family-based violence and exclusion from services. Highlighting this gap one focus group participant stated: “women who experience violence in same-sex relationships are not fully protected, and sometimes when they report, it's taken against them because we know that a lot of people working in the institutions are homophobic and this might be also a reason that they try to prolong and to not take into consideration the complaint.”

The **Standard Action Procedures for Health Workers** ensure care for domestic violence and survivors during civil emergencies, addressing the needs of at-risk groups, including LGBTIQ individuals.<sup>18</sup> However, there is no explicit mention of the specific vulnerabilities of LBQ women, raising concerns about how well their needs are addressed within emergency health responses.

The **Criminal Code** has undergone changes to strengthen protections against domestic and sexual violence, introducing harsher penalties, criminalizing psychological violence, and expanding protections to former intimate partners, ensuring that individuals in non-marital relationships receive legal protection. Additionally, amendments to the Criminal Procedure Code improved victims' rights, granting survivors of sexual violence and human trafficking the right to be heard by same-gender officers, refuse irrelevant personal questions, and testify via audiovisual tools to prevent re-traumatization. However, despite these advancements, same-sex intimate partner violence remains unrecognized, and institutional biases continue to hinder access to justice for LBQ women.

<sup>13</sup> National Strategy for Gender Equality 2021-2030. Available at: [https://shendetesia.gov.al/wp-content/uploads/2022/02/WEB\\_Strategjia-Kombetare-EN.pdf](https://shendetesia.gov.al/wp-content/uploads/2022/02/WEB_Strategjia-Kombetare-EN.pdf)

<sup>14</sup> GREVIO. (2024). First thematic evaluation report Building trust by delivering support, protection and justice Albania. Available at: <https://rm.coe.int/grevio-s-first-thematic-evaluation-report-on-albania/1680b1a0ca>

<sup>15</sup> Ibid.

<sup>16</sup> European Commission. (2024). Country Report Albania 2024. Available at: [https://neighbourhood-enlargement.ec.europa.eu/document/download/a8eec3f9-b2ec-4cb1-8748-9058854dbc68\\_en?filename=Albania%20Report%202024.pdf](https://neighbourhood-enlargement.ec.europa.eu/document/download/a8eec3f9-b2ec-4cb1-8748-9058854dbc68_en?filename=Albania%20Report%202024.pdf)

<sup>17</sup> Report submitted by Albania pursuant to Article 68, paragraph 4 of the Council of Europe Convention on preventing and combating violence against women and domestic violence (1st thematic evaluation round). Available at: <https://rm.coe.int/state-report-addressed-to-grevio-/1680ac0c69>

<sup>18</sup> Ministry of Health and Social Protection of the Republic of Albania. (2023). Report submitted by Albania pursuant to Article 68, paragraph 4 of the Council of Europe Convention on preventing and combating violence against women and domestic violence (1st thematic evaluation round). Available at: <https://rm.coe.int/state-report-addressed-to-grevio-/1680ac0c69>

Revisions to the Criminal Code also introduced aggravated sentencing for crimes motivated by sexual orientation or gender identity, expanding legal protections against coerced homosexual intercourse, particularly for minors.<sup>19</sup> However, the law's frequent mention of "homosexual" reinforces social othering, narrowly framing protections around male same-sex relationships, while neglecting violence against LBQ individuals.<sup>20</sup> Furthermore, the legal framework fails to recognize cybercrimes targeting LGBTI+ individuals through hate speech and discrimination, leaving them vulnerable to online harassment and abuse.<sup>21</sup>

Critical gaps remain in defining key forms of GBV, as cyberviolence and femicide are not recognized as specific criminal offenses, limiting the effectiveness of the legal response GBV.<sup>22</sup> Additionally, the definition of rape is still based on the use of force or threat, rather than lack of consent, failing to align with IC provisions and human rights standards.<sup>23</sup> GREVIO highlighted ongoing concerns regarding mandatory conciliation for serious crimes such as rape and forced marriage under the Criminal Proceedings Code.<sup>24</sup> Despite the prohibition of sexual harassment, enforcement remains weak, with reports indicating that officials rarely apply the law in practice.<sup>25</sup>

This narrow interpretation creates barriers for victims, particularly LBQ women, who may face institutional skepticism and victim-blaming narratives when seeking justice. The failure to address same-sex intimate partner violence, gendered cybercrime, and consent-based definitions of rape reflects a broader institutional neglect of intersectional vulnerabilities, disproportionately affecting LBQ survivors and other marginalized groups.

**The National Action Plan for LGBTIQ+ 2021-2027**<sup>26</sup> acknowledges GBV as a critical issue affecting LGBTIQ individuals but lacks specific, targeted measures for LGBTI+ women and girls, who face heightened risks of family-based violence, corrective rape, and institutional discrimination. According to recent reports it remains largely unimplemented,<sup>27</sup> failing to effectively address discrimination against lesbian, bisexual, transgender, and intersex women.

The problem regarding implementation was reflected in the focus group: "They have budgeted the plan, but it's a fake budget as they have mostly included salaries for the public administration staff that is already remunerated from other budget... Only 3–4% of the strategy was implemented, and even that was done by CSOs with donor support."

Meanwhile, legislation on civil cohabitation or same-sex marriage, and the legal recognition of gender identity remain absent, despite anti-discrimination protections.<sup>28</sup> This absence of recognition contributes to the legal invisibility of LBQ families and intimate relationships, resulting in further exclusion from support mechanisms.

<sup>19</sup> *The Alliance Against Discrimination of LGBTI. (2023). Written Contribution: The Situation of LGBTI+ Women in Albania in the Framework of GREVIO.* Available at: <https://rm.coe.int/the-situation-of-lbti-women-in-albania-in-the-framework-of-grevio-/1680acde8f>

<sup>20</sup> *Ibid.*

<sup>21</sup> *Ibid.*

<sup>22</sup> *CEDAW. (2023). Concluding observations on the fifth periodic report of Albania.* Available at: <https://digitallibrary.un.org/record/4035109?v=pdf#files>

<sup>23</sup> *Ibid.*

<sup>24</sup> *GREVIO. (2024). First thematic evaluation report Building trust by delivering support, protection and justice Albania.* Available at: <https://rm.coe.int/grevio-s-first-thematic-evaluation-report-on-albania/1680b1a0ca>

<sup>25</sup> *Kvinna till Kvinna. (2023). WOMEN'S RIGHTS IN WESTERN BALKANS.* Available at: <https://kvinnatillkvinna.org/wp-content/uploads/2023/11/The-Kvinna-till-Kvinna-Foundation-Womens-Rights-in-Western-Balkans-2023.pdf>

<sup>26</sup> *National Action Plan for LGBTI+ people 2021 – 2027.* Available at: <https://shendetesia.gov.al/wp-content/uploads/2022/01/LGBTI-NAP-2021-2027-EN-final.pdf>

<sup>27</sup> *European Commission. (2024). Country Report Albania 2024.* Available at: [https://neighbourhood-enlargement.ec.europa.eu/document/download/a8eec3f9-b2ec-4cb1-8748-9058854dbc68\\_en?filename=Albania%20Report%202024.pdf](https://neighbourhood-enlargement.ec.europa.eu/document/download/a8eec3f9-b2ec-4cb1-8748-9058854dbc68_en?filename=Albania%20Report%202024.pdf); and *US Department of State. (2024). ALBANIA 2023 HUMAN RIGHTS REPORT*

<sup>28</sup> *US Department of State. (2024). ALBANIA 2023 HUMAN RIGHTS REPORT*

Despite legal provisions in the **Law on Reproductive Health**, lesbian and bisexual women face barriers in accessing assisted reproduction as single parents due to implementation gaps and lack of explicit recognition.<sup>29</sup> A focus group participant highlighted the discriminatory direction of new legal efforts: “The draft law on reproductive health now says only heterosexual couples can access in-vitro. The previous law was more open. We sent comments and had meeting with the vice-minister... the law is not still passed but the tendency to make the law more homophobic than the previous one is very dangerous.”

The **Standard Action Procedures for Health Workers** provide for domestic violence and GBV survivors during emergencies, but fail to explicitly address the specific needs of LBQ women, raising concerns about how well their vulnerabilities are considered in health and protection responses.

Additionally, there was concern from the focus group that previous inclusion of LGBT needs in municipal and social strategies has been rolled back. “Before, LGBT were included in the municipal social plan – now they’re generalizing it. It’s a political decision. The community is being used as a political tool,” said one participant. This rollback occurs in a wider context of rising anti-gender and anti-LGBTIQ rhetoric in public discourse. Several participants noted that while inclusive strategies exist on paper, conservative political and religious actors increasingly shape institutional decisions.

A participant reflected on the perception of the priorities of the Government stating that: “We used to have dedicated Minister of social welfare and youth – but 4 years ago the ministry was merged with Ministry of health which does not focus on social issues because the primary focus is health which is so problematic in Albania – it makes you understand the priority of the government.”

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<sup>29</sup> Nini, D. (2020). *SDGs implementation in the context of Albania: An LGBTI+ perspective*. Alliance Against Discrimination of LGBT. Available at: [https://lgbti-era.org/wp-content/uploads/2023/01/SDGs-Implementation-in-the-context-of-Albania.-An-LGBTI-Perspective-3\\_compressed.pdf](https://lgbti-era.org/wp-content/uploads/2023/01/SDGs-Implementation-in-the-context-of-Albania.-An-LGBTI-Perspective-3_compressed.pdf)

# Forms of Violence

GBV in Albania is widespread, deeply rooted in traditional social norms that subordinate women to men.<sup>30</sup> Little progress has been made in challenging these norms, and authorities have not sufficiently undertaken awareness-raising measures to address GBV.<sup>31</sup> While domestic violence is the most visible and prioritized form of GBV, other forms, such as femicide, remain a serious concern. Institute of Statistics (INSTAT) data shows that 52.9% of adult women have experienced violence in their lifetime, with 36.6% currently affected.<sup>32</sup>

Focus group participants confirmed this notion, stating “the most spread form of GBV is domestic violence, mostly coming from close partners or family members”. They also observed that suicide among women is on the rise, sometimes linked to blackmail, online harassment and family violence: “Last year we had two cases of women who committed suicide due to blackmail on social media... and an increase in women committing suicide, often for reasons never investigated.”

Discrimination against LGBTIQ individuals persists in key areas such as healthcare, education, employment, and housing, with LBQ women facing compounded marginalization.<sup>33</sup> Strict gender roles, particularly in rural areas, reinforce exclusion, and the Kanun<sup>34</sup> tradition continues to justify patriarchal control over women.<sup>35</sup> LBQ women are particularly vulnerable due to their gender and sexual orientation, facing heightened risks of family rejection, economic dependence, and violence, including corrective rape, where young lesbian girls are subjected to rape or other forms of sexual violence, often by men from their close family, in order to “convert” them.<sup>36</sup>

These forms of violence were highlighted as among the most severe and least addressed. One focus group participant reported: “We’ve seen cases of forced marriages (mostly outside of Tirana), financial blackmail (for example stating ‘I won’t pay for school if you don’t get a boyfriend’) – and conversion practices, like sending girls to psychologists, imams, even locking them in psychiatric hospitals.”

Lesbian and transgender women experience high levels of family pressure and domestic violence, often forcing them into invisibility,<sup>37</sup> but also suicidal attempts.<sup>38</sup> Participants described how trans and lesbian girls are confined in their homes for months after their families discover their identities, denied access to education or work: “They’re locked in, not allowed outside. Trans women often drop out of school due to bullying and physical violence.”

<sup>30</sup> US Department of State. (2024). ALBANIA 2023 HUMAN RIGHTS REPORT

<sup>31</sup> GREVIO. (2024). First thematic evaluation report Building trust by delivering support, protection and justice Albania. Available at: <https://rm.coe.int/grevio-s-first-thematic-evaluation-report-on-albania/1680b1a0ca>

<sup>32</sup> INSTAT. (2019). NATIONAL POPULATION-BASED SURVEY 2018 Violence Against Women and Girls in Albania. Available at: <https://www.undp.org/sites/g/files/zskgke326/files/migration/al/Research-Brief-VAW.pdf>

<sup>33</sup> European Commission. (2024). Country Report Albania 2024. Available at: [https://neighbourhood-enlargement.ec.europa.eu/document/download/a8eec3f9-b2ec-4cb1-8748-9058854dbc68\\_en?filename=Albania%20Report%202024.pdf](https://neighbourhood-enlargement.ec.europa.eu/document/download/a8eec3f9-b2ec-4cb1-8748-9058854dbc68_en?filename=Albania%20Report%202024.pdf)

<sup>34</sup> A collection of customary laws historically applied among people living in the mountainous regions of northern Albania.

<sup>35</sup> GREVIO. (2024). First thematic evaluation report Building trust by delivering support, protection and justice Albania. Available at: <https://rm.coe.int/grevio-s-first-thematic-evaluation-report-on-albania/1680b1a0ca>

<sup>36</sup> Ibid.

<sup>37</sup> Kocaqi, M., Nini-Pavli, A., Plaku, A. and Wittberger, D. (2020). Albania Country Gender Equality Brief 2020. UN Women. Available at: [https://albania.unwomen.org/sites/default/files/Field%20Office%20Albania/Attachments/Publications/2020/12/CGEB%20Albania\\_REPORT\\_2.pdf](https://albania.unwomen.org/sites/default/files/Field%20Office%20Albania/Attachments/Publications/2020/12/CGEB%20Albania_REPORT_2.pdf)

Schools remain a major site of discrimination, with 50% of LBTI+ students experiencing it from peers and 30% from academic staff, while only 18% feel safe in educational settings, leading many to drop out due to psychological abuse, economic hardship, or family rejection.<sup>39</sup> Participants confirmed this pattern: “Bullying in schools is huge and not just bullying but also physical violence – especially for trans girls and gender non-binary looking girls. Most drop out the moment they’re identified as trans.”

The public health and reproductive health legal framework does not explicitly address discrimination based on sexual orientation, gender identity, or expression, leading to systemic barriers in medical services. Survey data shows that 40% of LBTI+ individuals struggled to access healthcare, with 36% facing discrimination from medical staff and 32% avoiding care out of fear.<sup>40</sup>

Hate speech and discriminatory rhetoric are widespread in media, online spaces and among politicians and religious leaders, with enforcement mechanisms weak, particularly in rural areas.<sup>41</sup> Participants described ongoing hate campaigns targeting lesbian activists: “My girlfriend and I were attacked with stones, twice, in central Tirana... After an informal lesbian wedding, the couple was bombarded with hate speech.” Others spoke of “disinformation campaigns and lynching” that affect both LGBTIQ activists and women’s organizations, portraying them as enemies of traditional values.

Domestic violence remains the most visible form of GBV and it is also the one more prioritized by the authorities compared to the other forms of GBV.<sup>42</sup> Despite legal provisions criminalizing rape, including spousal rape, authorities do not disaggregate prosecution data, and spousal rape is often not considered a crime in practice.<sup>43</sup> The law also fails to recognize corrective rape targeting LGBTIQ individuals, particularly young lesbian girls forced into heterosexual relationships or acts of sexual violence by male family members.<sup>44</sup>

In recent years, an increasingly visible anti-LGBTIQ movement, led by political and religious figures, has intensified hostility toward LGBTIQ individuals, particularly transgender women. Focus group participants confirmed that these movements are not only symbolic, but materially affect policy outcomes: “We saw last year that anti-gender movements attacked not just LGBTIQ rights, but also abortion rights which in Albania is something quite new because it was never put in discussion before in the country – it has been very well accepted. They’re reshaping laws.”

These structural and societal barriers leave LBQ women particularly vulnerable to violence, exclusion, and a lack of institutional support.

<sup>38</sup> UNDP. (2017). *BEING LGBTI IN EASTERN EUROPE: ALBANIA COUNTRY REPORT Reducing Inequalities & Exclusion and Combating Homophobia & Transphobia experienced by LGBTI people in Albania*. Available at: <https://lgbti-era.org/wp-content/uploads/2023/01/0342-2017-ENG-Being-LGBTI-in-Eastern-Europe-Albania-National-Report.pdf>

<sup>39</sup> The Alliance Against Discrimination of LGBTI. (2023). *Written Contribution: The Situation of LBTI+ Women in Albania in the Framework of GREVIO*. Available at: <https://rm.coe.int/the-situation-of-lbti-women-in-albania-in-the-framework-of-grevio-/1680acde8f>

<sup>40</sup> *Ibid.*

<sup>41</sup> US Department of State. (2024). *ALBANIA 2023 HUMAN RIGHTS REPORT*; and EC. (2024). *Country Report Albania 2024*.

<sup>42</sup> Kvinna till Kvinna. (2023). *WOMEN’S RIGHTS IN WESTERN BALKANS*. Available at: <https://kvinnatillkvinna.org/wp-content/uploads/2023/11/The-Kvinna-till-Kvinna-Foundation-Womens-Rights-in-Western-Balkans-2023.pdf>

<sup>43</sup> US Department of State. (2024). *ALBANIA 2023 HUMAN RIGHTS REPORT*

<sup>44</sup> *Ibid.*

<sup>45</sup> The Alliance Against Discrimination of LGBTI. (2023). *Written Contribution: The Situation of LBTI+ Women in Albania in the Framework of GREVIO*. Available at: <https://rm.coe.int/the-situation-of-lbti-women-in-albania-in-the-framework-of-grevio-/1680acde8f>

# Reporting, Response, Prosecution

Despite widespread recognition of violence against women in Albania, reporting remains alarmingly low. Only 3% of women who experienced severe violence by their current partner reported the incident to the police, with shame, fear, financial dependence, and institutional distrust acting as major barriers.<sup>46</sup> Underreporting is further exacerbated by economic dependence, legal illiteracy, linguistic barriers, and lack of trust in law enforcement.<sup>47</sup> Victims of domestic violence often face minimization of their experiences by authorities, with some officers justifying the violence based on the victim's or perpetrator's behavior.<sup>48</sup>

These institutional failings were underlined by focus group participants. Several described how police not only failed to respond adequately, but actively enabled discrimination. "Police outside of Tirana often know the families – they say 'go home, your parent loves you,' or even out the person," one participant shared. In one case, "a lesbian woman went to report her ex-husband who was stalking and harassing her, and the police called him in to 'make peace.' They acted like mediators."

Stigma is particularly pronounced in cases of sexual violence, including rape, and even more so for LBQ women. Reports indicate that young lesbian girls have been subjected to "corrective rape" by male family members attempting to "convert" them.<sup>49</sup> Many lesbians do not report domestic or public violence due to fear of police stigma and inaction, leading to widespread impunity.<sup>50</sup> LGBTIQ individuals also under-report violence to the police or the Commission for Protection from Discrimination out of fear of being outed or facing further harm.

"Trans women are much more likely to be victims of hate crimes, but when they report, the cases are not taken seriously. No one has ever been convicted," said one participant in the focus group. Another added: "The prosecutor is the real problem — they don't classify the cases as hate crimes - many are openly homophobic or transphobic. Even serious attacks are dismissed as minor incidents."

In one case, police reportedly disclosed the location of a transgender person to hostile family members after the individual sought protection.<sup>51</sup>

Despite a comprehensive legal framework for protection against discrimination, its implementation remains weak, particularly for LBTIQ women. Awareness of and trust in institutions is low, with over 63% of LBTIQ individuals unaware of the Commissioner for Protection against Discrimination and 86% of those

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<sup>46</sup> OSCE. (2019). *Well-being and Safety of Women in Albania*. Available at: <https://www.osce.org/secretariat/434849>

<sup>47</sup> CEDAW. (2023). *Concluding observations on the fifth periodic report of Albania*. Available at: <https://digitallibrary.un.org/record/4035109?v=pdf#files>

<sup>48</sup> GREVIO. (2024). *First thematic evaluation report Building trust by delivering support, protection and justice Albania*. Available at: <https://rm.coe.int/grevio-s-first-thematic-evaluation-report-on-albania/1680b1a0ca>

<sup>49</sup> Ibid.

<sup>50</sup> UNDP. (2017). *BEING LGBTI IN EASTERN EUROPE: ALBANIA COUNTRY REPORT Reducing Inequalities & Exclusion and Combating Homophobia & Transphobia experienced by LGBTI people in Albania*. Available at: <https://lgbti-era.org/wp-content/uploads/2023/01/0342-2017-ENG-Being-LGBTI-in-Eastern-Europe-Albania-National-Report.pdf>

<sup>51</sup> US Department of State. (2024). *ALBANIA 2023 HUMAN RIGHTS REPORT*

who were aware never filing a complaint.<sup>52</sup> Survey data showed that 40% of LGBTI respondents experienced violence or discrimination in the past two years, while 50.2% knew others facing similar issues. 78% of these incidents were directly linked to LGBTI status, yet 89% of victims did not report them to any state institution.<sup>53</sup>

Focus group participants noted that victims depend on CSOs to mediate institutional interactions. “We take the victims ourselves to the institutions — police, municipality, etc. If they go alone, nothing happens. It only works if they’re accompanied. The system doesn’t work unless we force it to.” Another described the broader implications: “Without someone to advocate for them, survivors are invisible. Even in front of us, we’ve seen officials ask invasive, unnecessary questions about sexual orientation and gender identity.”

Institutional responses to reported violence remain inconsistent. While 43% of survivors reported respectful treatment from the police, 23% had negative experiences, often facing secondary victimization. Within the legal system, 63% of survivors found courts and prosecutors respectful, with 60% satisfied with court decisions, 56% believing the process was timely, and 52% feeling adequately informed.<sup>54</sup> However, access to justice has been further restricted by Albania’s 2023 judicial reform, which reduced first instance courts from 29 to 12 and consolidated administrative courts to just two. Human rights organizations warn that these changes disproportionately impact women from marginalized groups, further limiting their ability to seek justice.<sup>55</sup>

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<sup>52</sup> *The Alliance Against Discrimination of LGBTI. (2023). Written Contribution: The Situation of LGBTI+ Women in Albania in the Framework of GREVIO.* Available at: <https://rm.coe.int/the-situation-of-lbti-women-in-albania-in-the-framework-of-grevio-/1680acde8f>

<sup>53</sup> *Ibid.*

<sup>54</sup> *Kvinna till Kvinna. (2023). WOMEN’S RIGHTS IN WESTERN BALKANS.* Available at: <https://kvinnatillkvinna.org/wp-content/uploads/2023/11/The-Kvinna-till-Kvinna-Foundation-Womens-Rights-in-Western-Balkans-2023.pdf>

<sup>55</sup> *Ibid.*

# Services

Specialist support services are understaffed, under-budgeted, insufficient, and not tailored to treat all forms of violence and all groups of women, or other family members in need.<sup>56</sup> Many victims of violence, particularly those facing bureaucratic barriers and mandatory reporting obligations, turn to NGO-provided specialist services, which offer more flexibility.<sup>57</sup> However, the capacity and quality of these services vary, as NGO-operated shelters function with differing resources and approaches.<sup>58</sup> “Most shelters are run by organizations — sometimes that’s easier, but institutional shelters lack capacity. We had a case of a 17-year-old trans girl who was a trafficking victim, and gender identity became more important than her age. It was very difficult to get her the help she needed” stated one participant of the focus group.

Women from historically marginalized communities, including LBQ women, often lack awareness of their entitlement to reproductive health services,<sup>59</sup> and those in rural and remote areas face particularly limited access to primary healthcare and sexual and reproductive health services.<sup>60</sup> A survey found that 35% of LBTI women do not believe they have full and free access to such services, citing lack of information from doctors, patriarchal attitudes, and the refusal of doctors to provide service to women who are perceived as LBTI, especially when they appear unaccompanied.<sup>61</sup> These barriers were confirmed by the CSOs, as one participant explained: “Even private services like bars, transportation, and housing discriminate. Trans people are kicked out once owners realize who they are. Many have to change Airbnbs constantly.”

There is only one residential center in Albania providing safe housing and reintegration support for LGBTIQ youth, offering basic needs, psychosocial counseling, and life skills development.<sup>62</sup> While the Ministry of Health and Social Protection funds shelter staff salaries, other operational costs rely on donors.<sup>63</sup>

The LILIUM Crisis Management Centre provides short-term emergency services for sexual violence survivors, ensuring accessibility for marginalized groups, including LGBTIQ individuals.<sup>64</sup> However, there is no explicit data on LBQ survivors, which can raise concerns about targeted outreach and specialized services for this group.

Participants also stressed that meaningful access to services is often limited to Tirana. “Outside Tirana, the situation is completely different — access to justice, health institutions, and schools is minimal. In many places, violence is normalized and no one talks about it.” Others described how CSOs are forced to serve as intermediaries: “The system has shown that in the moment we do not go as an organization and they see it as a kind of pressure it is very difficult for you to be taken seriously if you go to report a case of

<sup>56</sup> Kocaqi, M., Nini-Pavli, A., Plaku, A. and Wittberger, D. (2020). *Albania Country Gender Equality Brief 2020*. UN Women. Available at: [https://albania.unwomen.org/sites/default/files/Field%20Office%20Albania/Attachments/Publications/2020/12/CGEB%20Albania\\_REPORT\\_2.pdf](https://albania.unwomen.org/sites/default/files/Field%20Office%20Albania/Attachments/Publications/2020/12/CGEB%20Albania_REPORT_2.pdf)

<sup>57</sup> GREVIO. (2024). *First thematic evaluation report Building trust by delivering support, protection and justice Albania*. Available at: <https://rm.coe.int/grevio-s-first-thematic-evaluation-report-on-albania/1680b1a0ca>

<sup>58</sup> Ibid.

<sup>59</sup> US Department of State. (2024). *ALBANIA 2023 HUMAN RIGHTS REPORT*

<sup>60</sup> European Commission. (2024). *Country Report Albania 2024*. Available at: [https://neighbourhood-enlargement.ec.europa.eu/document/download/a8eec3f9-b2ec-4cb1-8748-9058854dbc68\\_en?filename=Albania%20Report%202024.pdf](https://neighbourhood-enlargement.ec.europa.eu/document/download/a8eec3f9-b2ec-4cb1-8748-9058854dbc68_en?filename=Albania%20Report%202024.pdf)

<sup>61</sup> Nini, D. (2020). *SDGs implementation in the context of Albania: An LGBTI+ perspective*. Alliance Against Discrimination of LGBT. Available at: [https://lgbti-era.org/wp-content/uploads/2023/01/SDGs-Implementation-in-the-context-of-Albania.-An-LGBTI-Perspective-3\\_compressed.pdf](https://lgbti-era.org/wp-content/uploads/2023/01/SDGs-Implementation-in-the-context-of-Albania.-An-LGBTI-Perspective-3_compressed.pdf)

<sup>62</sup> Residential service program – Streha Center

<sup>63</sup> US Department of State. (2024). *ALBANIA 2023 HUMAN RIGHTS REPORT*

<sup>64</sup> Report submitted by Albania pursuant to Article 68, paragraph 4 of the Council of Europe Convention on preventing and

discrimination on your own. The system doesn't work as long it has to be forced to work.”

State-funded legal aid offers legal assistance to survivors of domestic and sexual violence, with CSOs playing a crucial role in supporting vulnerable women, including LGBTIQ individuals.<sup>65</sup> Yet, tailored measures for LBQ women remain unclear. Overall, support services remain donor-driven, with significant gaps in healthcare, shelter funding, free legal aid, and reintegration programs, leaving many survivors without adequate protection or long-term support.<sup>66</sup>

One CSO also emphasized the lack of institutional coordination and the critical need for long-term support systems: “There’s no multi-sectoral coordination. There aren’t enough shelters, especially outside the capital. Legal aid and psychological counseling are often inaccessible for LBQ women, women with disabilities, and ethnic minorities. We need long-term support - legal, psychosocial, employment, housing... Without this, survivors are stuck in cycles of violence.”

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<sup>65</sup> *Ibid.*

<sup>66</sup> European Commission. (2024). *Country Report Albania 2024*. Available at: [https://neighbourhood-enlargement.ec.europa.eu/document/download/a8eec3f9-b2ec-4cb1-8748-9058854dbc68\\_en?filename=Albania%20Report%202024.pdf](https://neighbourhood-enlargement.ec.europa.eu/document/download/a8eec3f9-b2ec-4cb1-8748-9058854dbc68_en?filename=Albania%20Report%202024.pdf)

# Data Collection

During 2022/2023, Albania made no progress in harmonizing GBV data collection, failing to align with Article 11 of the Istanbul Convention. Some forms of GBV remain underreported or entirely absent from official records due to data gaps, as for example, spousal rape is often not recognized as a crime by authorities and is consequently neither reported nor prosecuted.<sup>67</sup> While the Ministry of Justice collects disaggregated data from police reports, including victim demographics and relationships to perpetrators, data entry remains inconsistent, lacks justice sector updates, and primarily focuses on domestic violence, neglecting other forms of violence against women.<sup>68</sup>

The lack of integration and consistency across data systems was noted by CSOs. “For LGBT there is no data collection — the statistical office does some research on general forms of violence, but not on LGBT. We are the only ones collecting data on LGBT violence,” one participant explained. This creates substantial advocacy barriers, as the experiences of LBQ women remain statistically invisible.

In the last evaluation report, GREVIO noted that INSTAT’s reports on violence against women, though comprehensive, omit crucial details such as sentencing data.<sup>69</sup> Additionally, Albania’s fragmented data-collection systems lack interconnectivity, preventing cases from being tracked from reporting to judicial resolution.<sup>70</sup>

There is no indication that data collection systematically includes violence against LBQ women, limiting the visibility of their experiences and the development of targeted policies and responses. This gap reinforces the invisibility of these groups in institutional planning and obstructs efforts to improve policy and services tailored to their needs.

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<sup>67</sup> Kvinna till Kvinna. (2023). *WOMEN’S RIGHTS IN WESTERN BALKANS*. Available at: <https://kvinnatillkvinna.org/wp-content/uploads/2023/11/The-Kvinna-till-Kvinna-Foundation-Womens-Rights-in-Western-Balkans-2023.pdf>

<sup>68</sup> Ibid.

<sup>69</sup> GREVIO. (2024). *First thematic evaluation report Building trust by delivering support, protection and justice Albania*. <https://rm.coe.int/grevio-s-first-thematic-evaluation-report-on-albania/1680b1a0ca>

<sup>70</sup> Ibid.

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# COUNTRY PROFILES:

## Bosnia and Herzegovina

# National Framework

Bosnia and Herzegovina (BiH) has a complex, multi-tiered governance structure established under the 1995 Dayton Peace Agreement, which continues to shape its legal and policy framework for GBV. The country is divided into two entities—the Federation of Bosnia and Herzegovina (FBiH) and Republika Srpska (RS), and the self-governing Brčko District (BD). Each of these administrative units has separate legislative and executive authorities, resulting in parallel legal frameworks regulating GBV, domestic violence, and women's rights. While there are state-level laws and international commitments, such as Bosnia and Herzegovina's ratification of the Istanbul Convention, the implementation of laws and policies varies significantly across these different jurisdictions. Bosnia and Herzegovina signed the Istanbul Convention in 2013 and ratified it the same year, making it legally binding, while it entered into force in 2014. GREVIO conducted its first baseline evaluation in 2020, identifying legal and institutional gaps, weak enforcement and inadequate survivor support services, emphasizing the need for better coordination and harmonization of laws across different jurisdictions.<sup>71</sup>

At the state level, the **Law on Gender Equality** provides a general anti-discrimination framework, while the **Anti-Discrimination Law** explicitly prohibits discrimination based on gender, sexual orientation, and gender identity. The Agency for Gender Equality pointed out that sexual orientation and gender identity are explicitly recognized as protected grounds in several laws beyond the Anti-Discrimination Law, such as the Law on Foreigners and the Law on Asylum. Although the Law on Gender Equality mentions the aforementioned ground, it does not set forth the mechanisms for the protection of LGBTIQ people from unequal treatment, while the Anti-Discrimination Law through the protection against discrimination covers all areas of the public and some areas of the private life, and also defines different forms of discrimination, in addition to clear mechanisms of protection.<sup>72</sup> However, these laws primarily serve as policy commitments rather than enforceable protections for GBV survivors, as they do not provide direct legal remedies or specialized mechanisms for addressing GBV.

This disconnect between legal provisions and institutional practice was highlighted in the focus group, where participants emphasized the inadequacy of institutional responses: *“Institutions dealing with violence against women in general — especially when it comes to women from the community — have absolutely no sensitivity. As a rule, institutional responses are inadequate. Even for women victims in general, there is no adequate response. And when they realize the woman is from the community, there's double discrimination. Their attitude is: ‘That's your choice — you brought it on yourself.’”* Others reinforced that legal obligations are often treated as symbolic: *“We have ratified so many conventions, and when you sit with institutions, they tell you: ‘That's just something we sign — no one asks us whether we can implement it.’”*

The **laws on protection from domestic violence** (PDV laws), adopted in Republika Srpska (2012), the Federation of BiH (2013), and Brčko District (2018), represent the primary legislative instruments

<sup>71</sup> GREVIO. (2022). *Evaluation Report on legislative and other measures giving effect to the provisions of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention)*. BOSNIA AND HERZEGOVINA. Available at: <https://rm.coe.int/grevio-baseline-evaluation-report-on-bosnia-and-herzegovina/1680a8e5f1>

<sup>72</sup> Sarajevo Open Center. (2024). *Pink Report. Annual Report on the State of Human Rights of LGBTI People in Bosnia and Herzegovina*. Available at: [https://soc.ba/site/wp-content/uploads/2024/06/rozi-izvjestaj-ENG-2024\\_6\\_12.pdf](https://soc.ba/site/wp-content/uploads/2024/06/rozi-izvjestaj-ENG-2024_6_12.pdf)

addressing GBV at the entity and district levels. These laws were amended following BiH's ratification of the Istanbul Convention to align with its provisions, but differences in legal definitions and enforcement across jurisdictions have resulted in inconsistent survivor protections. While they define domestic violence and outline protection measures for survivors, their scope is often limited to violence within family settings, excluding cases of violence between non-cohabiting partners or intimate partner violence in same-sex relationships. The relationships between same-sex partners and their partnerships are not regulated in any administrative unit in BiH, as the process of adopting the **FBiH Law on Same-Sex Partnership** has been ongoing since the end of 2018. In practice, this would mean that LBQ women who have experienced violence by their intimate partners may not be legally recognized as victims of domestic violence.

One focus group participant emphasized the significance of legalizing same-sex partnerships not only as a matter of formal equality, but as a practical tool for protection: *"If same-sex partnerships are legalized, that will trigger other changes — especially beneficial for lesbian couples, because many of them are already in long-term relationships, with caregiving and protection roles — it would ease life especially for LBQ women."*

Additionally, **criminal codes** in all jurisdictions define domestic violence, but they do not always align with the PDV laws, leading to confusion in legal proceedings and inconsistencies in enforcement. More critically, same-sex intimate partner violence remains legally unrecognized, leaving LBQ survivors without access to restraining orders, crisis services or justice mechanisms. The absence of explicit recognition of economic and sexual violence in certain criminal codes<sup>73</sup> further complicates access to justice for survivors.

The **Framework Strategy for the Implementation of the Istanbul Convention in Bosnia and Herzegovina 2015-2018** aimed to provide a consistent, high-quality and effective implementation of the Istanbul Convention. Additionally, FBiH and RS have their entity-level strategies on combating domestic violence,<sup>74</sup> but they lack a clear intersectional approach to address marginalized groups.<sup>75</sup> Although the strategy adopts an inclusive framework, it does not explicitly mention LBQ women or non-binary individuals, nor does it propose specific measures to address their exclusion from GBV protection mechanisms. While the strategy emphasizes the importance of non-discrimination in GBV responses, stating that policies should protect all survivors regardless of sexual orientation, gender identity, ethnicity or socio-economic status, the lack of specific measures addressing violence against LBQ women remains a significant gap.

Focus group participants highlighted the practical implications of this gap. One noted that *"There's no budget for supporting LGBT organizations,"* reinforcing the idea that inclusion in policy documents does not translate to tangible support. Another added that *"Ever since the term 'gender' first entered legislation, it has been tied to women — as if gender issues are only women's issues,"* pointing to the narrow framing of gender equality that marginalizes LBQ identities.

In 2024, political actors in RS initiated amendments to the Criminal Code to remove "gender identity" as a protected category, a move which is part of a broader anti-gender movement and could expose transgender and non-binary individuals to greater risks of violence without legal protection.<sup>76</sup> These movements

<sup>73</sup> GREVIO. (2022). *Evaluation Report on legislative and other measures giving effect to the provisions of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention)*. BOSNIA AND HERZEGOVINA. Available at: <https://rm.coe.int/grevio-baseline-evaluation-report-on-bosnia-and-herzegovina/1680a8e5f1>

<sup>74</sup> Strategy to Combat Domestic Violence of Republika Srpska 2014–2019 and Strategy on Preventing and Combating Domestic Violence of FBiH 2018–2020.

<sup>75</sup> GREVIO. (2022). *Evaluation Report on legislative and other measures giving effect to the provisions of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention)*. BOSNIA AND HERZEGOVINA. Available at: <https://rm.coe.int/grevio-baseline-evaluation-report-on-bosnia-and-herzegovina/1680a8e5f1>

<sup>76</sup> Sarajevo Open Center. (2024). *Pink Report. Annual Report on the State of Human Rights of LGBTI People in Bosnia and Herzegovina*. Available at: [https://soc.ba/site/wp-content/uploads/2024/06/rozi-izvjestaj-ENG-2024\\_6\\_12.pdf](https://soc.ba/site/wp-content/uploads/2024/06/rozi-izvjestaj-ENG-2024_6_12.pdf)

actively oppose feminist and LGBTIQ rights, advocating for traditional family values that exclude and marginalize LBQ women. As one participant in the focus group stated, *“Just a few days ago, ‘gender means that if trans people experience violence, they can’t invoke it legally — this is a terrifying step backwards.’”* The participant also noted the broader political dynamics shaping this regression: *“The anti-gender movement didn’t rise from the masses — it’s coming from the top. The leadership of Republika Srpska is pro-Russian, pro-Israeli, and they are pushing that narrative.”*

**The Gender Action Plan of Bosnia and Herzegovina 2023-2027** is a strategic framework aimed at promoting gender equality across various sectors, aligning national policies with international standards, including the Istanbul Convention and CEDAW.<sup>77</sup> The plan mentions intersectionality and the need to address multiple forms of discrimination, including those related to sexual orientation and gender identity. However, it lacks concrete measures or commitments specifically aimed at protecting LBQ women from GBV. The Agency for Gender Equality explained that it attempts to integrate the needs of sensitive and multiply vulnerable groups, including LBQ women, into all documents, strategies, action plans, policies, and even IPA projects, acknowledging that work on LGBTIQ issues is particularly challenging due to deeply ingrained stereotypes and prejudices within institutions and society. The Agency noted that while measures for sensitive groups exist, individual categories like LBQ women are generally not singled out, as the principle of inclusion of multiply vulnerable groups is applied across the board.

While the plan acknowledges the vulnerability of marginalized women, it does not provide detailed mechanisms for ensuring that GBV policies are inclusive of LBQ survivors. The lack of a comprehensive framework for LBQ inclusion was captured succinctly by one focus group participant: *“Here, the anti-gender narrative is focused on the issue of abortion — that’s their main topic. A woman without a partner cannot go for IVF, and a single mother with a child is not considered a family.”*

**The 2021-2024 Action Plan to Improve the State of Human Rights and Fundamental Freedoms of LGBTI People in Bosnia and Herzegovina** was adopted by the Council of Ministers of BiH in July 2022, with an extended implementation period until the end of 2025, and represents an important step toward improving LGBTIQ rights in BiH, particularly in aligning legal frameworks with European human rights standards.<sup>78</sup> The analysis of LGBTIQ rights in BiH provided in the plan identifies several systemic challenges, including widespread discrimination, barriers to accessing justice, and institutional resistance to LGBTIQ inclusion. While the plan addresses various forms of discrimination and violence against LGBTIQ persons, it does not explicitly focus on GBV against LBQ women, as it does not address same-sex intimate partner violence or the inclusion of LBQ survivors in domestic violence laws and support services. Although the plan commits to increasing institutional capacity, raising awareness, and improving legal recognition for LGBTIQ individuals, it does not integrate GBV-specific protections or measures tailored to the needs of LBQ women.

<sup>77</sup> Gender Action Plan of Bosnia and Herzegovina (2023-2027). Available at: <https://www.gcfbih.gov.ba/gender-akcioni-plan-bih-za-period-2023-2027-godine/>

<sup>78</sup> Council of Ministers of Bosnia and Herzegovina. (2022). 2021-2024 Action Plan to Improve the State of Human Rights and Fundamental Freedoms of LGBTI People in Bosnia and Herzegovina. Available at: <https://arsbih.gov.ba/wp-content/uploads/2023/06/AP-LGBTI-ENG-27.09.pdf>

# Forms of Violence

A 2018 report sheds light on the widespread but largely invisible issue of domestic violence against LGBTIQ individuals in BiH, highlighting that psychological and emotional abuse is the most common form of violence, often taking the form of threats, forced isolation, and coercion to change one's sexual orientation or gender identity.<sup>79</sup> Physical violence, including beatings by family members, and economic violence, such as financial control or eviction from family homes, are also frequently reported, and the perpetrators are most often parents and close family members, reinforcing the reality that family rejection is one of the greatest risks faced by LGBTIQ individuals in BiH.<sup>80</sup> Recent data highlight that 43% of respondents found it unacceptable for their child to be LGBTIQ and many expressed intentions to try to change their child's identity, a pattern associated with psychological violence such as conversion practices.<sup>81</sup> For LBQ women, these experiences are further compounded by gender-based expectations and patriarchal family structures, making it even more difficult to escape abusive situations.

This also resonated in the focus group. One participant explained that *"The most common forms of violence are family-based and intimate partner violence — economic, and not rarely, physical violence as well — especially when the women are younger."* Others described cases of parental rejection escalating to homelessness and financial deprivation: *"Recently, we had a case of a girl being thrown out of her home by her parents and disowned. In such cases, there is often also economic violence, because the parents were financially supporting her."*

Findings indicate that 21.28% LGBTIQ individuals have experienced physical violence, 41.34% suffered verbal and psychological abuse, 6.38% faced domestic violence, and 5.78% reported being victims of sexual abuse.<sup>82</sup> In addition, online threats and harassment affected 25.23% of respondents, pointing to the growing dimension of digital violence.<sup>83</sup> These forms of violence are perpetuated by broader societal stigma. Although some positive changes have been noted, 35.3% of the population continue to perceive LGBTIQ individuals as "sick," while 1% of admitted they would react violently toward an LGBTIQ person and 8.1% would refuse assistance to an LGBTIQ victim of violence, revealing widespread normalization of discrimination and hostility.<sup>84</sup>

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<sup>79</sup> Basic, D. and Dizdar, A. (2018). HUMAN RIGHTS PAPERS DOMESTIC VIOLENCE EXPERIENCED BY LGBTI PERSONS: ANALYSIS AND RECOMMENDATIONS. Sarajevo Open Center. Available at: [https://soc.ba/site/wp-content/uploads/2018/11/HRP-nasilje-nad-LGBTI-osobama\\_FINAL-web.pdf](https://soc.ba/site/wp-content/uploads/2018/11/HRP-nasilje-nad-LGBTI-osobama_FINAL-web.pdf)

<sup>80</sup> Ibid.

<sup>81</sup> Bošnjak, E. (2023). Acceptance from a Distance: Attitudes towards Homosexual, Bisexual, Trans and Intersex People in Bosnia and Herzegovina. Sarajevo Open Center. Available at: <https://soc.ba/prihvatanje-s-distance-istrazivanje-stavo-va-prema-homoseksualnosti-biseksualnosti-transrodnosti-i-interspolnosti-u-bih/>

<sup>82</sup> Bošnjak, E. and Pandurević, D. (Eds.) (2023). Numbers of Equality 3: Research on Problems and Needs of LGBTI Persons in Bosnia and Herzegovina in 2023 - Analysis of Findings. Sarajevo Open Centre. Available at: <https://soc.ba/brojevi-koji-ravnopravnost-znace-3-analiza-rezultata-istrazivanja-problema-i-potreba-lgbti-osoba-u-bih-u-2023-godini/>

<sup>83</sup> Ibid.

<sup>84</sup> Bošnjak, E. (2023). Acceptance from a Distance: Attitudes towards Homosexual, Bisexual, Trans and Intersex People in Bosnia and Herzegovina. Sarajevo Open Center. Available at: <https://soc.ba/prihvatanje-s-distance-istrazivanje-stavo-va-prema-homoseksualnosti-biseksualnosti-transrodnosti-i-interspolnosti-u-bih/>

This normalization of violence was described by service providers: *“There is a normalization of violence, and sometimes even the victims themselves don’t recognize it — for example, statements from parents like: ‘As long as you live under my roof, there’s no money for snacks or for school’ — these are normalized.”* Another participant stressed the psychological toll of such environments: *“We have clients who say that violence is ‘natural’ — that it’s normal to feel fear or to endure it. One woman shared that, for example, when she gets on the tram, she immediately knows who is sitting where, from whom there might be a problem, how she sits — that’s the constant stress and fear, and it’s overwhelming.”*

While physical attacks are relatively rare, participants in the focus group noted that lesbian and queer women face significant verbal and psychological harassment, especially in public spaces. One organization reported: *“What we usually hear is that LBT women, especially young ones, experience financial and emotional violence from parents or guardians, have difficulty finding employment if they are visibly queer or out, and do not feel safe in public spaces.”* Another recalled: *“Some time ago, girls from the community were attacked and kicked out of a café by the owner — they didn’t even have any interaction, it was purely based on appearance.”*

Hate speech, particularly online, is on the rise. According to a long-standing activist group: *“Based on what we’ve worked on over the past 10 years, lesbians used to report experiencing the least violence, but that violence has gradually increased over the years — in the case of Sarajevo, that’s because visibility of the topic increased with the Pride Parade — and that alone attracts violence.”*

Incidents connected to visibility and activism have also been sites of targeted violence. One particularly disturbing case was recalled from Banja Luka: *“Last year an incident occurred — there was an informal gathering of the Pride March Organizing Committee. The incident escalated — everyone the hooligans assumed was LGBT was attacked, even journalists.”* The forms of violence documented reveal a pattern that visibility invites risk. As one participant put it, *“We have cases of women being attacked simply because it’s visible or assumed that they are from the community. The most recent incident was verbal — bordering on physical violence — usually this happens in public spaces.”*

# Reporting, Response, Prosecution

The OSCE-led Survey on Violence against Women in BiH highlights severe underreporting of GBV, with 84% of survivors not reporting violence to the police, primarily due to distrust in institutions, fear of perpetrators, and social stigma.<sup>85</sup> The 2024 annual report on the state of human rights of LGBTI people in BiH discovered that up to 90.63% of respondents decided not to report discrimination due to deep fears and obstacles faced by the LGBTIQ community.<sup>86</sup> When incidents were reported, survivors often turned to CSOs (35%) or the Ombudsman (15%) rather than engaging with judicial institutions, highlighting a profound lack of trust in the formal justice system and a tendency to bypass official mechanisms altogether.<sup>87</sup> 40.58% of respondents who suffered violence reported it to the police and 17.39% to the prosecutor's office.<sup>88</sup> Out of 37 cases of violence, 29 were not considered by the court.<sup>89</sup>

Focus group discussions strongly reinforced this trend. One participant noted, *“People from the community no longer report violence because they’ve learned it leads nowhere. The procedures go nowhere.”* Another explained the emotional calculus survivors often make: *“Violence is most often not reported — protecting one’s identity is more important. People are afraid of reactions. They know where they live. There are real risks. They assess that it’s better not to report it.”* The fear of exposure and institutional betrayal deters victims even from reaching out to supportive organizations. *“People fear that if someone sees them at the organization, they’ll assume they’re a lesbian or something similar. So they avoid even that route,”* one CSO representative emphasized.

The Agency for Gender Equality promotes zero tolerance for all forms of violence and believes that protection and rights in cases of intimate partner violence should be equally available to women in same-sex relationships. It also stated that, under the law, guidelines, and procedures, measures like emergency protection orders and access to shelters should be accessible to women facing violence because of their sexual orientation, although it acknowledged that these issues are not always openly discussed, so their insight into how this works in practice may be limited.

Key factors of underreporting include fear of identity exposure, distrust in officials leading the proceedings, lack of information about available assistance and reporting procedures, financial barriers,

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<sup>85</sup> OSCE. (2019). *Well-being and Safety of Women. Bosnia and Herzegovina*. Available at: <https://www.osce.org/secretariat/423470>

<sup>86</sup> Sarajevo Open Center. (2024). *Pink Report. Annual Report on the State of Human Rights of LGBTI People in Bosnia and Herzegovina*. Available at: [https://soc.ba/site/wp-content/uploads/2024/06/rozi-izvjestaj-ENG-2024\\_6\\_12.pdf](https://soc.ba/site/wp-content/uploads/2024/06/rozi-izvjestaj-ENG-2024_6_12.pdf)

<sup>87</sup> Bošnjak, E. and Pandurević, D. (Eds.) (2023). *Numbers of Equality 3: Research on Problems and Needs of LGBTI Persons in Bosnia and Herzegovina in 2023 - Analysis of Findings*. Sarajevo Open Centre. Available at: <https://soc.ba/brojevi-koji-ravnopravnost-znace-3-analiza-rezultata-istrazivanja-problema-i-potreba-lgbti-osoba-u-bih-u-2023-godini/>

<sup>88</sup> *Ibid.*

<sup>89</sup> *Ibid.*

and concerns about retaliation or negative reactions from family and community members.<sup>90</sup> Police and social services often lack sensitivity and training to respond adequately to LGBTIQ-specific cases, resulting in frequent secondary victimization or outright disbelief when survivors seek help which discourages them from seeking justice. The Agency for Gender Equality emphasized the importance of conducting detailed victim assessments and risk evaluations to improve protection measures. However, one CSO representative shared: *“A girl from the community came to the Center for Social Work — and the social worker suggested she go to conversion therapy. If we hear this coming from institutions themselves, then what can we expect from the rest of society?”* Such responses illustrate not only a lack of training but also deep-rooted prejudice among state actors.

Victims often choose to leave their homes and families or avoid reporting violence out of fear of being expelled, primarily due to the lack of adequate legal protections against domestic violence for LGBTIQ individuals.<sup>91</sup> This absence of protection mechanisms leaves survivors with limited options, reinforcing patterns of silence and invisibility.

GREVIO has expressed concern that domestic violence and other forms of violence against women are considered by judges in BiH as offences of low social danger.<sup>92</sup> This perception contributes to weak judicial responses and lenient sentencing, further undermining survivors' confidence in the legal system. Additionally, many professionals, including those from the Centers for Social Work, police officers and judges are not informed by a gendered understanding of violence against women and often reflect entrenched stereotypes, limiting access to justice.<sup>93</sup>

Focus group participants described how survivors often give up mid-process due to exhaustion and institutional apathy. As one person explained: *“Even when that first step of reporting is made, people then give up at the prosecution level, which is insensitive. Generally, cases are not reported, and it’s also a sociological issue — the whole apparatus is to blame, because it’s insensitive and rigid. When you enter that system as a victim, it’s one traumatization after another.”* The emotional and procedural burden of reporting discourages many. *“Many women give up because there’s a moment when they may have to face the perpetrator — even I wouldn’t report it,”* one participant confessed.

Despite efforts by CSOs to fill gaps in protection and support, the sustainability of these efforts remains uncertain due to chronic underfunding and lack of institutional cooperation. As one CSO representative explained, *“We have no financial support. It’s difficult even to get a meeting. The moment they hear the topic, it becomes a whole process. We work project by project,”* which limits the scope of support available to LBQ women but also makes outreach and systemic advocacy nearly impossible.

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<sup>90</sup> Sarajevo Open Center. (2024). *Pink Report. Annual Report on the State of Human Rights of LGBTI People in Bosnia and Herzegovina*. Available at: [https://soc.ba/site/wp-content/uploads/2024/06/rozi-izvjestaj-ENG-2024\\_6\\_12.pdf](https://soc.ba/site/wp-content/uploads/2024/06/rozi-izvjestaj-ENG-2024_6_12.pdf)

<sup>91</sup> Basic, D. and Dizdar, A. (2018). *HUMAN RIGHTS PAPERS DOMESTIC VIOLENCE EXPERIENCED BY LGBTI PERSONS: ANALYSIS AND RECOMMENDATIONS*. Sarajevo Open Center. Available at: [https://soc.ba/site/wp-content/uploads/2018/11/HRP-nasilje-nad-LGBTI-osobama\\_FINAL-web.pdf](https://soc.ba/site/wp-content/uploads/2018/11/HRP-nasilje-nad-LGBTI-osobama_FINAL-web.pdf)

<sup>92</sup> GREVIO. (2022). *Evaluation Report on legislative and other measures giving effect to the provisions of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention)*. BOSNIA AND HERZEGOVINA. Available at: <https://rm.coe.int/grevio-baseline-evaluation-report-on-bosnia-and-herzegovina/1680a8e5f1>

<sup>93</sup> *Ibid.*

# Services

In terms of national strategies and action plans, BiH has adopted a multi-sectoral approach to GBV prevention, aiming to enhance cooperation between different institutions and improve survivor support services.<sup>94</sup> However, the reference to “vulnerable groups” in policy discussions remains vague, making it unclear whether sexual minorities are recognized as a priority group in GBV prevention and support programs. The absence of clear definitions and targeted interventions suggests that, even if LBQ women are indirectly included, there are no specialized programs or adaptations to ensure their specific needs are met within the existing frameworks.

A positive development was highlighted in the focus group with the opening of a dedicated safe house for LGBTIQ people in Sarajevo. While this represents progress, concerns remain about capacity, visibility, and broader institutional support. Furthermore, the limited capacity was emphasized: *“There’s a waiting list for psychosocial support — capacity at the shelter is 4–5 people. The costs aren’t that high, but it’s all in vain when institutions aren’t listening.”* The Agency for Gender Equality stated that shelters, legal aid, healthcare, and psychosocial support services are available to all women, including LBQ women, though it acknowledged that in practice, access may be uneven depending on context and location.

Outside of this initiative, discrimination persists in many shelters. In Tuzla, for example, “they accept lesbian and trans women only if they have already completed full transition.” More broadly, shelter environments themselves may not be safe or welcoming: *“In women’s shelters — there are prejudices against lesbians and trans women. ‘What do they know about violence?’ They wouldn’t accept women who are trans or lesbian.”*

The analysis on the cost of domestic violence highlights insufficient financial resources allocated to GBV prevention and survivor support services, which limits the capacity of shelters, crisis centers, and legal aid providers. Yet, there is no indication that any specific funding is allocated to initiatives targeting violence against LBQ women. This funding gap could further contribute to the invisibility of LBQ survivors within the GBV response system. Access to health care also remains a challenge, particularly for trans people. One positive example was cited, where there is an integrated process for accessing hormone therapy: *“We have a positive example regarding healthcare for trans people — there’s literally a pathway from the Center for Mental Health that connects with an endocrinologist at the clinic. Trans individuals come to the center, go through the full psychological process regarding transition, and are then referred to the endocrinologist and receive hormones. In conversations with the community, we’ve seen that this system actually works.”* However, such models are rare. One participant noted a negative shift: *“Three years ago, the health insurance fund introduced some changes — for example, they cut out the financing of hormone therapy.”*

Many services operate under religious or traditional frameworks,<sup>95</sup> which can create barriers for LGBTIQ individuals seeking support. A significant problem is the non-existence of LGBTIQ inclusive safe houses in BiH and, with the exception of CSOs who manage safe houses for women victims of violence who are open for lesbians.<sup>96</sup>

GREVIO also identified the urgent need to increase the funding levels, which are overall modest, and to offer sustainable funding sources for women’s rights organisations which play a pivotal role in the delivery of

<sup>94</sup> Halilović, M, Serdarević, N. and Hujić, F. (2019). Analysis of the cost of domestic violence: estimating the cost of multi sectoral response at the local level in Bosnia and Herzegovina. UN Women.

<sup>95</sup> Human Rights Papers Paper 73, Alternative report on Bosnia and Herzegovina’s progress on the European Union membership path (April 2023 – July 2024).

<sup>96</sup> Basic, D. and Dizdar, A. (2018). HUMAN RIGHTS PAPERS DOMESTIC VIOLENCE EXPERIENCED BY LGBTI PERSONS: ANALYSIS AND RECOMMENDATIONS. Sarajevo Open Center. Available at: [https://soc.ba/site/wp-content/uploads/2018/11/HRP-nasilje-nad-LGBTI-osobama\\_FINAL-web.pdf](https://soc.ba/site/wp-content/uploads/2018/11/HRP-nasilje-nad-LGBTI-osobama_FINAL-web.pdf)

specialist support services in BiH.<sup>97</sup> Additionally, the report finds that currently a clear pathway and a referral system for victims of sexual violence is not provided for and that trauma care and long-term psychological counselling is insufficient.<sup>98</sup> The absence of a structured support system further limits survivors' ability to access necessary medical and psychosocial services, leaving many without long-term care options, including LBQ women.

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<sup>97</sup> GREVIO. (2022). *Evaluation Report on legislative and other measures giving effect to the provisions of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention)*. BOSNIA AND HERZEGOVINA. Available at: <https://rm.coe.int/grevio-baseline-evaluation-report-on-bosnia-and-herzegovina/1680a8e5f1>

<sup>98</sup> *Ibid.*

# Data Collection

BiH still does not have a common database on all forms of GBV at the state level. There is no uniform system for data collection and analysis and the work of the various institutions relevant to combating GBV, remains incomplete and inconsistent. Relevant state authorities have failed to harmonize data collection in accordance with Article 11 of the Istanbul Convention.<sup>99</sup> The GAP also mandates systematic data collection on GBV, ensuring that institutions regularly report on the prevalence of violence, the effectiveness of intervention measures, and judicial responses.<sup>100</sup> However, institutional data collection, including on GBV, needs to improve to identify and target systematically the relevant gender gaps.<sup>101</sup>

This lack of systematic, disaggregated data was confirmed in the focus group. As one participant explained, *“The Law on Gender Equality from 2006 states that all data must be disaggregated — at least by male and female — but that was never implemented. No institution actually does that. There is no data anywhere, not even on femicide — the only data collected comes from the media. The lack of a database is a huge problem because without it, you can’t do advocacy or make policies.”* This gap not only reinforces the invisibility of LBQ women and other marginalized groups in institutional planning but also severely limits evidence-based policy development and accountability. The Agency for Gender Equality indicated that while the collection of detailed information, such as sexual orientation or ethnicity, can be valuable, it can sometimes be perceived as intrusive into private life.

In the last evaluation report GREVIO encouraged the authorities of BiH to promote research and ensure the collection of data on gender-based violence affecting groups of women who are, or may be exposed to, intersectional discrimination, including LBTI women, so as to assess the prevalence of the various forms of violence and access by such groups to support services, protective measures and justice.<sup>102</sup>

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<sup>99</sup> Kvinna till Kvinna. (2023). *Women’s Rights in Western Balkans*.<sup>100</sup> Gender Action Plan of Bosnia and Herzegovina (2023-2027). Available at: <https://www.gcfbih.gov.ba/gender-akcioni-plan-bih-za-period-2023-2027-godine/>

<sup>101</sup> European Commission. (2024). *Country Report 2024 Bosnia and Herzegovina*. Available at: [https://enlargement.ec.europa.eu/document/download/451db011-6779-40ea-b34b-a0eeda451746\\_en?filename=Bosnia%20and%20Herzegovina%20Report%202024.pdf](https://enlargement.ec.europa.eu/document/download/451db011-6779-40ea-b34b-a0eeda451746_en?filename=Bosnia%20and%20Herzegovina%20Report%202024.pdf)

<sup>102</sup> GREVIO. (2022). *Evaluation Report on legislative and other measures giving effect to the provisions of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention)*. BOSNIA AND HERZEGOVINA. Available at: <https://rm.coe.int/grevio-baseline-evaluation-report-on-bosnia-and-herzegovina/1680a8e5f1>

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# COUNTRY PROFILES:

## Kosovo

# National Framework

Kosovo is not a member of the Council of Europe and therefore cannot formally ratify the IC. However, on 25 September 2020, the Assembly of Kosovo amended the Constitution, under article 22, granting the IC direct effect within its legal framework.<sup>103</sup> In support thereof, and in the framework of the Council of Europe co-operation project “Reinforcing the fight against violence against women and domestic violence - Phase III”, an assessment of the alignment of laws, policies and other measures in place in Kosovo with the standards of the IC was carried out during 2021 and 2022.<sup>104</sup>

Article 7 of the **Constitution** recognizes gender equality as one of its fundamental values, including equal opportunities for women and men in political, economic, social, cultural and other areas of life. In addition, through the Constitution, legal system explicitly prohibits discrimination on various grounds, including gender, gender identity and sexual orientation. It adds that such principle shall not prevent measures aimed to protect and advance “the rights of individuals and groups who are in unequal positions”.

These constitutional provisions are transposed by and further defined in the **Law on Gender Equality** and the **Law on the Protection from Discrimination** which explicitly prohibit discrimination based on gender, sexual orientation, and gender identity. The Law on Gender Equality recognizes gender-based violence as a form of discrimination that “seriously inhibits women’s and men’s ability to enjoy rights and freedoms on a basis of equality”. Both these laws extend protection against sexual harassment beyond the criminal sphere.

The **Program for Gender Equality 2020-2024** serves as a framework for integrating gender perspectives into Kosovo’s policy-making across multiple sectors. One of its key pillars focuses on women’s rights, access to justice, and security, addressing structural inequalities and aligning with the National Strategy on the Protection against Domestic Violence and Violence against Women without duplicating efforts. The program highlights women’s disproportionate exposure to GBV, pointing to delays in issuing protection orders, inadequate sentencing for repeat offenders, low reporting of sexual violence, and limited recognition of so-called “honor” violence, as well as weaker protections for women in northern Kosovo and the lack of follow-up mechanisms to monitor GBV cases. Despite “honor” violence often being rooted in family control over women’s sexuality and gender expression, the Program lacks specific measures for LBQ women.

Kosovo and the lack of follow-up mechanisms to monitor GBV cases.<sup>105</sup> Despite “honor” violence often being rooted in family control over women’s sexuality and gender expression, the Program lacks specific measures for LBQ women.

In 2023, the new **Law on Domestic Violence, Gender-based Violence, and Violence against Women** was adopted, in line with the IC.<sup>106</sup> The law explicitly criminalizes various forms of violence,

<sup>103</sup> Amendment of the Kosovo Republic Constitution. Available at: <https://gzk.rks-gov.net/ActDetail.aspx?ActID=31730>

<sup>104</sup> Council of Europe. (2022). Assessment of the alignment of Kosovo’s laws, policies and other measures with the standards of the Istanbul Convention.

<sup>105</sup> Banjska, E. et al. (2021). From Laws to Action Monitoring the Institutional Response to Gender-based Violence in Kosovo. Kosovo Women’s Network. Available at: <https://womensnetwork.org/wp-content/uploads/2021/05/K-WN-GBV-Report-ENG-Final-2.pdf>

<sup>106</sup> LAW NO. 08/L-185 ON PREVENTION AND PROTECTION FROM DOMESTIC VIOLENCE, VIOLENCE AGAINST WOMEN AND GENDER-BASED VIOLENCE. Available at: <https://gzk.rks-gov.net/ActDetail.aspx?ActID=2691&langid=2>

including psychological, economic, and digital violence, incorporating coercive control as a form of abuse. Regarding LBQ women, the law recognizes LGBTIQ persons as vulnerable victims, ensuring that they are legally protected from domestic and gender-based violence. However, while sexual orientation and gender identity are explicitly included in non-discrimination provisions, there is no clear framework addressing the specific barriers faced by LBQ women in accessing protection, as the law does not include targeted measures to account for the specific risks of honor-based violence, family rejection, or institutional bias, which disproportionately affect LBQ survivors. Focus group participants reported that even though CSOs are formally included in legislative processes, meaningful consultation is not always guaranteed. One participant described how CSOs were left out of the final phase of adopting the new law: *“sometimes they [the Government] go behind our back as it happened with the Law on Protection Against Domestic Violence when we were informed that it was already passed – it made us very angry because we were not satisfied with the text of the law.”* While government actors often cite the inclusion of CSOs as a sign of participatory policymaking, CSO representatives noted that this involvement can be superficial or tokenistic. As one emphasized, *“They [the Government] behave like they are helping us, not as implementers.”* The law lacks explicit mechanisms to ensure the inclusion of marginalized groups, such as LBQ women, in prevention, protection, and service provision, which in turn can lead to implementation gaps and reinforce heteronormative biases in institutional practices, particularly affecting access to safe spaces, legal remedies, and survivor-centered support.

The **Criminal Code** defines gender-based violence, domestic violence, and sexual violence as criminal offenses, establishing additional punishments for perpetrators and prioritizing investigations and prosecutions. It incorporates key elements of the Istanbul Convention, including the criminalization of female genital mutilation, forced marriage, and honor-based violence. Domestic violence is defined broadly, covering physical, psychological, and economic violence within both current and former intimate relationships, regardless of marital status, as well as within cohabiting family relationships. The Code also mandates heavier sentences for hate crimes, explicitly recognizing sexual orientation and gender identity as aggravating factors in cases of assault, bodily harm, incitement of hatred, murder, and property destruction.<sup>107</sup>

The **National Strategy on the Protection against Domestic Violence and Violence against Women (2022-2026)** was adopted in 2022 and is the main policy framework for addressing violence against women, expanding beyond previous versions that primarily focused on domestic violence. Aligned with the IC, it sets four strategic objectives: prevention and identification of violence, policy harmonization with international standards, institutional strengthening, and victim support services. Whilst the wording of the strategy targets violence against women as an umbrella term, its ongoing implementation would need to ensure that all forms of such violence are sufficiently addressed.<sup>108</sup> While it emphasizes a victim-centered and intersectional approach, recognizing factors such as sexual orientation and disability, the strategy was only partially implemented, as insufficient budget allocations hindered an appropriate response.<sup>109</sup>

Focus group participants emphasized that while the strategy and action plan *“mention the LBTQ community throughout the document (to increase capacities of institutions, create shelters, etc.), the column or*

<sup>107</sup> Amnesty International. (2023). FROM PAPER TO PRACTICE KOSOVO MUST KEEP ITS COMMITMENTS TO DOMESTIC VIOLENCE SURVIVORS. Available at: <https://www.amnesty.org/en/documents/eur73/7123/2023/en/>

<sup>108</sup> Council of Europe. (2022). Assessment of the alignment of Kosovo’s laws, policies and other measures with the standards of the Istanbul Convention. Available at: <https://rm.coe.int/kosovo-assessment-report-istanbul-convention-eng/1680a9203e>

<sup>109</sup> Banjska, E. et al. (2021). From Laws to Action Monitoring the Institutional Response to Gender-based Violence in Kosovo. Kosovo Women’s Network. Available at: <https://womensnetwork.org/wp-content/uploads/2021/05/K-WN-GBV-Report-ENG-Final-2.pdf>

*budget is always missing.*” This pattern of inclusion without funding was also reported in relation to the National Action Plan for LGBTI Rights (2019-2022), which was described as never having been properly budgeted and therefore implemented.

The main objective of the **State Protocol for Treatment of Sexual Violence Cases** is to address sexual violence cases and it gives clear responsibilities to each institution.<sup>110</sup> The protocol focused on standardizing “the necessary actions for a continuous, comprehensive and responsible response, for the identification, protection, treatment, documentation, referral, sustainable empowerment and re-integration of victims/ survivors/survivors of sexual violence, through immediate and professional interventions of responsible institutions.”<sup>111</sup>

Although the protocol represents progress on paper, its implementation is questioned by focus group participants, especially concerning how well institutions follow through and that they often lack training and trauma-informed approaches. In one particularly troubling case, a participant described how a survivor of rape was retraumatized by multiple police interviews and an insensitive forensic medical check: *“One of the questions in the questionnaire for the victim was: did you feel any pleasure [during the rape].”*

The **Police Standard Operating Procedures for Domestic Violence (SOP)** provide detailed guidance for law enforcement on prevention, victim support, and investigation. The SOPs introduce specialized police officers for domestic violence cases, representing a positive step. However, they overemphasize family protection, framing domestic violence as a threat to the family unit rather than as a violation of individual human rights. While they require police officers to consider a gender perspective, the document lacks clarity on its practical application and fails to acknowledge that domestic violence disproportionately affects women and girls.<sup>112</sup> The absence of specific recognition of LBQ women, who often face family-based violence and rejection, further limits the SOPs' effectiveness in addressing violence against marginalized groups.

Despite constitutional provisions on equality, the current **Family Law** and the current Draft **Civil Code** stand in contradiction by prohibiting marriage equality, thereby undermining the very principles it purports to uphold.<sup>113</sup> The failure of the Assembly of Kosovo to vote in favor of same-sex unions has stalled legal recognition for LGBTIQ individuals, reflecting deep-rooted homophobia within institutional and societal structures.<sup>114</sup> The 2022-2023 debates on same-sex unions not only blocked progress but also ignited a wave of homophobic rhetoric, with public figures, politicians, and media openly attacking LGBTIQ rights.<sup>115</sup> Parliamentary debates around the subject triggered discriminatory language and hate speech.<sup>116</sup> The institutional resistance to legal recognition is not just passive but often deliberate, as focus group participants noted. One participant stated: “There is very big resistance in the institutions on laws tackling LGBT.” Another added that men are more publicly visible in the LGBTI movement, while LBQ women remain underrepresented and underserved.

<sup>110</sup> Kvinna till Kvinna. (2023). *WOMEN'S RIGHTS IN WESTERN BALKANS*. Available at: <https://kvinna.tillkvinna.org/wp-content/uploads/2023/11/The-Kvinna-till-Kvinna-Foundation-Womens-Rights-in-Western-Balkans-2023.pdf>

<sup>111</sup> Human Rights Network. (2024). *Civil Society Report on Human Rights*. Available at: [https://humanrightsnetwork.net/wp-content/uploads/2024/05/Report-ENG-2023.pdf?fbclid=IwZXh0bgNhZWQCMATAAR2Zltp6Ere5txtUTRozf-tQHlrTbfNQqtLtkENahZ0xH5V\\_6kWjiTzjzU\\_aem\\_AQ0\\_H0yjNF2Fqp0uBz1kjWcvs5q0s-sRzNqFeThRVKGtlKtEHfKQu8DE5f6KZryxH8OnqRtBqs7K\\_yEgXY-Sfa-l](https://humanrightsnetwork.net/wp-content/uploads/2024/05/Report-ENG-2023.pdf?fbclid=IwZXh0bgNhZWQCMATAAR2Zltp6Ere5txtUTRozf-tQHlrTbfNQqtLtkENahZ0xH5V_6kWjiTzjzU_aem_AQ0_H0yjNF2Fqp0uBz1kjWcvs5q0s-sRzNqFeThRVKGtlKtEHfKQu8DE5f6KZryxH8OnqRtBqs7K_yEgXY-Sfa-l)

<sup>112</sup> Amnesty International. (2023). *FROM PAPER TO PRACTICE KOSOVO MUST KEEP ITS COMMITMENTS TO DOMESTIC VIOLENCE SURVIVORS*. Available at: <https://www.amnesty.org/en/documents/eur73/7123/2023/en/>

<sup>113</sup> Velju, L. (2024). *Annual Report 2023 The LGBTIQ+ individuals and their rights in Kosovo*. CSGD. Available at: <https://csgd-ks.org/wp-content/uploads/2024/06/Annual-Report-2023-AN-A.pdf>

<sup>114</sup> Human Rights Network. (2024). *Civil Society Report on Human Rights*. Available at: [https://humanrightsnetwork.net/wp-content/uploads/2024/05/Report-ENG-2023.pdf?fbclid=IwZXh0bgNhZWQCMATAAR2Zltp6Ere5txtUTRozf-tQHlrTbfNQqtLtkENahZ0xH5V\\_6kWjiTzjzU\\_aem\\_AQ0\\_H0yjNF2Fqp0uBz1kjWcvs5q0s-sRzNqFeThRVKGtlKtEHfKQu8DE5f6KZryxH8OnqRtBqs7K\\_yEgXY-Sfa-l](https://humanrightsnetwork.net/wp-content/uploads/2024/05/Report-ENG-2023.pdf?fbclid=IwZXh0bgNhZWQCMATAAR2Zltp6Ere5txtUTRozf-tQHlrTbfNQqtLtkENahZ0xH5V_6kWjiTzjzU_aem_AQ0_H0yjNF2Fqp0uBz1kjWcvs5q0s-sRzNqFeThRVKGtlKtEHfKQu8DE5f6KZryxH8OnqRtBqs7K_yEgXY-Sfa-l)

<sup>115</sup> Velju, L. (2024). *Annual Report 2023 The LGBTIQ+ individuals and their rights in Kosovo*. CSGD. Available at: <https://csgd-ks.org/wp-content/uploads/2024/06/Annual-Report-2023-AN-A.pdf>

<sup>116</sup> European Commission. (2024). *Country Report Kosovo 2024*. Available at: [https://neighbourhood-enlargement.ec.europa.eu/document/download/c790738e-4cf6-4a43-a8a9-43c1b6f01e10\\_en?filename=Kosovo%20Report%202024.pdf](https://neighbourhood-enlargement.ec.europa.eu/document/download/c790738e-4cf6-4a43-a8a9-43c1b6f01e10_en?filename=Kosovo%20Report%202024.pdf)

The lack of legal recognition for same-sex unions reinforces institutional exclusion and societal marginalization, limiting LBQ women's access to family rights, inheritance, and legal protections in cases of intimate partner violence.

The Ombudsperson has been vocal in advocating for LGBTIQ rights, publicly stating that if the draft Civil Code fails to include marriage equality, it would seek a constitutional review. In 2023, the Ombudsperson, in cooperation with the CSO CSGD, drafted the **Guidelines for Best Practices - Treatment of Cases of LGBTIQ Individuals**, aiming to ensure dignified treatment, professional support, and institutional sensitivity in handling cases involving LGBTIQ individuals. The guidelines encourage public institutions to enhance protections and services, promoting equality and respect across all sectors.

However, participants in the focus groups expressed skepticism that such tools, while well-written, are being used effectively. *"They don't have the skills and knowledge, not just the will,"* one participant emphasized when discussing government capacity.

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<sup>117</sup> Veliu, L. (2024). Annual Report 2023 The LGBTIQ+ individuals and their rights in Kosovo. CSGD. Available at: <https://cs-gd-ks.org/wp-content/uploads/2024/06/Annual-Report-2023-AN-A.pdf>

# Forms of Violence

A significant proportion of women in Kosovo experience violence, with 57% of women surveyed reporting psychological, physical, or sexual violence since the age of 15.<sup>118</sup> For LGBTIQ individuals' family rejection remains a critical issue, with many believing that their child's sexual orientation or gender identity can be "cured".<sup>119</sup> This rejection frequently leads to domestic violence, including psychological and physical abuse, forced isolation, and economic deprivation.<sup>120</sup>

According to LGBTIQ organizations, many LGBTIQ individuals are exposed to domestic violence from their birth families, often beginning at a young age, following coming out or when their sexual orientation or gender identity becomes more noticeable.<sup>121</sup> Domestic violence in these cases can escalate to physical and psychological violence, as well as forced marriages, disproportionately impacting LBQ women due to gendered expectations of marriage and family roles.

Focus group participants confirmed that such family rejection is often followed by escalating violence within the family. One participant noted that *"there are domestic violence cases because of their sexual orientation – mainly they give up even before reporting to the police because of the difficulties with the families."* Another explained that many sexist comments and threats of rape are used against LBQ women as a form of hate speech and intimidation.

The psychological toll of this violence is severe, with mental health professionals reporting a strong correlation between a hostile social environment and psychological distress. In 2023, suicide ideation and attempts among LGBTIQ individuals increased, with trans women being the most affected.<sup>122</sup> Given the high levels of family-based violence and social rejection, LBQ women may experience compounded psychological harm, including depression and anxiety, due to both gender-based and sexuality-based discrimination.

These psychological effects were further elaborated during the focus groups. Participants pointed to a culture of sexualization and harassment targeting LBQ women, particularly in artistic and youth spaces. One participant reflected: *"There is a lot of sexualizing, sex assaults, molesting, harassment" [CSGD].* While these environments are often perceived as progressive, they can be hostile to LBQ presence and autonomy, adding layers of vulnerability that go beyond family-based violence.

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<sup>118</sup> OSCE. (2019). *Well-being and Safety of Women in Kosovo*. Available at: <https://www.osce.org/mission-in-kosovo/439781>

<sup>119</sup> Velju, L. (2024). *Annual Report 2023 The LGBTIQ+ individuals and their rights in Kosovo*. CSGD. Available at: <https://cs-gd-ks.org/wp-content/uploads/2024/06/Annual-Report-2023-AN-A.pdf>

<sup>120</sup> *Ibid.*

<sup>121</sup> Amnesty International. (2023). *FROM PAPER TO PRACTICE KOSOVO MUST KEEP ITS COMMITMENTS TO DOMESTIC VIOLENCE SURVIVORS*. Available at: <https://www.amnesty.org/en/documents/eur73/7123/2023/en/>

<sup>122</sup> Velju, L. (2024). *Annual Report 2023 The LGBTIQ+ individuals and their rights in Kosovo*. CSGD. Available at: <https://cs-gd-ks.org/wp-content/uploads/2024/06/Annual-Report-2023-AN-A.pdf>

# Reporting, Response, Prosecution

Underreporting of GBV remains significant, with only 5% of survivors reporting their experiences to the police.<sup>123</sup> Many victims fear repercussions, stigmatization, and distrust authorities, believing that reporting would not lead to justice, while domestic violence is still widely perceived as a private matter, further discouraging victims from seeking institutional support.<sup>124</sup> Victims frequently experience re-traumatization due to repeated testimony requirements and a lack of confidentiality, and are sometimes pressured to “forgive and forget” for the sake of family unity.<sup>125</sup>

Focus group participants described the cumulative effects of fragmented procedures and breached confidentiality. A participant shared how survivors are often passed between multiple police officers, repeating their testimony at each stage. *“The moment you get into a police station, whoever is there will understand that you are a victim of GBV... a police officer says from the second floor, ‘who here is for GBV please come up’ – and everyone knows about the case,”* stated one participant. These situations were described as intimidating, particularly for LBQ survivors whose identities may already place them at greater risk.

Persistent discrimination in all areas of life causes many LGBTIQ people to distrust state institutions and leads to underreporting of cases of domestic violence.<sup>126</sup> LGBTIQ individuals, particularly in rural areas, face additional barriers in reporting violence, as domestic violence within their birth families is often driven by their sexual orientation or gender identity and expression.<sup>127</sup> The requirement to report cases at the police station closest to where the violence occurred or where they live increases the risk of being recognized and facing further discrimination.

The focus group discussions revealed how these risks are especially acute in small communities. One participant noted: “Very low reporting rate because of distrust in institutions—you can be easily identified and outed.” Another emphasized that trans women are more likely to seek help and engage with the police than lesbian or bisexual women, reflecting gendered patterns in reporting and public visibility.

Many LGBTIQ domestic violence cases are classified as hate crimes rather than domestic violence, leading to inadequate institutional responses.<sup>128</sup> For LBQ women, this misclassification and lack of recognition of same-sex intimate partner violence further limits their access to justice and survivor support services.

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<sup>123</sup> OSCE. (2019). *Well-being and Safety of Women in Kosovo*. Available at: <https://www.osce.org/mission-in-kosovo/439781>

<sup>124</sup> Qosaj-Mustafa, A. and Morina, D. (2018). *Accessing Justice for Victims of Gender Based Violence in Kosovo: Ending Impunity for Perpetrators*. Kosovar Institute for Policy Research and Development. Available at: [https://www.kipred.org/repository/docs/-Accessing\\_Justice\\_for\\_Victims\\_of\\_Gender\\_Based\\_Violence\\_in\\_Kosovo\\_Ending\\_Impunity\\_for\\_Perpetrators\\_820425.pdf](https://www.kipred.org/repository/docs/-Accessing_Justice_for_Victims_of_Gender_Based_Violence_in_Kosovo_Ending_Impunity_for_Perpetrators_820425.pdf)

<sup>125</sup> Kvinna till Kvinna. (2023). *WOMEN'S RIGHTS IN WESTERN BALKANS*. Available at: <https://kvinnatillkvinna.org/wp-content/uploads/2023/11/The-Kvinna-till-Kvinna-Foundation-Womens-Rights-in-Western-Balkans-2023.pdf>

<sup>126</sup> Amnesty International. (2023). *FROM PAPER TO PRACTICE KOSOVO MUST KEEP ITS COMMITMENTS TO DOMESTIC VIOLENCE SURVIVORS*. Available at: <https://www.amnesty.org/en/documents/eur73/7123/2023/en/>

<sup>127</sup> Ibid.

<sup>128</sup> Banjska, E. et al. (2021). *From Laws to Action Monitoring the Institutional Response to Gender-based Violence in Kosovo*. Kosovo Women's Network. Available at: <https://womensnetwork.org/wp-content/uploads/2021/05/K->

Despite some improvements in police collaboration with LGBTIQ organizations<sup>129</sup> and the establishment of a unit for crimes against LGBTIQ people in Pristina, reports continue to highlight persistent failures by police officers, including not treating cases seriously, attempting to justify the violence, and displaying a lack of basic understanding of LGBTIQ rights.<sup>130</sup> LBQ women may face additional biases due to intersecting discrimination, making police interactions even more challenging.

Several participants voiced concern that the justice system itself reproduces impunity. One stated: *“In 80% of cases perpetrators are sentenced with alternative measures – this has led to recidivism and cases became even more severe and could end up with femicide because the institutions didn’t deal with it as they should.”*

The justice system remains weak in prosecuting GBV cases, with low conviction rates, light sentences, and a high rate of case attrition.<sup>131</sup> One participant noted that *“When it comes to the police there is no system which is coordinated with the prosecutor and the courts – the police do not categorize victim as hate speech or crime because they leave it to the prosecutor and this information is lost in the chain between police and prosecutor – the prosecutor does not classify this case as hate crimes - it does not reach courts or continue as criminal offence – it is not considered an aggravating circumstance.”* Even when a case gets to court, according to focus group participants, sentences are often symbolic or alternative in nature, failing to serve as prevention. *“We had recently one case of punishment, first time hate crime is included – it was a mixture of physical attack, rape and kidnaping – in this case the perpetrators got 15 years in total for 3 persons!... None of the cases before that went to court included women or trans women,”* stated one participant. Additionally, one participant stated that *“We see from practice that when it comes to gathering evidence for emotional and economical violence our prosecutors do not know how to identify them and to make an argument – although there are definitions in the Criminal Code and the Civil Law. Also for sexual violence because there is this mentality that women should be always there for their husbands’ sexual needs”.*

CSOs play a crucial role in assisting survivors, providing referrals and legal support, particularly to LGBTIQ individuals.<sup>132</sup> However, institutional efforts to combat GBV continue to lack of gender-sensitive understanding of the nature of violence against women in Kosovo and the LGBTIQ community.<sup>133</sup>

<sup>129</sup> Berisha, A., Farnsworth, N. and Hoti, D. (2017). *From Words to Action? Monitoring the Institutional Response to Gender-Based Violence in Kosovo*. KWN. Available at: <https://womensnetwork.org/wp-content/uploads/2018/10/20180312142859762.pdf>

<sup>130</sup> Amnesty International. (2023). *FROM PAPER TO PRACTICE KOSOVO MUST KEEP ITS COMMITMENTS TO DOMESTIC VIOLENCE SURVIVORS*. Available at: <https://www.amnesty.org/en/documents/eur73/7123/2023/en/>

<sup>131</sup> Council of Europe. (2022). *Assessment of the alignment of Kosovo’s laws, policies and other measures with the standards of the Istanbul Convention*. Available at: <https://rm.coe.int/kosovo-assessment-report-istanbul-convention-eng/1680a9203e>

<sup>132</sup> Banjska, E. et al. (2021). *From Laws to Action Monitoring the Institutional Response to Gender-based Violence in Kosovo*. Kosovo Women’s Network. Available at: <https://womensnetwork.org/wp-content/uploads/2021/05/K-WN-GBV-Report-ENG-Final-2.pdf>

<sup>133</sup> Qosaj-Mustafa, A. and Morina, D. (2018). *Accessing Justice for Victims of Gender Based Violence in Kosovo: Ending Impunity for Perpetrators*. Kosovar Institute for Policy Research and Development. Available at: [https://www.kipred.org/repository/docs/-Accessing\\_Justice\\_for\\_Victims\\_of\\_Gender\\_Based\\_Violence\\_in\\_Kosovo\\_Ending\\_Impunity\\_for\\_Perpetrators\\_820425.pdf](https://www.kipred.org/repository/docs/-Accessing_Justice_for_Victims_of_Gender_Based_Violence_in_Kosovo_Ending_Impunity_for_Perpetrators_820425.pdf)

# Services

The Constitution and laws are mostly in line with international and European standards, however, in practice, LGBTIQ persons continue to face discrimination and have limited access to services, including health, psychosocial and legal services.<sup>134</sup> Data suggested that specific protection services for LGBTIQ persons could not be identified.<sup>135</sup> CSOs play a crucial role in filling this gap, offering essential services such as psychological support, legal aid, and health services.<sup>136</sup> Nevertheless, specialized shelters for LGBTIQ survivors of domestic violence do not exist, and existing women's shelters lack capacity and expertise to adequately support LBQ women.<sup>137</sup>

This gap was repeated in the focus group, where participants described how the absence of inclusive spaces compromises safety and recovery for LBQ survivors. One participant stated that *“we do not have shelters for LGBT persons – the shelters we have do not have trained staff for work with lesbian, trans women – they have willingness to support them but they lack capacities – but even women survivors that are in shelters, since they are raised under those patriarchal values, they discriminate LBT women especially trans women – so this is an issue how to keep them safe in a same place when they don’t understand each other.”* The lack of staff training and the persistence of heteronormative values among residents create unsafe environments, raising questions about how to ensure protection in shared settings.

A key issue is the inadequate funding of support services, as the legal framework focuses exclusively on domestic violence-related measures and lacks a clear mandate for funding other forms of violence against women.<sup>138</sup> Women facing intersectional discrimination, including LBQ women, experience heightened barriers to protection and support.<sup>139</sup> This institutional neglect extends to local implementation. One participant shared: *“We started a battle 5 years ago with the municipality for the drop-in center and the shelter. We started to lose direct connection and feedback from the community.”*

In 2021, the Municipality of Prishtina allocated 300,000 Euros for constructing a shelter for LGBTIQ individuals, with the budget carried over into 2022. However, despite discussions with stakeholders in 2022, the 2023 municipal budget did not include funds for the shelter's construction, leaving LGBTIQ individuals without a dedicated safe space.<sup>140</sup> Previously, a CSO accommodated individuals

<sup>134</sup> European Commission. (2024). Kosovo Contry Report 2024. Available at: [https://neighbourhood-enlargement.ec.europa.eu/document/download/c790738e-4cf6-4a43-a8a9-43c1b6f01e10\\_en?filename=Kosovo%20Report%202024.pdf](https://neighbourhood-enlargement.ec.europa.eu/document/download/c790738e-4cf6-4a43-a8a9-43c1b6f01e10_en?filename=Kosovo%20Report%202024.pdf)

<sup>135</sup> Banjska, E. et al. (2021). From Laws to Action Monitoring the Institutional Response to Gender-based Violence in Kosovo. Kosovo Women's Network. Available at: <https://womensnetwork.org/wp-content/uploads/2021/05/K-WN-GBV-Report-ENG-Final-2.pdf>

<sup>136</sup> Velju, L. (2024). Annual Report 2023 The LGBTIQ+ individuals and their rights in Kosovo. CSGD. Available at: <https://cs-gd-ks.org/wp-content/uploads/2024/06/Annual-Report-2023-AN-A.pdf>

<sup>137</sup> Amnesty International. (2023). FROM PAPER TO PRACTICE KOSOVO MUST KEEP ITS COMMITMENTS TO DOMESTIC VIOLENCE SURVIVORS. Available at: <https://www.amnesty.org/en/documents/eur73/7123/2023/en/>

<sup>138</sup> Banjska, E. et al. (2021). From Laws to Action Monitoring the Institutional Response to Gender-based Violence in Kosovo. Kosovo Women's Network. Available at: <https://womensnetwork.org/wp-content/uploads/2021/05/K-WN-GBV-Report-ENG-Final-2.pdf>

<sup>139</sup> Logar, R. and Qosaj-Mustafa, A. (2021). Quality guidelines for shelters for victims of Violence against Women and Domestic Violence: Enhancing services for victims in Kosovo. CoE. Available at: <https://rm.coe.int/shelter-guideline-eng/1680a24ced>; and Council of Europe. (2022). Assessment of the alignment of Kosovo's laws, policies and other measures with the standards of the Istanbul Convention.

<sup>140</sup> Velju, L. (2024). Annual Report 2023 The LGBTIQ+ individuals and their rights in Kosovo. CSGD. Available at: <https://cs-gd-ks.org/wp-content/uploads/2024/06/Annual-Report-2023-AN-A.pdf>

experiencing family-based violence in a shelter in Tirana, but this service ended in 2022, leaving many without alternatives.<sup>141</sup> LGBTIQ persons tend to go to shelters in Albania.<sup>142</sup>

Participants of the focus group raised concerns about healthcare access, as lesbian and bisexual women were reported to have long-standing mistrust in medical institutions, often avoiding basic gynecological check-ups for years. *“There is a need of even general gynecologist checkups – many had bad experience during random visits including comments on marriage, penetrative experience – a lot of them had trauma and not gone to the gynecologist for more than 7 years.”* Others pointed to unequal access to mammography and fear of disclosure in clinical settings. Even when disclosure could assist in clinical understanding, it was often misinterpreted, leading to further marginalization. The problem of access is even more pronounced for trans individuals, and one participant emphasized the challenges related to medical transition, including shortages and lack of regulation for hormonal therapy. Psychological services, participants noted, are almost exclusively provided by CSOs. One participant raised concerns about the lack of regulation and rights-based standards in mental health services noting that *“Psychiatric services can assign conversion therapy because it is not forbidden by law, which is tricky.”*

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<sup>141</sup> Ibid.

<sup>142</sup> Berisha, A., Farnsworth, N. and Hoti, D. (2017). *From Words to Action? Monitoring the Institutional Response to Gender-Based Violence in Kosovo*. KWN. Available at: <https://womensnetwork.org/wp-content/uploads/2018/10/20180312142859762.pdf>

# Data Collection

In 2019, Kosovo launched the Unified Database for Monitoring and Prosecuting Domestic Violence Cases to enhance the tracking and management of domestic violence incidents. By 2023, the database had expanded to include nine relevant institutions, while as of 2024, over 200 institutional representatives have been trained to use the system, reflecting a strengthened commitment to addressing domestic violence through a systemic approach.<sup>143</sup> However, inconsistent data entry across institutions and the lack of periodic reports required by the NSPDV continue to undermine its effectiveness.<sup>144</sup>

This lack of systematic and reliable data emerged as a major concern in the focus group discussions. One participant detailed the failure of a national effort to gather essential GBV data: *“Since 2019 we do not have survey on the prevalence and perception on GBV... Kosovo agency for statistics was supposed to do a nationwide survey on prevalence of GBV and they did the survey but they didn’t have the capacities to produce a report – all that data is sort of lost and we don’t know what is going on – it has become quite problematic also for us as is hard to advocate on awareness – we don’t know which groups are more affected or have less information about violence or how to report it.”*

The Law on Gender Equality obliges all public institutions to collect gender-disaggregated statistical data and submit it to the Kosovo Agency of Statistics.<sup>145</sup> A 2024 report highlights the urgent need for the Ministry of Justice, in cooperation with Kosovo Police, to establish a reliable database on femicide, as the currently available information is inaccurate and there is a discrepancy.<sup>146</sup>

While the database tracks victims' paths through the judicial system and includes “association to the LGBTIQ community” as a data point, its implementation remains inconsistent, with gaps in real-time data entry by judges and a lack of publicly available disaggregated data on access to support services and justice.<sup>147</sup> Focus group participants further stressed that even basic GBV data on LBQ women is not collected or analyzed.

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<sup>143</sup> United Nations Kosovo. (2024). *Data-Driven Change: Improving Domestic Violence Response in Kosovo*. Available at: [https://kosovoteam.un.org/en/266070-data-driven-change-improving-domestic-violence-response-kosovo?utm\\_source=chatgpt.com](https://kosovoteam.un.org/en/266070-data-driven-change-improving-domestic-violence-response-kosovo?utm_source=chatgpt.com)

<sup>144</sup> Banjska, E. et al. (2021). *From Laws to Action Monitoring the Institutional Response to Gender-based Violence in Kosovo*. Kosovo Women's Network. Available at: <https://womensnetwork.org/wp-content/uploads/2021/05/K-WN-GBV-Report-ENG-Final-2.pdf>

<sup>145</sup> Ibid.

<sup>146</sup> Human Rights Network. (2024). *Civil Society Report on Human Rights*. Available at: [https://humanrightsnetwork.net/wp-content/uploads/2024/05/Report-ENG-2023.pdf?fbclid=IwZXh0bgNhZW0CMTAAR2Zltp6Ere5txtUTRozf-tQHlrTbfNQqtLtkENahZ0xH5V\\_6kWjiTzjzU\\_aem\\_AQ0\\_H0yjNF2Fqp0uBz1kjWcvs5q0s-sRzNqFeThRVKGtIKtEHfKQu8DE5f6KZryxH8OnqRtBqs7K\\_yEgXY-Sfa-l](https://humanrightsnetwork.net/wp-content/uploads/2024/05/Report-ENG-2023.pdf?fbclid=IwZXh0bgNhZW0CMTAAR2Zltp6Ere5txtUTRozf-tQHlrTbfNQqtLtkENahZ0xH5V_6kWjiTzjzU_aem_AQ0_H0yjNF2Fqp0uBz1kjWcvs5q0s-sRzNqFeThRVKGtIKtEHfKQu8DE5f6KZryxH8OnqRtBqs7K_yEgXY-Sfa-l)

<sup>147</sup> Council of Europe. (2022). *Assessment of the alignment of Kosovo's laws, policies and other measures with the standards of the Istanbul Convention*. Available at: <https://rm.coe.int/kosovo-assessment-report-istanbul-convention-eng/1680a9203e>

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# COUNTRY PROFILES:

## Serbia

# National Framework

Serbia ratified the Istanbul Convention in 2013, while it entered into force in 2014. In 2018 Serbia prepared and submitted its first state report on the IC to GREVIO, followed by the publication of GREVIO's baseline evaluation report on Serbia on 22 January 2020.<sup>148</sup> In 2024, Serbia provided its state report for GREVIO's first thematic evaluation round, focusing on "Building trust by delivering support, protection and justice", and evaluation visits were carried out by GREVIO.<sup>149</sup> The thematic evaluation report is expected in 2025.

The **Constitution** guarantees equality before the law, with an open list of protected characteristics that, while not explicitly mentioning sexual orientation, gender identity, gender expression, and sex characteristics, allows for their inclusion under "other personal grounds."<sup>150</sup> These protections are further detailed in the Law on Gender Equality and the Law on the Prohibition of Discrimination.

The **Law on the Prohibition of Discrimination**<sup>151</sup> extends protection to multiple grounds, including sexual orientation, gender identity, and sex characteristics, with additional safeguards in education, healthcare, employment, and media. The Commissioner for Protection of Equality emphasized that this law also recognizes discrimination based on two or more personal characteristics, whether distinguishable (multiple discrimination) or not (intersectional discrimination).<sup>152</sup> While the law prohibits incitement to discrimination, segregation, and gender-based harassment, enforcement remains weak, as no sanctions are prescribed for non-fulfillment of this obligation, so that its fulfillment is a matter of good will of public authorities, which diminishes the effects of a positive legal solution.<sup>153</sup> This weakness in implementation was emphasized by focus group participants: *"There is an overarching anti-discrimination law that prohibits discrimination based on sexual orientation, gender identity, and sex characteristics. Other secondary laws refer back to it. What's missing is recognition in specific protocols and procedures."*

The 2021 **Law on Gender Equality**<sup>154</sup> prohibits discrimination based on sex, gender, and sexual characteristics in all areas of life and explicitly addresses violence against women in both private and public spheres. It mandates specialized support for victims and rehabilitation programs for perpetrators, with provisions for vulnerable groups. Furthermore, it sets out the principle that witnesses or victims of gender-based discrimination shall not suffer harmful consequences when disclosing any instances of

<sup>148</sup> GREVIO. (2020). Baseline Evaluation Report Serbia. Available at: <https://rm.coe.int/grevio-report-on-serbia/16809987e3>  
GREVIO. (2024). GREVIO carries out its first thematic evaluation visit to Serbia. Available at: <https://www.coe.int/en/web/istanbul-convention/-/grevio-carries-out-its-first-thematic-evaluation-visit-to-serbia>

<sup>149</sup> Constitution of the Republic of Serbia. Available at: <https://www.ustavni.sud.rs/ustav-rs-i-propisi/ustav-republike-srbije>

<sup>150</sup> Law on the Prohibition of Discrimination. Available at: <https://www.rodnaravnopravnost.gov.rs/sites/default/files/2017-01/Zakon%20o%20zabrani%20diskriminacije.pdf>

<sup>151</sup> Responses to the questionnaire submitted by the Commissioner for Protection of Equality of Serbia on 16 May, 2025.

<sup>152</sup> Center for Support of Women. (2023). NGO report on the implementation of the Council of Europe Convention on preventing and combating violence against women and domestic violence in Serbia. Available at: <https://rm.coe.int/ngo-report-on-the-implementation-of-the-istanbul-convention-in-serbia-/1680aac4f3>

<sup>153</sup> Law on Gender Equality. Available at: <https://www.rodnaravnopravnost.gov.rs/sites/default/files/2021-05/Zakon%20o%20rodnoj%20ravnopravnosti.pdf>

<sup>154</sup> GREVIO. (2020). Baseline Evaluation Report Serbia. Available at: <https://rm.coe.int/grevio-report-on-serbia/16809987e3>

<sup>155</sup> European Commission. (2024). Country Report Serbia 2024. Available at: [https://enlargement.ec.europa.eu/document/download/3c8c2d7f-bff7-44eb-b868-414730cc5902\\_en?filename=Serbia%20Report%202024.pdf](https://enlargement.ec.europa.eu/document/download/3c8c2d7f-bff7-44eb-b868-414730cc5902_en?filename=Serbia%20Report%202024.pdf)

discrimination to a competent authority.<sup>155</sup> However, despite partial alignment with the EU acquis, the law still requires further harmonization with European standards.<sup>156</sup> The Constitutional Court's 2024 suspension of gender-sensitive language provisions threatens its enforcement, particularly in gender mainstreaming and challenging gender stereotypes in education and public discourse.<sup>157</sup>

This political reversal was mentioned in the focus groups. One participant noted: *"Last year, the Gender Equality Law was adopted — and then overturned by the Constitutional Court. Behind the scenes, there's talk that they'll now shift from 'gender equality' to 'equality between men and women' — because they're opposed to what they call 'gender ideology'. The strongest opponent is the church, which fought hard against gender-sensitive language."*

The **Strategy for Gender Equality 2021-2030** outlines measures to enhance women's safety, combat violence, and prevent trafficking and sexual exploitation, particularly in crises. However, there is no explicit mention of targeted measures for LBQ women, despite their heightened vulnerability to violence and discrimination. Similarly, the **Strategy of Prevention and Protection against Discrimination 2022-2030**<sup>158</sup> was adopted in 2022, but further work is required to align the non-discrimination law with the EU acquis and European standards, while the adoption of 2024-2025 anti-discrimination action plan is pending.<sup>159</sup> While the previous strategy included vulnerable groups, the new format dropped specific group references. One participant explained: "The previous strategy was written around vulnerable groups, while the new one is structured around thematic areas." Another added that the strategy has no time limits for implementation of activities.

The **Law on the Prevention of Domestic Violence**,<sup>160</sup> introduced alongside amendments to the **Criminal Code**, criminalizes new offenses such as female genital mutilation, stalking, sexual harassment, and forced marriage.<sup>161</sup> It recognizes physical, sexual, psychological, and economic violence within a broad definition of domestic relationships, including spouses, extramarital and partner relationships, and adoptive family ties.<sup>162</sup> According to the Commissioner for the Protection of Equality, the law also applies to persons who live or have lived in the same family household and to those who have been or are in an emotional or sexual relationship, even if they have never lived together. While there are no formal legal obstacles for women in same-sex relationships to seek protection under the Family Law and the Law on the Prevention of Domestic Violence, the Commissioner noted that there is no data on how often this occurs in practice, pointing to a gap between legal frameworks and their real-world implementation.

However, GREVIO notes that the legal framework largely focuses on domestic violence, as the most widespread form of violence against women in the country, overlooking other forms of GBV.<sup>163</sup> The law applies equally to intergenerational and intimate partner violence,<sup>164</sup> failing to emphasize the gendered

<sup>156</sup> European Commission. (2024). Country Report Serbia 2024. Available at: [https://enlargement.ec.europa.eu/document/download/3c8c2d7f-bff7-44eb-b868-414730cc5902\\_en?filename=Serbia%20Report%202024.pdf](https://enlargement.ec.europa.eu/document/download/3c8c2d7f-bff7-44eb-b868-414730cc5902_en?filename=Serbia%20Report%202024.pdf)

<sup>157</sup> Ibid.

<sup>158</sup> Strategy of Prevention and Protection against Discrimination 2022-2030. Available at: <https://www.rodnaravnopravnost.gov.rs/index.php/sr/dokumenti/strategije-i-akcioni-planovi/nacionalna-strategija-prevencije-i-zastite-od-diskriminacije>

<sup>159</sup> European Commission. (2024). Country Report Serbia 2024. Available at: [https://enlargement.ec.europa.eu/document/download/3c8c2d7f-bff7-44eb-b868-414730cc5902\\_en?filename=Serbia%20Report%202024.pdf](https://enlargement.ec.europa.eu/document/download/3c8c2d7f-bff7-44eb-b868-414730cc5902_en?filename=Serbia%20Report%202024.pdf)

<sup>160</sup> Law on the Prevention of Domestic Violence. Available at: [https://www.rodnaravnopravnost.gov.rs/sites/default/files/2017-01/Zakon%20o%20sprecavanju%20nasilja%20u%20porodici\\_0.pdf](https://www.rodnaravnopravnost.gov.rs/sites/default/files/2017-01/Zakon%20o%20sprecavanju%20nasilja%20u%20porodici_0.pdf)

<sup>161</sup> OSCE. (2019). Well-being and Safety of Women Serbia. Available at: [https://www.osce.org/files/f/docu-ments/e/4/419750\\_1.pdf](https://www.osce.org/files/f/docu-ments/e/4/419750_1.pdf)

<sup>162</sup> Petronijevic, M. MAPPING OF POLICIES AND LEGISLATION ON VIOLENCE AGAINST WOMEN AND THE ISTANBUL CONVENTION IN SERBIA. EWL. Available at: [https://www.womenlobby.org/IMG/pdf/ewl-serbia\\_report\\_web.pdf](https://www.womenlobby.org/IMG/pdf/ewl-serbia_report_web.pdf)

<sup>163</sup> GREVIO. (2020). Baseline Evaluation Report Serbia. Available at: <https://rm.coe.int/grevio-report-on-serbia/16809987e3>

<sup>164</sup> Ibid.

dynamics of intimate partner violence. Furthermore, its gender-neutral approach<sup>165</sup> does not explicitly recognize the heightened risks faced by LBQ women. Focus group participants offered concrete illustrations of this omission: “Violence between two women is not treated as domestic violence”; “In practice, same-sex partner violence is classified as disturbing the peace or threatening safety, not as domestic violence — so you can’t get protective rulings.”

Participants also described the weakening of civil society-government dialogue. *“We used to be part of the Council for Cooperation with CSOs... But it was dissolved. Organizations withdrew because the ruling authorities used it for their own purposes. Now we’re left without a mechanism for dialogue with the state.”*

In 2012, the **Criminal Code** was amended to recognize hate crimes motivated by sexual orientation and gender identity as aggravating factors in sentencing, and in 2016, it expanded the definition of equality crimes to explicitly include discrimination based on these grounds.<sup>166</sup> However, the implementation of hate crime legislation remains inadequate, and hate speech and violence targeting LGBTIQ individuals, continue without sufficient prosecution.<sup>167</sup> *“Hate crime is recognized in the Criminal Code, but I believe it’s used at the absolute minimum,”* stated one participant.

The Criminal Code criminalizes domestic violence and provides protection for various family members, including spouses, children, and cohabiting partners, but excludes ex-spouses without shared children and former common-law partners.<sup>168</sup> This exclusion overlooks the reality that domestic violence can persist after relationships end, posing risks, particularly for LBQ women who may face violence from former partners or family members. GREVIO has called for stronger protections for all former partners, regardless of cohabitation or shared children, and greater alignment with the IC, particularly regarding aggravating circumstances in sentencing.<sup>169</sup> The definition of rape remains outdated, requiring force, threat, or coercion, rather than a lack of consent, as required by the IC.<sup>170</sup>

The Law on the Prevention of Domestic Violence, Family Law and Criminal Code define domestic violence differently, leading to gaps in coverage. The definition in the Family Law has the narrowest scope, the Criminal Code being broader, and the Law on Prevention of Domestic Violence providing the most comprehensive coverage, while some individuals qualify as family members under one law, they may not receive protection under another.<sup>171</sup> This legal fragmentation risks excluding certain victims, including LBQ women who may face violence from ex-partners or family members, without specific protections.

The **Strategy for Preventing and Combating Gender-Based Violence against Women and Domestic Violence for the Period 2021-2025**<sup>172</sup> acknowledges that women of different sexual orientations

<sup>165</sup> OSCE. (2019). *Well-being and Safety of Women Serbia*. Available at: [https://www.osce.org/files/f/docu-ments/e/4/419750\\_1.pdf](https://www.osce.org/files/f/docu-ments/e/4/419750_1.pdf)

<sup>166</sup> World Bank. (2022). *Barriers to LGBTI People Accessing Justice in Serbia*. Available at: <https://documents1.worldbank.org/curated/en/099010012162221165/pdf/P175715083a7e40630af970cae452bf723c.pdf>

<sup>167</sup> European Commission. (2024). *Country Report Serbia 2024*. Available at: [https://enlargement.ec.europa.eu/document/download/3c8c2d7f-bff7-44eb-b868-414730cc5902\\_en?filename=Serbia%20Report%202024.pdf](https://enlargement.ec.europa.eu/document/download/3c8c2d7f-bff7-44eb-b868-414730cc5902_en?filename=Serbia%20Report%202024.pdf)

<sup>168</sup> Center for Support of Women. (2023). *NGO report on the implementation of the Council of Europe Convention on preventing and combating violence against women and domestic violence in Serbia*. Available at: <https://rm.coe.int/ngo-report-on-the-implementation-of-the-istanbul-convention-in-serbia-/1680aac4f3>

<sup>169</sup> GREVIO. (2020). *Baseline Evaluation Report Serbia*. Available at: <https://rm.coe.int/grevio-report-on-serbia/16809987e3>

<sup>170</sup> Ibid.

<sup>171</sup> Center for Support of Women. (2023). *NGO report on the implementation of the Council of Europe Convention on preventing and combating violence against women and domestic violence in Serbia*. Available at: <https://rm.coe.int/ngo-report-on-the-implementation-of-the-istanbul-convention-in-serbia-/1680aac4f3>

<sup>172</sup> *Strategy for Preventing and Combating Gender-Based Violence against Women and Domestic Violence for the Period 2021-2025*. Available at: <https://www.minrzs.gov.rs/sr/dokumenti/ostalo/sektor-za-soci-jalnu-zastitu/strategija-za-sprecanje-i-borbu-protiv-rodno-zasnovanog-nasilja-prema-zenama-i-nasilja-u-porodici-za-period-2>

and gender identities face heightened risks of violence, discrimination, and marginalization, stating that lesbian and trans women, particularly those under 18, experience threats, direct violence, and social isolation. They are often excluded from support services, and no targeted measures are in place to address their specific vulnerabilities.

The Strategy foresees the criminalization of all forms of violence against women covered by the IC and recognizes the importance of adopting a holistic approach to preventing and combating violence against women.<sup>173</sup> The Strategy frequently refers to “all forms of gender-based violence” and “all victims of violence,” yet its specific measures primarily emphasize domestic violence, with limited mention of rape, sexual violence, and stalking, and while femicide is addressed, only the output indicators for criminal law protection explicitly align with the IC’s definition of GBV.<sup>174</sup> Despite its comprehensive framework, the absence of an adopted Action Plan and allocated financial resources delays its implementation.<sup>175</sup>

*“Strategic documents in the field of protection against GBV and discrimination indicate that Roma women, women with disabilities, and women of sexual orientation different from heterosexual are at higher risk of multiple discrimination and gender-based violence.” This was highlighted by the Commissioner for Protection of Equality, who also emphasized the need to address these heightened vulnerabilities in practice.*

The **Law on Free Legal Aid** provides automatic eligibility for victims of domestic violence but requires victims of other forms of GBV to undergo a lengthy application process, disproportionately affecting marginalized groups, including LBQ women. The law also sets out new criteria for providers of legal aid, which, in GREVIO’s view, disregard the particular expertise built up over the years by women’s NGOs in the legal representation of women victims of domestic violence.<sup>176</sup>

There are no developments on the legislation on same-sex partnerships and regulation of legal gender recognition, as already planned in the previous anti-discrimination strategy.<sup>177</sup> The draft **Law on Same-Sex Partnerships**, which was presented in 2021, continued to be stalled.<sup>178</sup> Although it reached government level, it was not submitted to Parliament and therefore was not included in the new Strategy of Prevention and Protection against Discrimination 2022-2030, as stated by a participant of the focus group: *“They didn’t include the Law on Same-Sex Partnerships, claiming it was covered in the previous strategy and has already reached the government.”* Additionally, one participant noted that *“At a meeting with the Ministry, we were told we should open a dialogue with the church to make it easier to pass the law on same-sex unions,”* pointing out the importance of the political influence of religious institutions and the challenges this creates for advancing LBQ rights and legal protections.

Delays in adopting action plans for violence against women, anti-discrimination, and LGBTIQ rights further undermine policy implementation and accountability.<sup>179</sup> Additionally, the restrictive environment for women’s civil society organizations, especially those advocating for autonomy and state accountability, limits their capacity to address GBV effectively.<sup>180</sup>

<sup>173</sup> Committee of the Parties. (2023). *Conclusions on the implementation of recommendations in respect of Serbia adopted by the Committee of the Parties to the Istanbul Convention*. Available at: <https://rm.coe.int/conclusions-on-the-implementation-of-recommendations-in-respect-of-ser/1680ab7280>

<sup>174</sup> Autonomous Women’s Center. (2023). *Contribution for the Committee of the Parties to the Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence regarding the 2020 Recommendations for Serbia*. Available at: <https://rm.coe.int/awc-contribution-to-coe-committee-of-parties-regarding-2020-recommendat/1680aacb24>

<sup>175</sup> Autonomous Women’s Center. (2023). *Contribution for the Committee of the Parties to the Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence regarding the 2020 Recommendations for Serbia*. Available at: <https://rm.coe.int/awc-contribution-to-coe-committee-of-parties-regarding-2020-recommendat/1680aacb24>; and European Commission. (2024). *Country Report Serbia 2024*. Available at: [https://enlargement.ec.europa.eu/document/download/3c8c2d7f-bff7-44eb-b868-414730cc5902\\_en?filename=Serbia%20Report%202024.pdf](https://enlargement.ec.europa.eu/document/download/3c8c2d7f-bff7-44eb-b868-414730cc5902_en?filename=Serbia%20Report%202024.pdf)

<sup>176</sup> GREVIO. (2020). *Baseline Evaluation Report Serbia*. Available at: <https://rm.coe.int/grevio-report-on-serbia/16809987e3>

<sup>177</sup> European Commission. (2024). *Country Report Serbia 2024*. Available at: [https://enlargement.ec.europa.eu/document/download/3c8c2d7f-bff7-44eb-b868-414730cc5902\\_en?filename=Serbia%20Report%202024.pdf](https://enlargement.ec.europa.eu/document/download/3c8c2d7f-bff7-44eb-b868-414730cc5902_en?filename=Serbia%20Report%202024.pdf)

<sup>178</sup> ILGA Europe. (2024). *ANNUAL REVIEW OF THE HUMAN RIGHTS SITUATION OF LESBIAN, GAY, BISEXUAL, TRANS, AND INTERSEX PEOPLE COVERING THE PERIOD OF JANUARY TO DECEMBER 2023*. Available at: [https://www.ilga-europe.org/files/uploads/2024/02/2024\\_serbia.pdf](https://www.ilga-europe.org/files/uploads/2024/02/2024_serbia.pdf)

<sup>179</sup> European Commission. (2024). *Country Report Serbia 2024*. Available at: [https://enlargement.ec.europa.eu/document/download/3c8c2d7f-bff7-44eb-b868-414730cc5902\\_en?filename=Serbia%20Report%202024.pdf](https://enlargement.ec.europa.eu/document/download/3c8c2d7f-bff7-44eb-b868-414730cc5902_en?filename=Serbia%20Report%202024.pdf)

<sup>180</sup> Autonomous Women’s Center. (2023). *Contribution for the Committee of the Parties to the Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence regarding the 2020 Recommendations for Serbia*. Available at: <https://rm.coe.int/awc-contribution-to-coe-committee-of-parties-regarding-2020-recommendat/1680aacb24>

# Forms of Violence

GBV is deeply rooted in patriarchal norms and rigid gender roles, which shape the perceptions of violence and its causes. Many women believe that their risk of becoming victims of violence is linked to how they dress, where they go, and what they do—placing responsibility on them rather than on the perpetrators.<sup>181</sup> This normalization of violence is reinforced by traditional gender roles, with many young women believing they should sacrifice for their families and stay with abusive partners rather than report violence.<sup>182</sup>

Focus group participants reflected this normalization in same-sex contexts, emphasizing the lack of recognition and support for psychological violence in LBQ relationships: *“Psychological violence is the most common. There’s a cultural romantization of abusive relationships — this idea of ‘toxic love’ is normalized, and we see it everywhere: in TV series, in films.”*

Despite the existence of policy documents aimed at combating GBV, GREVIO has identified significant barriers for women facing intersectional discrimination in accessing quality interventions, noting that while general support services exist, fewer efforts have been made to ensure that they address the specific needs of marginalized groups, including LBQ women.<sup>183</sup> Although there are no reliable prevalence data on violence against women from certain vulnerable groups, research suggests that women of different sexual orientation and gender identities face increased risks.<sup>184</sup> However, due to the lack of disaggregated data, the extent of violence against LBQ women remains largely invisible in official statistics.

This invisibility was a recurring concern in the focus groups. One participant stated: *“Without explicit legal recognition of protection from this kind of violence, reporting will remain low.”* Another noted: *“Many members of the community don’t even recognize that what happened to them is violence — because that violence has been normalized both within the community and in broader society.”*

LGBTIQ individuals, particularly transgender persons, experience heightened vulnerability to violence, abuse, and discrimination.<sup>185</sup> Hate speech, threats, and physical violence regularly target LGBTIQ persons, often with impunity.<sup>186</sup> The situation worsened significantly after the anti-LGBTIQ backlash surrounding the 2022 EuroPride in Belgrade, with public institutions, political figures, and far-right groups openly inciting hostility.<sup>187</sup> Politicians made transphobic statements, public discussions were canceled, and civil society organizations filed complaints against officials and public figures for hate speech

<sup>181</sup> OSCE. (2019). *Well-being and Safety of Women Serbia*. Available at: [https://www.osce.org/files/f/documents/e/4/419750\\_1.pdf](https://www.osce.org/files/f/documents/e/4/419750_1.pdf)

<sup>182</sup> GREVIO. (2020). *Baseline Evaluation Report Serbia*. Available at: <https://rm.coe.int/grevio-report-on-serbia/16809987e3>

<sup>183</sup> *Ibid.*

<sup>184</sup> Center for Support of Women. (2023). *NGO report on the implementation of the Council of Europe Convention on preventing and combating violence against women and domestic violence in Serbia*. Available at: <https://rm.coe.int/ngo-report-on-the-implementation-of-the-is-tanbul-convention-in-serbia-/1680aac4f3>

<sup>185</sup> European Commission. (2024). *Country Report Serbia 2024*. Available at: [https://enlargement.ec.europa.eu/document/download/3c8c2d7f-bff7-44eb-b868-414730cc5902\\_en?filename=Serbia%20Report%202024.pdf](https://enlargement.ec.europa.eu/document/download/3c8c2d7f-bff7-44eb-b868-414730cc5902_en?filename=Serbia%20Report%202024.pdf); and ILGA Europe. (2024). *ANNUAL REVIEW OF THE HUMAN RIGHTS SITUATION OF LESBIAN, GAY, BISEXUAL, TRANS, AND INTERSEX PEOPLE COVERING THE PERIOD OF JANUARY TO DECEMBER 2023*. Available at: [https://www.ilga-europe.org/files/uploads/2024/02/2024\\_serbia.pdf](https://www.ilga-europe.org/files/uploads/2024/02/2024_serbia.pdf)

<sup>186</sup> European Commission. (2024). *Country Report Serbia 2024*. Available at: [https://enlargement.ec.europa.eu/document/download/3c8c2d7f-bff7-44eb-b868-414730cc5902\\_en?filename=Serbia%20Report%202024.pdf](https://enlargement.ec.europa.eu/document/download/3c8c2d7f-bff7-44eb-b868-414730cc5902_en?filename=Serbia%20Report%202024.pdf)

<sup>187</sup> ILGA Europe. (2024). *ANNUAL REVIEW OF THE HUMAN RIGHTS SITUATION OF LESBIAN, GAY, BISEXUAL, TRANS, AND INTERSEX PEOPLE COVERING THE PERIOD OF JANUARY TO DECEMBER 2023*. Available at: [https://www.ilga-europe.org/files/uploads/2024/02/2024\\_serbia.pdf](https://www.ilga-europe.org/files/uploads/2024/02/2024_serbia.pdf)

and incitement to violence.<sup>188</sup>

These deeply entrenched patriarchal attitudes in the society shape access to justice for LGBTIQ individuals and perpetuate GBV, contributing to its normalization, but also drive exclusion, discrimination, and violence against LGBTIQ people, manifesting in physical, sexual, emotional, and psychological abuse across family, community, workplace, education, and healthcare settings.<sup>189</sup> The resulting exclusion, discrimination, and barriers to legal protection further lead to economic, social, and health-related hardships, disproportionately affecting LBQ women by restricting their ability to enforce economic and social rights, reinforcing poverty, and limiting access to opportunities.<sup>190</sup>

Focus group participants described how this marginalization operates on multiple levels: *“Gender-based violence cannot be separated from homophobia, biphobia, and transphobia. These forms of oppression are often at the root of GBV against LBQ women — yet institutions fail to recognize them as aggravating factors.”*

Data from 2017-2020 show that most violent incidents against LGBTIQ persons involved psychological or physical violence, threats, and property offenses.<sup>191</sup> Meanwhile, men remain the primary perpetrators of domestic violence (82.8%), though the share of female perpetrators has slightly increased over time.<sup>192</sup> The majority of domestic violence cases occur in partner relationships, with men being the primary perpetrators against women (91.5%), while a notable share of cases involves female perpetrators, including female partners (21.7%),<sup>193</sup> which could indicate instances of same-sex intimate partner violence, including among LBQ women. *“In 2023 we conducted research on lesbian partner violence. The most frequent form of violence in partnerships is psychological — manifested through manipulation, threats of outing, and other tactics,”* stated one participant of the focus group. However, due to the lack of disaggregated data on sexual orientation and gender identity in domestic violence reporting, the extent and specific experiences of LBQ women remain invisible within official statistics.

One participant emphasized how this lack of data and understanding directly affects institutional response: *“Institutions aren’t sensitized. They don’t know how to recognize or classify violence when it’s both homophobic and gender-based — they just choose one category and ignore the rest.”* *“Violence between two women is not treated as domestic violence... it’s typically categorized as disturbing public order or personal safety,”* stated another participant.

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<sup>188</sup> Ibid.

<sup>189</sup> World Bank. (2022). Barriers to LGBTI People Accessing Justice in Serbia. Available at: <https://documents1.worldbank.org/curated/en/099010012162221165/pdf/P175715083a7e40630af970cae452bf723c.pdf>

<sup>190</sup> Ibid.

<sup>191</sup> Ibid.

<sup>192</sup> Autonomous Women’s Center. (2024). THE TWELFTH REPORT on independent monitoring of the implementation of the Law on the Prevention of Domestic Violence in Serbia for the period January – December 2023. Available at: [https://www.womenngo.org.rs/images/reports-centar/12\\_REPORT\\_on%20monitoring\\_of\\_implementation\\_of\\_the\\_Law\\_on\\_the\\_Prevention\\_of\\_DV\\_in\\_Serbia\\_2023.pdf](https://www.womenngo.org.rs/images/reports-centar/12_REPORT_on%20monitoring_of_implementation_of_the_Law_on_the_Prevention_of_DV_in_Serbia_2023.pdf)

<sup>193</sup> Ibid.

# Reporting, Response, Prosecution

Few women who experience violence report it to the police, as shame, economic dependence, fear of retaliation, and institutional mistrust create significant obstacles.<sup>194</sup> The enforcement of GBV law is weak, with patriarchal attitudes influencing judicial decisions, as judges and prosecutors often romanticize violence as acts of passion, sympathize with perpetrators, or prioritize preserving the family unit over protecting victims.<sup>195</sup> As a result, conviction rates remain low, exacerbated by insufficient training on newer offences and a lack of clear prosecutorial guidance.<sup>196</sup>

One participant of the focus group stated: *“Even when violence is reported, the response largely depends on the individual officer. Sometimes you encounter goodwill and protection, but there’s no consistency.”*

LGBTIQ individuals, particularly LBQ women, face additional challenges in accessing justice, leading to widespread underreporting of violence and discrimination. Fear of being outed, institutional bias, secondary victimization, and inadequate responses from law enforcement deter them from reporting, with many only seeking police help in serious criminal cases.<sup>197</sup> Distrust is reinforced by ineffective investigations, lack of sensitivity, and cases being left unresolved.<sup>198</sup> Due to a lack of trust in institutions and fear of secondary victimization, cases of violence and discrimination towards LGBTIQ persons are often unreported.<sup>199</sup> One participant noted that *“The LGBT community doesn’t trust institutions to provide adequate protection.”* Others emphasized that the reporting process only moves forward with external pressure: *“We accompany victims to the police — and we don’t leave until the case is registered. That’s the only way to make them do their job.”*

The Commissioner for the Protection of Equality underlined that education and training on the recognition and protection against discrimination are critical gaps in the system. While the Commissioner’s office implements training programs for public employees, professionals, and the general public to promote understanding of equality principles, it does not have specific training programs addressing GBV, including violence in same-sex relationships. The Commissioner also stressed that many citizens still lack sufficient knowledge about their basic rights and available protections, reflecting a broader need for human rights education and institutional sensitivity to GBV and intersectional discrimination.

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<sup>194</sup> OSCE. (2019). *Well-being and Safety of Women Serbia*. Available at: [https://www.osce.org/files/f/documents/e/4/419750\\_1.pdf](https://www.osce.org/files/f/documents/e/4/419750_1.pdf)

<sup>195</sup> *Ibid.*

<sup>196</sup> GREVIO. (2020). *Baseline Evaluation Report Serbia*. Available at: <https://rm.coe.int/grevio-report-on-serbia/16809987e3>

<sup>197</sup> Center for Support of Women. (2023). *NGO report on the implementation of the Council of Europe Convention on preventing and combating violence against women and domestic violence in Serbia*. Available at: <https://rm.coe.int/ngo-report-on-the-implementation-of-the-istanbul-convention-in-serbia-/1680aac4f3>; and World Bank. (2022). *Barriers to LGBTI People Accessing Justice in Serbia*. Available at: <https://documents1.worldbank.org/curated/en/099010012162221165/pdf/P175715083a7e40630af970cae452bf723c.pdf>

<sup>198</sup> World Bank. (2022). *Barriers to LGBTI People Accessing Justice in Serbia*. Available at: <https://documents1.worldbank.org/curated/en/099010012162221165/pdf/P175715083a7e40630af970cae452bf723c.pdf>

<sup>199</sup> European Commission. (2024). *Country Report Serbia 2024*. Available at: [https://enlargement.ec.europa.eu/document/download/3c8c2d7f-bff7-44eb-b868-414730cc5902\\_en?filename=Serbia%20Report%202024.pdf](https://enlargement.ec.europa.eu/document/download/3c8c2d7f-bff7-44eb-b868-414730cc5902_en?filename=Serbia%20Report%202024.pdf)

In an effort to improve access to justice, Serbia has taken some steps, including appointing eight LGBTI Liaison Officers at the Ministry of Interior, adopting Guidelines for Prosecuting Hate Crimes to enhance case processing, and introducing capacity-building initiatives to increase public officials' sensitivity, particularly among the police.<sup>200</sup> However, these measures have had limited impact, as the guidelines remain largely inaccessible, with restricted distribution mainly to public prosecutors and little dissemination to courts and law enforcement.<sup>201</sup> Participants confirmed the necessity for reactivation of the liaison officers for the LGBTI community as at moment *"they're inactive and symbolic."* Without consistent implementation and broader institutional commitment, these reforms fall short in addressing the systemic failures that prevent survivors, especially those from marginalized groups as LBQ women, from obtaining justice.

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<sup>200</sup> World Bank. (2022). *Barriers to LGBTI People Accessing Justice in Serbia*. Available at: <https://documents1.worldbank.org/curated/en/099010012162221165/pdf/P175715083a7e40630af970cae452bf723c.pdf>

<sup>201</sup> *Ibid.*

# Services

Access to support services for GBV survivors, especially vulnerable groups of women as LBQ women, remains severely limited, with structural and systemic barriers preventing many women from receiving necessary assistance. Following serious incidents of physical and sexual violence, only 3% of women contacted a shelter, and just 1% reached out to victim support organizations.<sup>202</sup> Shame, fear, and mistrust of institutions, including the police, social workers, and healthcare professionals, discourage women from seeking help, while services are largely unavailable in rural areas.<sup>203</sup>

Participants in the focus group strongly reinforced this point, particularly in relation to LBQ women. One noted: *“Feminist organizations working on GBV very often exclude LBTQ women from their advocacy — they don’t consider them part of their target group. So there’s very little intersectional work being done.”* Another added that *“We face a problem with LBQ community members who have difficulties and cannot access services such as shelters — we had a case where a survivor was expelled from a safe house after coming out, because it bothered the other women.”*

The few existing support services are predominantly run by CSOs on limited budgets, leaving GBV survivors with inadequate resources.<sup>204</sup> Safe houses suffer from chronic understaffing and underfunding, and vulnerable women, including LBQ individuals, encounter additional barriers due to inconsistent enforcement of non-discrimination policies, restricted shelter capacity, and weak cooperation with healthcare institutions.<sup>205</sup> The Law on Gender Equality prioritizes funding for perpetrator rehabilitation programs over safe houses and rape crisis centers, further limiting support options.<sup>206</sup>

Focus group participants also emphasized the lack of institutional collaboration and the over-reliance on CSOs to fill systemic gaps: *“If services don’t explicitly list different groups of women, they’re rarely accessible to LBQ women. LGBTI organizations carry the whole burden. There is no cooperation.”* *“Most of the work is done by us as organizations and we all lack resources.”*

Specialist services tailored to specific forms of GBV, such as forced marriage, stalking, sexual violence, and harassment, are largely absent, as local authorities fail to invest in dedicated assistance.<sup>207</sup> The lack of rape crisis centers and sexual violence referral services across most of Serbia means that psychological support and trauma care for survivors of sexual violence remain unavailable.<sup>208</sup> GREVIO has urged Serbian authorities to introduce quality standards for shelters, ensuring a gendered and victim-centered approach, while also mapping and expanding shelter capacity to improve access for all survivors, including those facing multiple forms of discrimination.<sup>209</sup> Without urgent reforms, many women, especially those from marginalized groups like LBQ women, will continue to be excluded from the protection and support they need.

<sup>202</sup> OSCE. (2019). *Well-being and Safety of Women Serbia*. Available at: [https://www.osce.org/files/f/documents/e/4/419750\\_1.pdf](https://www.osce.org/files/f/documents/e/4/419750_1.pdf)

<sup>203</sup> Ibid.

<sup>204</sup> European Commission. (2024). *Country Report Serbia 2024*. Available at: [https://enlargement.ec.europa.eu/document/download/3c8c2d7f-bff7-44eb-b868-414730cc5902\\_en?filename=Serbia%20Report%202024.pdf](https://enlargement.ec.europa.eu/document/download/3c8c2d7f-bff7-44eb-b868-414730cc5902_en?filename=Serbia%20Report%202024.pdf)

<sup>205</sup> European Commission. (2024). *Country Report Serbia 2024*. Available at: [https://enlargement.ec.europa.eu/document/download/3c8c2d7f-bff7-44eb-b868-414730cc5902\\_en?filename=Serbia%20Report%202024.pdf](https://enlargement.ec.europa.eu/document/download/3c8c2d7f-bff7-44eb-b868-414730cc5902_en?filename=Serbia%20Report%202024.pdf); and ATINA. (2023). *Funkcionisanje i rad prihvatilišta za žene žrtve nasilja u Srbiji Analiza zatečenog stanja*. <http://atina.org.rs/sites/default/files/Funkcionisanje%20i%20rad%20prihvatili%C5%A1ta%20za%20%C5%BEene%20%C5%BErtve%20nasilja%20u%20Srbiji%20-%20Analiza%20zate%C4%8Denog%20stanja.pdf>

<sup>206</sup> Autonomous Women’s Center. (2023). *Contribution for the Committee of the Parties to the Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence regarding the 2020 Recommendations for Serbia*. Available at: <https://rm.coe.int/awc-contribution-to-coe-committee-of-parties-regarding-2020-recommendat/1680aacb24>

<sup>207</sup> GREVIO. (2020). *Baseline Evaluation Report Serbia*. Available at: <https://rm.coe.int/grevio-report-on-serbia/16809987e3>

<sup>208</sup> Ibid.

<sup>209</sup> Ibid.

# Data Collection

In general, the data collection on GBV is fragmented and inconsistent, undermining effective policy and legal responses. While the Central Registry of Domestic Violence, managed by the Republic Public Prosecutor's Office, integrates police, court, and social welfare records, it is limited to domestic violence cases and does not systematically cover other forms of GBV, but also public access to this data remains limited.<sup>210</sup>

Despite legal mandates, a fully unified and centralized electronic database for GBV cases has not been implemented. Instead, ministries continue to collect and report data separately, leading to inconsistencies and discrepancies in similar data from different sources and missing data.<sup>211</sup> The Council for the Suppression of Domestic Violence collects data but does not publish reports or recommendations, and a centralized electronic database remains unimplemented.<sup>212</sup>

Focus group participants highlighted how this systemic failure leads to the erasure of LBQ women from public records. One participant explained: *"There's no adequate data on reporting of violence against LBQ persons. We're the only ones collecting this data — and we do it without any institutional support."* Another added: *"Without data, we can't advocate effectively. The government doesn't even see the problem."*

Most available data focus on domestic violence, and inconsistent definitions across systems further exacerbate data gaps.<sup>213</sup> While the Ministry of Justice has taken steps to gather additional data on domestic violence, including the victim-perpetrator relationship,<sup>214</sup> reliable official statistics on femicide and other forms of GBV, such as sexual violence, forced marriage, and stalking, are lacking. There is lack of adequate data on reporting of violence against LBQ persons which makes it difficult to formulate targeted policy responses.<sup>215</sup>

In 2024, the Commissioner for the Protection of Equality reiterated to the Ministry of Justice a previous initiative to establish a national monitoring mechanism for tracking femicide cases and to improve regulations regarding the collection, management, and publication of statistical data on femicide and GBV. *"Establishing such a mechanism would help coordinate existing activities across stakeholders and strengthen the national response to this most extreme form of violence,"* stated the Commissioner.

Moreover, existing records fail to disaggregate data by sex, age, and relationship in cases involving emergency barring and protection orders, making it difficult to assess the effectiveness of protections for survivors.<sup>216</sup> The invisibility of LBQ women in official statistics further limits the recognition of their experiences, reinforcing barriers to tailored policy responses. GREVIO has urged Serbia to develop a standardized data collection system covering all forms of violence outlined in the IC to improve legal and institutional responses.<sup>217</sup>

<sup>210</sup> GREVIO. (2020). Baseline Evaluation Report Serbia. Available at: <https://rm.coe.int/grevio-report-on-serbia/16809987e3>

<sup>211</sup> Autonomous Women's Center. (2024). THE TWELFTH REPORT on independent monitoring of the implementation of the Law on the Prevention of Domestic Violence in Serbia for the period January – December 2023. Available at: [https://www.womenngo.org.rs/images/re-surs-centar/12\\_REPORT\\_on%20monitoring\\_of\\_implementation\\_of\\_the\\_Law\\_on\\_the\\_Prevention\\_of\\_DV\\_in\\_Serbia\\_2023.pdf](https://www.womenngo.org.rs/images/re-surs-centar/12_REPORT_on%20monitoring_of_implementation_of_the_Law_on_the_Prevention_of_DV_in_Serbia_2023.pdf)

<sup>212</sup> Autonomous Women's Center. (2023). Contribution for the Committee of the Parties to the Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence regarding the 2020 Recommendations for Serbia. Available at: <https://rm.coe.int/awc-contribution-to-coe-committee-of-parties-regarding-2020-recommendat/1680aacb24>

<sup>213</sup> Ibid.

<sup>214</sup> Committee of the Parties. (2023). Conclusions on the implementation of recommendations in respect of Serbia adopted by the Committee of the Parties to the Istanbul Convention. Available at: <https://rm.coe.int/conclusions-on-the-implementation-of-recom-mendations-in-respect-of-ser/1680ab7280>

<sup>215</sup> World Bank. (2022). Barriers to LGBTI People Accessing Justice in Serbia. Available at: <https://documents1.worldbank.org/curated/en/099010012162221165/pdf/P175715083a7e40630af970cae452bf723c.pdf>

<sup>216</sup> GREVIO. (2020). Baseline Evaluation Report Serbia. Available at: <https://rm.coe.int/grevio-report-on-serbia/16809987e3>

<sup>217</sup> Ibid.

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# ISTANBUL CONVENTION ANALYSIS

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The analysis of compliance with the Istanbul Convention is presented in table format to provide a clear and comparative overview of how Albania, Bosnia and Herzegovina, Kosovo, and Serbia address their obligations under the Convention in relation to LBQ women. The assessment focuses on selected articles of the Istanbul Convention that are particularly relevant to the experiences and protection needs of LBQ women, including Article 3 (definitions), Article 4 (non-discrimination), Article 9 (role of NGOs), Article 11 (data collection), Article 12 (prevention), Article 18 (protection and support), Articles 22 and 23 (specialist support services and shelters), Article 46 (aggravating circumstances), and Article 49 (law enforcement). For each article, structured questions are applied to evaluate both formal legal and policy frameworks and their practical implementation. The table highlights key gaps, implementation challenges, and promising practices drawn from focus group interviews and literature reviews. This format will allow readers to easily identify gaps, strengths, and positive practices across countries.

| ARTICLE/COUNTRY               | QUESTIONS                                                                                                                   | ALBANIA                                                                                                                                                                             | BOSNIA AND HERZEGOVINA                                                                                                                                                                             | KOSOVO                                                                                                                                                                                          | SERBIA                                                                                                                                                                                                                                           |
|-------------------------------|-----------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                               | <b>How GBV and domestic violence (against LBQ women) are defined in national law.</b>                                       | Definition is broad and aligned with IC on paper, but implementation lacks focus on intersectional vulnerabilities.                                                                 | Domestic violence is defined, but definitions vary by jurisdiction and are limited to family settings, excluding other forms of intimate partner violence, including those involving LBQ partners. | Broad and progressive legal definitions exist that align with IC.                                                                                                                               | Definitions exist but are fragmented across laws, creating inconsistency in protection.                                                                                                                                                          |
|                               | <b>Whether the definitions explicitly include same-sex IPV and violence based on gender identity or sexual orientation.</b> | No — the definitions do not explicitly recognize same-sex IPV or violence based on sexual orientation or gender identity, even though general anti-discrimination provisions exist. | No — same-sex IPV and violence based on sexual orientation and gender identity are not legally recognized in domestic violence frameworks, excluding LBQ women from legal protections .            | No — although laws mention LGBTIQ persons as vulnerable, same-sex IPV and violence based on SOGI are not explicitly recognized in domestic violence definitions, creating implementation gaps . | Formally, there are no legal obstacles for women in same-sex relationships to seek protection under the law, but there is no data on how often this occurs in practice, and same-sex IPV is not explicitly recognized or consistently addressed. |
| <b>Assessment of Article3</b> |                                                                                                                             | <b>Definitions partially align but do not explicitly include same-sex IPV.</b>                                                                                                      | <b>Definitions of GBV and domestic violence are fragmented and exclude same-sex IPV.</b>                                                                                                           | <b>Definitions formally align with IC, but lack explicit operationalization for same-sex IPV.</b>                                                                                               | <b>Definitions are fragmented and do not explicitly recognize same-sex IPV.</b>                                                                                                                                                                  |

| ARTICLE/COUNTRY                       | QUESTIONS                                                                                                 | ALBANIA                                                                                                                                 | BOSNIA AND HERZEGOVINA                                                                                                              | KOSOVO                                                                                                                                                      | SERBIA                                                                                                                  |
|---------------------------------------|-----------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------|
| <b>Article 4 (Non-discrimination)</b> | <b>Whether laws on GBV explicitly prohibit discrimination based on SOGIESC.</b>                           | Laws prohibit discrimination based on SOGIESC in general, but specific application to GBV is indirect and weak.                         | No — while SOGI is a protected category in general anti-discrimination laws, this is not reflected in GBV-specific legislation.     | Yes — laws explicitly prohibit discrimination based on SOGIESC.                                                                                             | Yes — SOGIESC protections are included in general anti-discrimination law, but not explicitly linked to GBV frameworks. |
|                                       | <b>If LBQ women and non-binary people have equal access to protection, support services, and justice.</b> | No — LBQ women do not have equal access to protection and justice; systemic barriers persist.                                           | No — LBQ women face unequal access and institutional bias when seeking protection and justice.                                      | No — legal recognition exists, but access to protection and services for LBQ women remains unequal and unimplemented.                                       | No — access is unequal and institutional barriers persist.                                                              |
|                                       | <b>Whether anti-discrimination laws cover GBV, including intersectional discrimination.</b>               | Anti-discrimination laws generally recognize SOGIESC but do not operationalize GBV or intersectionality in a concrete, enforceable way. | No — references to intersectionality exist in strategies, but without specific GBV-related protections or mechanisms for LBQ women. | Partially — while intersectional discrimination is recognized in strategic documents, it is not translated into consistent anti-GBV measures for LBQ women. | No — intersectionality is acknowledged in theory but not implemented in GBV response frameworks.                        |

| ARTICLE/COUNTRY                                   | QUESTIONS                                                                                                      | ALBANIA                                                                                                                                                                 | BOSNIA AND HERZEGOVINA                                                                                                                                             | KOSOVO                                                                                                                                                                                                         | SERBIA                                                                                                                                                                                        |
|---------------------------------------------------|----------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Assessment of Article 4</b>                    |                                                                                                                | <i>Formal non-discrimination protections exist but are not fully integrated into GBV frameworks; LBQ women face major barriers in accessing protection and justice.</i> | <i>SOGI is legally protected, but GBV laws lack integration and targeted enforcement; LBQ women face institutional exclusion and no intersectional safeguards.</i> | <i>Legal protections against SOGIESC discrimination exist, but LBQ women face unequal access to protection, services, and justice; intersectional discrimination is recognized but poorly operationalized.</i> | <i>SOGIESC protections exist in anti-discrimination law, but GBV laws do not operationalize them; LBQ women lack equal access to protection, and intersectionality is absent in practice.</i> |
| <b>Article 9 (Role of NGOs and Civil Society)</b> | <b>Whether LBQ organizations are involved in drafting, implementing, and monitoring policies on GBV.</b>       | LBQ organizations are inconsistently involved; participation is often symbolic rather than meaningful.                                                                  | CSOs are formally included but not consistently consulted or empowered; engagement is often symbolic.                                                              | Partially — CSOs, including LBQ organizations, are involved formally but often excluded substantively from decision-making.                                                                                    | No — LBQ organizations are not actively involved in policy processes.                                                                                                                         |
|                                                   | <b>If LBQ-specific CSOs receive funding and are recognized as relevant stakeholders in policy discussions.</b> | LBQ organizations do not receive meaningful government funding; they rely on external donors and are not prioritized in budget allocations.                             | Services provided by LBQ-friendly CSOs are not institutionally supported; their role is essential but unsupported by policy or budget.                             | No — LBQ organizations rely on donor funding; government funding is insufficient or non-existent.                                                                                                              | No — LBQ CSOs rely on donor funding and are not supported by institutional mechanisms or national budgets.                                                                                    |

| ARTICLE/COUNTRY                     | QUESTIONS                                                                                                                                    | ALBANIA                                                                                                                                                 | BOSNIA AND HERZEGOVINA                                                                                                                                                    | KOSOVO                                                                                                                                           | SERBIA                                                                                                                           |
|-------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------|
| <b>Assessment of Article 9</b>      |                                                                                                                                              | <i>LBQ organizations are nominally involved in policy processes but face exclusion in practice; funding is donor-driven with minimal state support.</i> | <i>LBQ organizations in BiH are not meaningfully consulted or funded; while CSOs are involved in GBV response, their participation is often symbolic and unsupported.</i> | <i>LBQ organizations are formally included in policymaking but face tokenistic engagement and lack sustainable funding support for GBV work.</i> | <i>LBQ organizations are excluded from GBV policymaking and receive no institutional funding or recognition as stakeholders.</i> |
| <b>Article 11 (Data Collection)</b> | <b>Whether national data collection systems include disaggregated data on GBV survivors based on sexual orientation and gender identity.</b> | No — national data systems do not disaggregate by sexual orientation or gender identity.                                                                | No — there is no disaggregation by SOGI; even basic sex-disaggregated data are not systematically collected.                                                              | No — data collection does not systematically disaggregate by sexual orientation and gender identity.                                             | No — data is not disaggregated by sexual orientation or gender identity.                                                         |
|                                     | <b>If the government systematically collects data on violence against LBQ women.</b>                                                         | No — there is no systematic state-level data collection on violence against LBQ women.                                                                  | No — the government does not systematically collect data on violence against LBQ women.                                                                                   | No — data on violence against LBQ women is not systematically collected.                                                                         | No — data on violence against LBQ women is not systematically collected or recognized by institutions.                           |
|                                     | <b>If national statistics distinguish between different forms of violence (e.g., IPV, sexual violence, hate crimes).</b>                     | No — disaggregation by type of violence is limited and inconsistent.                                                                                    | No — national statistics do not distinguish between different forms of violence relevant to LBQ women.                                                                    | No — different forms of violence are not properly distinguished in official data systems.                                                        | No — national statistics do not adequately distinguish between different forms of GBV.                                           |

# Istanbul Convention Analysis

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| ARTICLE/COUNTRY                                      | QUESTIONS                                                                                                              | ALBANIA                                                                                                   | BOSNIA AND HERZEGOVINA                                                                                                  | KOSOVO                                                                                                                                               | SERBIA                                                                                                         |
|------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------|
| <b>Assessment of Article 11</b>                      |                                                                                                                        | <i>Data collection systems exclude LBQ women; disaggregation by SOGI and type of violence is lacking.</i> | <i>Data systems do not include SOGI-disaggregated statistics; forms of violence against LBQ women remain invisible.</i> | <i>Data collection systems in Kosovo do not systematically include LBQ women; national statistics fail to distinguish between forms of violence.</i> | <i>Data collection systems fail to include violence against LBQ women; there is no disaggregation by SOGI.</i> |
| <b>Article 12 (Prevention – General Obligations)</b> | <b>Whether public awareness campaigns and educational programs address violence against LBQ women.</b>                 | No — public awareness efforts do not specifically address violence against LBQ women.                     | No — campaigns and plans mention general inclusion but lack concrete LBQ-specific prevention measures.                  | No — public awareness efforts do not specifically address violence against LBQ women.                                                                | No — public awareness efforts do not address violence against LBQ women.                                       |
|                                                      | <b>If state institutions train police, healthcare providers, and social workers on LGBTIQ-inclusive GBV responses.</b> | No — trainings are inadequate or insufficient, and trauma-informed, inclusive practices are missing.      | No — training is absent or insufficient; institutional responses are discriminatory or harmful.                         | No — training for professionals is inadequate or insufficient, and trauma-informed approaches are missing.                                           | No — training is not systematically provided to institutions for LGBTIQ-inclusive GBV response.                |
|                                                      | <b>If media and educational content challenge gender stereotypes and include LBQ visibility.</b>                       | No — media and public discourse often reinforce harmful stereotypes rather than challenge them.           |                                                                                                                         | No — media and educational content do not challenge stereotypes or promote LBQ visibility.                                                           | No — media and educational spaces often reinforce stereotypes and hostility toward LBQ women.                  |

| ARTICLE/COUNTRY                                                 | QUESTIONS                                                                                                                                                                                                             | ALBANIA                                                                                                                                                     | BOSNIA AND HERZEGOVINA                                                                                                                                | KOSOVO                                                                                                                                                                | SERBIA                                                                                                                                                           |
|-----------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Assessment of Article 12</b>                                 |                                                                                                                                                                                                                       | <i>Prevention efforts are general and insufficient; they lack LBQ-specific focus, effective institutional training, and media promotion of inclusivity.</i> | <i>Prevention frameworks are non-specific; there are no targeted campaigns or training, and LBQ women are absent from public discourse and media.</i> | <i>Prevention efforts lack LBQ-specific focus; professional training is inadequate or insufficient, and media and education fail to promote inclusive narratives.</i> | <i>Prevention measures do not address LBQ-specific violence; training is absent, and media/education reinforce stereotypes instead of promoting inclusivity.</i> |
| <b>Article 18 (Protection and Support -General Obligations)</b> | <b>Whether LBQ women victims of GBV are protected from discrimination when seeking state support.</b>                                                                                                                 | No — LBQ women face significant discrimination when seeking institutional support.                                                                          | No — LBQ survivors are discriminated against and blamed when seeking support from institutions.                                                       | No — discrimination persists at the institutional level despite formal legal protections.                                                                             | No — LBQ survivors are not adequately protected from discrimination when seeking support.                                                                        |
|                                                                 | <b>If police, courts and institutions follow clear guidelines to prevent secondary victimization of LBQ women.</b>                                                                                                    | No — institutional guidelines exist in theory but are not effectively applied for LBQ survivors, leading to secondary victimization.                        | No — institutional responses lack sensitivity; there are no clear or consistently followed guidelines to prevent secondary victimization.             | No — guidelines to prevent secondary victimization exist but are not effectively implemented.                                                                         | No — guidelines exist but are inconsistently applied, leading to frequent secondary victimization.                                                               |
|                                                                 | <b>Whether the specific needs of vulnerable victims (e.g., LBQ women) are addressed through protection measures and access to recovery services (legal aid, housing, financial assistance, training, employment).</b> | No — specific needs of LBQ women are not addressed through protection measures; access to recovery services depends heavily on CSOs.                        | No — specific needs of LBQ women are not addressed; state recovery services are inaccessible or nonexistent.                                          | No — LBQ women's specific needs are not systematically addressed; support services depend on CSOs and remain highly limited.                                          | No — there is no systematic addressing of LBQ women's specific needs through protection or recovery services; access is fragmented and CSO-dependent.            |

| ARTICLE/COUNTRY                                                   | QUESTIONS                                                                                                               | ALBANIA                                                                                                                                                                                                                             | BOSNIA AND HERZEGOVINA                                                                                                                      | KOSOVO                                                                                                                                                                                                       | SERBIA                                                                                                                                                                              |
|-------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Assessment of Article 18</b>                                   |                                                                                                                         | <i>Legal frameworks exist but are not effectively applied for LBQ survivors; protection against discrimination, secondary victimization prevention, and lack tailored protection and recovery services, relying mainly on NGOs.</i> | <i>LBQ survivors face discrimination and secondary victimization; protection and recovery services do not address their specific needs.</i> | <i>While formal protections exist, LBQ survivors face discrimination, secondary victimization, and lack access to tailored protection and recovery services; state support is minimal and NGO-dependent.</i> | <i>Legal frameworks exist but are poorly implemented; LBQ survivors face discrimination, secondary victimization, and lack access to tailored protection and recovery services.</i> |
| <b>Article 22 (Specialist support services) and 23 (Shelters)</b> | <b>If GBV shelters and crisis centers explicitly welcome LBQ survivors and train staff to handle cases sensitively.</b> | No — shelters do not have explicit welcoming policies for LBQ survivors, and staff lack specialized training.                                                                                                                       | No — access to services is limited by capacity, lack of state support, and the absence of LBQ-specific programming.                         | No — shelters are not explicitly welcoming, and staff lack proper training on LBQ-sensitive support.                                                                                                         | No — shelters do not explicitly welcome LBQ survivors, and staff are not systematically trained on LBQ-sensitive approaches.                                                        |
|                                                                   | <b>Whether legal aid, medical and psychological support is accessible to LBQ individuals.</b>                           | Partially — access exists formally but is obstructed by discrimination, and heavily reliant on NGOs rather than effective state provision.                                                                                          | No — access to services is limited by capacity, lack of state support, and the absence of LBQ-specific programming.                         | Partially — services exist formally, but discrimination, mistrust, and lack of sensitive practices limit real access for LBQ individuals.                                                                    | Partially — services formally exist but are inaccessible or inadequate for LBQ individuals in practice.                                                                             |
|                                                                   | <b>If specialized services exist for LBQ women facing GBV, including safe spaces.</b>                                   | Very limited — specialized services are minimal, donor-driven, and geographically centralized.                                                                                                                                      | Yes — one donor-funded safe house exists, but capacity is limited and state support is absent.                                              | No — specialized safe spaces for LBQ women do not exist, and planned initiatives have stalled.                                                                                                               | No — specialized services and safe spaces for LBQ women do not exist.                                                                                                               |

| ARTICLE/COUNTRY                               | QUESTIONS                                                                                                                                                                | ALBANIA                                                                                                                                                                           | BOSNIA AND HERZEGOVINA                                                                                                                                                        | KOSOVO                                                                                                                                                  | SERBIA                                                                                                                                                                 |
|-----------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Assessment of Article 22 and 23</b>        |                                                                                                                                                                          | <i>Specialist services and shelters exist but are not inclusive or accessible for LBQ survivors; state support is minimal, and specialized safe spaces are extremely limited.</i> | <i>There is LGBTIQ-specific shelter with limited capacity and no institutional support; other services are exclusionary, under-resourced, and inaccessible for LBQ women.</i> | <i>Specialist services and shelters in Kosovo are not adapted to LBQ survivors; access relies on NGOs, and specialized safe spaces are lacking.</i>     | <i>Shelters and support services are not inclusive for LBQ survivors; access is limited, and specialized services or safe spaces are absent.</i>                       |
| <b>Article 46 (Aggravating Circumstances)</b> | <b>Whether national laws recognize aggravating circumstances relevant to GBV against LBQ women (relation to the victim, repetition, vulnerability, hate motivation).</b> | Yes — hate motivation based on SOGI is formally recognized as an aggravating circumstance in national law.                                                                        | Yes — formally recognized in law.                                                                                                                                             | Yes — hate motivation based on SOGI is formally recognized as an aggravating circumstance under national law.                                           | Partially — hate motivation based on SOGI is legally recognized as an aggravating circumstance, but it is not consistently linked to GBV or LBQ women's vulnerability. |
|                                               | <b>Whether judges and prosecutors apply these aggravating circumstances in practice.</b>                                                                                 | No — judges and prosecutors rarely apply aggravating circumstances in practice for GBV cases involving LBQ women.                                                                 | No — implementation is weak, and institutional actors rarely invoke aggravating circumstances for SOGI-based violence.                                                        | No — while the legal framework exists, judges and prosecutors rarely apply aggravating circumstances properly, especially in cases involving LBQ women. | No — aggravating circumstances related to SOGI are rarely applied in practice by judges and prosecutors.                                                               |

| ARTICLE/COUNTRY                                           | QUESTIONS                                                                                           | ALBANIA                                                                                                                                                               | BOSNIA AND HERZEGOVINA                                                                                                                                                 | KOSOVO                                                                                                                                                | SERBIA                                                                                                                                                          |
|-----------------------------------------------------------|-----------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Assessment of Article 46</b>                           |                                                                                                     | <i>Hate motivation is legally recognized as an aggravating circumstance, but its application in practice in GBV cases against LBQ women is rare and inconsistent.</i> | <i>Aggravating circumstances based on SOGI exist in law but are rarely applied due to weak enforcement, misclassification of same-sex IPV, and institutional bias.</i> | <i>Aggravating circumstances for hate motivation are recognized by law, but they are rarely applied in practice in GBV cases involving LBQ women.</i> | <i>Hate motivation based on SOGI is legally recognized as an aggravating circumstance, but it is rarely applied in practice in GBV cases against LBQ women.</i> |
| <b>Article 49 (General Obligations - Law Enforcement)</b> | <b>Whether police and judicial authorities handle violence against LBQ individuals sensitively.</b> | No — police and judicial authorities often reinforce stigma and secondary victimization instead of providing sensitive support.                                       | No — institutional responses are re-traumatizing, discriminatory, and deter survivors from reporting violence.                                                         | No — police and judiciary responses toward LBQ survivors are often insensitive and re-traumatizing.                                                   | No — institutional responses are inconsistent, often discriminatory, and dependent on CSO support.                                                              |
|                                                           | <b>If same-sex IPV is recognized and treated equally under the law.</b>                             | No — same-sex IPV is not recognized in practice, and survivors face institutional inaction and discrimination.                                                        | No — same-sex IPV is not recognized in law or practice; most cases are dismissed or downgraded due to bias and institutional inertia.                                  | No — same-sex IPV is not properly recognized or equally treated.                                                                                      | No — same-sex IPV is not legally or institutionally recognized as domestic violence.                                                                            |

| ARTICLE/COUNTRY         | QUESTIONS | ALBANIA                                                                                       | BOSNIA AND HERZEGOVINA                                                                                                                                             | KOSOVO                                                                                                   | SERBIA                                                                                                                                                 |
|-------------------------|-----------|-----------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------|
| Assessment of Article49 |           | Law enforcement response is insensitive toward LBQ survivors; same-sex IPV is not recognized. | Same-sex IPV is not legally recognized; law enforcement and judicial bodies dismiss or downgrade cases, causing widespread impunity and survivor retraumatization. | Police and judiciary responses to LBQ survivors are insensitive; same-sex IPV is not equally recognized. | Law enforcement responses to LBQ survivors are inconsistent and often discriminatory; same-sex IPV is not recognized or equally treated under the law. |

This table provides a structured, article-by-article assessment that highlights how national legal and policy frameworks in Albania, Bosnia and Herzegovina, Kosovo, and Serbia align, or fail to align, with the obligations set out in the Istanbul Convention regarding the protection of LBQ women. This tool is intended to support policymakers, civil society organizations, and international partners in developing more inclusive policies, strengthening institutional responses, and addressing the specific risks and barriers faced by LBQ survivors of gender-based violence. The findings from this table, together with additional data sources included in this analysis, provide the foundation for the comparative analysis and recommendations presented in the following section of this report.

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# COMPARATIVE ANALYSIS

This comparative analysis highlights the regional patterns, differences, and positive practices in how Albania, Bosnia and Herzegovina, Kosovo, and Serbia address gender equality and gender-based violence against LBQ women. It follows the structure of the country profiles, examining key areas such as national frameworks, forms of violence, reporting and institutional response, access and availability of services, and data collection. The comparative analysis identifies cross-cutting gaps, structural barriers, and areas where promising practices could be strengthened or replicated. The aim is to provide a clear overview of where alignment with international standards, particularly the Istanbul Convention, succeeds or falls short, and to support the development of targeted recommendations for advancing inclusive protection.

The **national framework** provides general legal protections against gender-based violence, but it largely fails to recognize or address the specific risks and needs of LBQ women. All four countries have laws on gender equality and anti-discrimination that formally include sexual orientation and gender identity, yet these protections are not effectively integrated into domestic violence or gender-based violence legislation. Same-sex intimate partner violence remains invisible in legal definitions, leaving survivors without clear pathways to protection or justice. For example, while Serbia's domestic violence law theoretically applies to emotional or sexual relationships regardless of cohabitation, in practice it does not cover same-sex relationships, and in Bosnia and Herzegovina, fragmented laws across jurisdictions create further confusion and gaps.

The rise of anti-gender movements and the growing influence of conservative political and religious actors further weaken the legal framework. These forces actively oppose gender equality reforms, resist legal recognition of same-sex partnerships, and fuel policy rollbacks, such as attempts to remove gender identity from legal protections in Bosnia and Herzegovina. In Albania and Kosovo, anti-gender rhetoric has shaped debates on reproductive rights and marriage equality, creating political resistance to inclusive measures.

Although all four countries have committed, in different ways, to aligning their national frameworks with the Istanbul Convention, this alignment remains partial and inconsistent when it comes to LBQ women. Albania, Bosnia and Herzegovina, and Serbia have ratified the Convention, and Kosovo has incorporated it directly into its constitution, but key provisions, such as the recognition of same-sex intimate partner violence, consent-based definitions of rape and measures addressing intersectional discrimination, are missing from national laws or poorly implemented. Strategies and action plans often reference the Convention's principles, yet without translating them into concrete, enforceable protections for LBQ women. As a result, the Convention's potential as a tool for advancing inclusive protections remains largely unrealized across the region.

Positive developments exist mainly on paper. All four countries formally recognize hate motivation based on sexual orientation and gender identity as an aggravating circumstance in criminal law, though the scope and wording differ. However, these provisions are rarely applied in practice. Strategic documents across the analyzed countries increasingly mention LGBTIQ persons or vulnerable groups in general terms, but they lack specific measures, clear budgets or timelines for implementation. The result is that LBQ

women remain largely invisible in national frameworks that are meant to protect all women from violence.

Across the four countries, the **forms of violence** experienced by LBQ women reflect deeply entrenched patriarchal norms, heteronormativity, and the structural invisibility of same-sex relationships. Family-based violence emerges as the most pervasive form, with survivors facing psychological abuse, forced isolation, economic deprivation, and, in severe cases, physical violence and corrective practices. In Albania and Kosovo, focus group participants highlighted cases of young lesbian women subjected to forced marriages or corrective rape by male family members, aimed at enforcing conformity to heteronormative roles. Similarly, in Bosnia and Herzegovina, emotional and economic abuse within the family, often escalating to eviction or homelessness, was described as a frequent consequence of coming out or being outed.

While domestic violence laws focus primarily on violence within family or cohabiting partner relationships, same-sex intimate partner violence remains unrecognized or misclassified. Survivors of violence within LBQ relationships often see their experiences dismissed as disturbances of public order or minor conflicts, rather than as gender-based violence warranting protection. This invisibility not only denies legal remedies but reinforces a culture where psychological violence, manipulation, threats of outing, and coercion are normalized, as noted in Serbia and Kosovo. The failure to name and address same-sex partner violence leaves LBQ women without access to protection orders or justice, and perpetuates impunity for perpetrators.

Hate speech, online harassment, and threats targeting LBQ women were described as intensifying, particularly in the wake of rising anti-gender and anti-LGBTIQ rhetoric across the Western Balkan region. Participants in Serbia and Kosovo highlighted the direct link between public homophobic discourse and escalating violence, including threats and attacks in public spaces. In Bosnia and Herzegovina, visibility through activism or participation in Pride events was repeatedly cited as a trigger for targeted harassment or violence. Digital spaces, meanwhile, have become significant sites of violence, with online blackmail and harassment contributing to distress, isolation, and in some cases, suicide attempts.

Despite these widespread patterns of violence, positive practices are rare. The few initiatives to address violence against LBQ women have largely been driven by CSOs, highlighting the urgent need for institutional action that explicitly names and combats these forms of violence.

The findings on **reporting and institutional response** point to widespread underreporting, institutional mistrust and systemic failures to recognize and address violence against LBQ women. Fear of being outed, secondary victimization and the expectation of institutional inaction discourage many survivors from engaging with the police or judiciary. Focus group participants highlighted that LBQ women often avoid reporting violence, prioritizing personal safety and privacy over legal recourse. When reports are made, they are frequently misclassified, for example, same-sex intimate partner violence is often recorded as disturbing the peace rather than domestic violence, stripping survivors of access to protection orders and appropriate remedies.

Institutional responses, where they occur, are shaped by bias, a lack of training, and inconsistent application of existing protections. Police and judicial officials often fail to identify hate motivation or gender-based dynamics in cases involving LBQ women, leading to downgraded charges or lenient sentencing. Even where hate motivation is formally recognized in law, its application in practice is rare. Survivors of violence routinely experience breaches of confidentiality, retraumatization through repeated questioning, and attitudes that justify or minimize the violence. The reliance on CSOs to accompany survivors to institutions and advocate on their behalf reflects the systemic failures of state mechanisms to provide safe, accessible pathways to justice.

While positive practices in institutional response are scarce, some limited initiatives point to potential avenues for improvement. Serbia's appointment of LGBTI liaison officers, though largely symbolic at present, represents a model that could be meaningfully developed. Similarly, the adoption of prosecutorial guidelines on hate crimes offers a framework that, if properly implemented, could strengthen institutional accountability and survivor protection.

When it comes to **services**, access for LBQ women is consistently limited across the region, marked by structural gaps, discrimination and over-reliance on underfunded civil society initiatives. While all four countries have general shelter and support systems for women survivors of violence, these rarely provide safe, inclusive spaces for LBQ women. Focus group participants described how mainstream shelters often exclude lesbian and bisexual women, particularly trans women, or fail to ensure their safety due to prejudice among staff or other residents. In Kosovo and Serbia, participants reported cases where survivors were expelled from safe houses after disclosing their sexual orientation or gender identity, or chose not to seek shelter at all out of fear of further victimization.

Specialized services tailored to LBQ survivors are almost absent, with the exception of one small donor-funded safe house for LGBTIQ individuals in Bosnia and Herzegovina, which operates with limited capacity and without state support. In Albania, one residential center (Shelter center in Tirana) provides housing and reintegration support for LGBTIQ individuals, with partial funding from the Ministry of Health and Social Protection, though other costs remain heavily donor-dependent. Health, legal, and psychosocial services also reflect these systemic shortcomings. Across the countries, LBQ women face mistrust or outright discrimination in healthcare settings, especially in reproductive and mental health services, with participants highlighting harmful practices such as denial of care, invasive questioning, or encouragement of conversion therapy. Rural areas are particularly underserved, leaving survivors without meaningful options for protection, recovery, or reintegration.

The safe house for LGBTIQ persons in Sarajevo, though modest in size and resources, stands out as a model of inclusive service provision that could inform broader efforts in the region. Similarly, some municipalities in Kosovo have initiated plans to establish shelters or services for LGBTIQ individuals, though these have yet to materialize due to stalled funding and political resistance. The critical role played by CSOs in bridging service gaps highlights both the resilience of community-led initiatives and the need for sustainable,

institutionalized support. Another positive example from Bosnia and Herzegovina shows that coordinated healthcare pathways can work in practice, as trans individuals are able to access hormone therapy through a streamlined process between mental health centers and endocrinologists. Although this is most likely an isolated case within the country, it illustrates the potential of inclusive, well-structured service models that remain largely absent across the region.

Across all four countries, **data collection** systems fail to capture the realities of violence against LBQ women, leaving them statistically invisible and obstructing evidence-based policymaking. While national frameworks formally require gender-disaggregated or domestic violence data, no country systematically collects or reports data disaggregated by sexual orientation, gender identity, or relationship type. As a result, the distinct forms of violence experienced by LBQ women, including same-sex intimate partner violence, family-based violence linked to sexual orientation and hate-motivated violence, are not included in official statistics.

Kosovo's Unified Database on domestic violence offers a partial step forward, as it includes an indicator for "association to the LGBTIQ community." However, this data point is inconsistently recorded and not publicly reported, limiting its usefulness. Similarly, in Serbia, the existence of a central registry on domestic violence has not translated into meaningful visibility for LBQ survivors, as data on same-sex partner violence is neither collected nor analyzed. In Bosnia and Herzegovina and Albania, the absence of centralized, harmonized data systems, combined with the lack of SOGI-disaggregated data, reinforces the invisibility of LBQ experiences in both policy design and service provision.

One of the contributions to understanding violence against LBQ women have come from CSOs, which have filled data gaps through community-based research and monitoring. However, without state-supported data systems that systematically include and analyze this information, these efforts cannot drive structural change at the policy level.

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# CONCLUSIONS AND RECOMMENDATIONS

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This section summarizes the main findings of the research and proposes practical recommendations for strengthening the protection and support of LBQ women in relation to gender equality and gender-based violence. The conclusions and recommendations are derived from the combined analysis of national laws, policies, and strategies; focus group discussions with civil society organizations; and the assessment of alignment with key articles of the Istanbul Convention. The section is structured by country. For each country, conclusions highlight the key gaps and challenges, followed by focused recommendations aimed at addressing these gaps and promoting inclusive, survivor-centered responses.

# Albania

## Conclusions

**Legal and policy frameworks provide general protections but lack targeted measures for LBQ women,** resulting in institutional gaps and inconsistent implementation. Intersectional discrimination is recognized in key strategies but not operationalized, and existing laws do not explicitly address same-sex intimate partner violence, corrective rape, or access to reproductive rights for LBQ women. They also fail to provide legal safeguards against anti-gender attacks that target LBQ communities and civil society, leaving these groups vulnerable to organized campaigns of hostility and disinformation.

**Implementation remains the core issue,** with multiple strategies and laws failing to translate into effective protection or services. Focus group participants consistently reported that inclusive language in policy documents does not lead to practical measures or funding, particularly outside urban centers. The absence of meaningful monitoring and accountability mechanisms, including independent oversight by civil society, further weakens the implementation of these frameworks.

**Reporting and institutional response mechanisms are deeply flawed,** with widespread underreporting among LBQ women due to fear of outing, distrust in institutions, and secondary victimization. Law enforcement and prosecution often fail to apply existing protections or classify violence correctly, particularly hate crimes and intimate partner violence in same-sex relationships. There are no formal mechanisms to monitor, publicly condemn or hold accountable institutions and actors who enable or perpetuate anti-gender hate campaigns and discriminatory responses.

**Specialist services are insufficient and largely donor-driven,** with most support reliant on CSOs. LBQ women face exclusion from shelters and health services, especially in rural areas, due to discrimination and lack of staff training. State support is minimal and non-inclusive, and no decentralised models, such as mobile units and regional shelters, exist to address the acute service gaps outside of urban centers.

**Data collection is fragmented and fails to capture the realities of LBQ women,** limiting visibility, accountability, and evidence-based policymaking. The absence of disaggregated data on sexual orientation and gender identity renders LBQ women statistically invisible, and data generated by CSOs is not formally integrated into national monitoring or reporting systems.

## Recommendations

**Adopt and implement targeted legal and policy measures for LBQ women,** including explicit recognition of same-sex intimate partner violence, corrective rape, and family-based violence in all relevant

legislation and strategies (Gender Equality Law, Domestic Violence Law, Criminal Code), and oppose regressive legislative proposals that restrict rights based on sexual orientation, gender identity, gender expression, or sex characteristics.

**Ensure that national strategies (as the National Strategy on Gender Equality, LGBTIQ+ Action Plan) include dedicated budget lines and concrete indicators** for addressing violence against LBQ women, moving beyond symbolic inclusion to measurable actions with clear institutional accountability, and establish independent monitoring mechanisms with meaningful civil society participation to track implementation and impact.

**Strengthen institutional capacity through mandatory training** for police, judiciary, healthcare providers, and social workers and members of Coordinated Referral Mechanisms on SOGIESC-sensitive approaches, including trauma-informed and survivor-centered responses, and introduce monitoring mechanisms to track performance.

**Establish inclusive and adequately resourced shelters and support services**, ensuring access for LBQ women through trained staff, anti-discrimination protocols, and confidential pathways, especially in rural areas. Promote decentralized service models, including mobile units and regional shelters, and expand state funding for CSO-led services to ensure sustainability and geographical reach.

**Reform data collection systems to include disaggregation** by sexual orientation, gender identity, and relationship status, and ensure integration across all public institutions, including police, justice, and social protection sectors, to enable tracking from reporting to resolution, while formally recognizing and incorporating data generated by CSOs into national reporting frameworks.

**Ban conversion practices and discriminatory restrictions** in healthcare, particularly in reproductive health services. Guarantee equal access to assisted reproductive technologies and gynecological care for all women, regardless of sexual orientation.

**Address online and public hate speech** through effective monitoring and enforcement, including systematic monitoring of organized anti-gender campaigns, legal action against perpetrators (including public officials) and support for strategic litigation by organizations targeted by such attacks.

Revise the definition of rape in the Criminal Code to be based on the lack of consent rather than force or threat, and abolish any remaining provisions for mandatory conciliation in cases involving sexual violence or forced marriage.

**Institutionalize partnerships with CSOs working with LBQ women**, including through formal referral protocols, consultation mechanisms and secure public funding streams, recognizing their role in reaching survivors and supporting access to services.

**Prioritize LBQ women in local-level strategies and services**, reversing the rollback of specific references to LGBTIQ communities in municipal plans and ensuring meaningful inclusion in both urban and rural contexts.

# Bosnia and Herzegovina

### Conclusions

**The fragmented governance structure and inconsistent legal definitions across jurisdictions create critical gaps in protection for LBQ women.** While anti-discrimination laws exist, same-sex partnerships are not legally recognized, and same-sex intimate partner violence remains unacknowledged in domestic violence legislation.

**Intersectional discrimination and the specific vulnerabilities of LBQ women are largely invisible in policy frameworks,** and entity-level strategies on domestic violence. Even when mentioned, they are not backed by specific measures or allocated budgets.

**Institutional responses are weak and frequently discriminatory,** particularly in cases of family-based violence against LBQ women and in the toleration or endorsement of conversion practices. Focus group participants highlighted widespread secondary victimization, lack of sensitivity, and the absence of legal remedies, especially in Republika Srpska where protections are regressing.

**Support services are limited and often exclusionary,** with only one safe house for LGBTIQ persons nationwide. Mainstream shelters discriminate against LBQ women, especially trans women, while psychosocial and legal services remain inaccessible to many due to prejudice and lack of staff training.

**Underreporting is severe,** driven by fear of outing, institutional bias, and the normalization of violence. Survivors rarely engage with law enforcement or courts, and rely on CSOs to mediate access, underscoring the state's failure to ensure safe and survivor-centered pathways to justice.

**There is no centralized, disaggregated data system for GBV,** and the lack of data on LBQ women renders their experiences invisible in state reporting, policy development, and service planning.

### Recommendations

**Legally recognize same-sex partnerships** to ensure LBQ women can access protections under domestic violence laws, family rights, and emergency support services. Amend entity-level domestic violence laws to explicitly include same-sex intimate partner violence and extend protection orders accordingly.

**Introduce specific provisions and targeted measures** in national and entity-level strategies (e.g., Gender Action Plan, GBV strategies) that address the unique risks faced by LBQ women, including family-based violence, conversion therapy, and social exclusion. Ensure these are supported by adequate budgets and monitoring mechanisms.

**Harmonize definitions and enforcement mechanisms across jurisdictions**, particularly for domestic and gender-based violence, ensuring alignment with the Istanbul Convention and the inclusion of gender identity and sexual orientation as aggravating factors in all relevant criminal legislation.

**Train police, prosecutors, judges, social workers, and shelter staff** on SOGIESC-sensitive and trauma-informed approaches, including the handling of same-sex partner violence, family rejection, and hate crimes. Institutionalize this training within public service curriculums and performance evaluation frameworks.

**Establish and adequately fund inclusive shelters and safe spaces** that are accessible to LBQ women in all regions. Guarantee non-discriminatory access to existing shelters through mandatory anti-discrimination policies, staff training, and external monitoring.

**Reform data collection systems to ensure disaggregation by sexual orientation, gender identity, and relationship status**, and create a centralized database on all forms of GBV across BiH's jurisdictions. Include indicators on institutional response quality and survivor outcomes.

**Ensure meaningful institutional cooperation with CSOs** through formalized referral systems, service contracts, and consultation mechanisms in strategy development and service delivery. Allocate sustained funding for organizations that support LBQ survivors of violence.

**Prohibit conversion practices and explicitly address family-based sexual violence and forced marriage**, whether perpetrated by families or others, with aggravating circumstances applied in sentencing. Provide protection measures for survivors, including legal aid and psychosocial support.

**Enhance access to justice for LBQ women** by improving legal aid coverage, ensuring confidential complaint mechanisms, and reforming procedures that expose survivors to repeated testimony, institutional discrimination, or unsafe confrontation with perpetrators.

**Implement dedicated awareness campaigns and education programs** to challenge homophobia, transphobia, and patriarchal norms that justify GBV, particularly targeting schools, healthcare settings, and rural communities.

# Kosovo

## Conclusions

Despite formal alignment with the Istanbul Convention through constitutional and legal provisions, **targeted protections for LBQ women are largely absent in implementation.** Laws recognize LGBTIQ persons as vulnerable but fail to address specific risks such as family rejection, forced marriage, or intimate partner violence in same-sex relationships.

**Policies and strategies (e.g., National Strategy on Domestic Violence, LGBTI Action Plan) include LBQ women in name but not in practice,** due to lack of budgeting, tokenistic consultation with CSOs, and heteronormative implementation that overlooks intersectional vulnerabilities.

**Access to justice remains limited,** especially for LBQ survivors who fear outing, community retaliation, or institutional inaction. Violence is frequently misclassified and survivors face repeated re-traumatization through insensitive procedures and breaches of confidentiality.

**Specialized services for LBQ survivors are non-existent,** with mainstream shelters lacking capacity, training, or safe environments for LBQ women. Some shelters exclude trans women entirely, and others are unsafe due to discriminatory attitudes among staff or other residents.

**Healthcare and psychosocial services are inadequate and discriminatory,** particularly in reproductive and mental health. LBQ women avoid essential services due to previous trauma, hostile environments, or fear of being outed, especially in smaller communities.

**Data collection systems do not capture the realities of LBQ women,** despite recent improvements in domestic violence databases. Lack of disaggregated data and the abandonment of a key prevalence survey have left major information gaps that obstruct effective policymaking and advocacy.

## Recommendations

**Amend existing laws and standard operating procedures to explicitly recognize and address violence against LBQ women,** including same-sex intimate partner violence, family rejection, forced marriage, and psychological violence. Ensure these forms are classified correctly under both domestic violence and hate crime legislation.

**Ensure targeted, budgeted, and measurable actions for LBQ women in all national strategies,** particularly the National Strategy on Domestic Violence and the LGBTIQ Action Plan. These must move beyond general mentions and be supported by clear implementation mechanisms and indicators.

**Establish safe and inclusive shelters and services for LBQ survivors,** including at least one dedi-

cated LGBTIQ shelter and expanded access to existing shelters through anti-discrimination training for staff and protocols to ensure the safety of all residents.

**Mandate comprehensive and continuous training for police, prosecutors, health workers, and social service providers** on SOGIESC-sensitive, trauma-informed, and survivor-centered responses. Training should be institutionalized within public systems, not left to donor-funded ad hoc programs.

**Create a secure and confidential referral system for LBQ survivors**, including the option for anonymous reporting, safe navigation through institutions, and guaranteed non-disclosure of identity unless consented. Prevent breaches of confidentiality that place survivors at risk.

**Reform healthcare protocols and reproductive rights policies** to ensure equal access for lesbian and bisexual women, and explicitly prohibit discrimination and conversion practices in mental health services. Train medical staff in inclusive, rights-based care.

**Allocate municipal and national budgets for inclusive services**, including safe spaces, psychosocial support, reintegration programs, and emergency housing, with particular focus on rural areas and LBQ youth rejected by their families.

**Institutionalize (and revive) a national GBV prevalence survey**, ensuring that it includes indicators on sexual orientation and gender identity, and is conducted with the capacity to produce usable public reports. Strengthen the use of the Unified Database to monitor LBQ-related cases.

**Strengthen partnerships with CSOs** by formalizing their role in service delivery and policy development, providing core funding and recognition for their frontline work with LBQ survivors, especially where state services are inaccessible or unsafe.

**Address public and political homophobia through coordinated anti-discrimination campaigns**, legal accountability for hate speech (including by public figures), and education programs in schools and public institutions that promote respect for bodily autonomy and diversity.

# Serbia

## Conclusions

**Legal frameworks offer general protections against discrimination and violence, but lack specific recognition of LBQ women's experiences**, particularly in domestic and GBV legislation. Same-sex partner violence is routinely misclassified, and the stalled Law on Same-Sex Partnerships leaves LBQ women legally unprotected in intimate and family contexts.

**Policy strategies (such as Gender Equality Strategy and GBV Strategy) acknowledge intersectional vulnerabilities in principle but fail to operationalize them**, offering no targeted measures, timelines or resources to address violence against LBQ women.

**Institutional responses to violence are inconsistent, often shaped by homophobic and patriarchal biases**, with police, prosecutors, and judges failing to apply existing protections or recognize same-sex or gender-based dynamics. Survivors are frequently re-traumatized and dependent on CSO support to navigate systems.

**Support services are severely limited**, with safe houses either excluding LBQ women (especially trans women) or lacking capacity and training to accommodate them safely. Service provision is highly dependent on CSOs, which face chronic underfunding and minimal state cooperation.

**The normalization of psychological violence, outing, and corrective practices within families and institutions leaves LBQ women highly vulnerable**, while underreporting remains rampant due to fear of exposure, disbelief, or secondary victimization by authorities.

**Data collection remains fragmented and does not capture the experiences of LBQ women**, preventing evidence-based responses or visibility in policy and funding decisions. No official mechanism tracks same-sex partner violence, and disaggregated data on GBV and discrimination are absent.

## Recommendations

**Adopt the Law on Same-Sex Partnerships without delay**, ensuring legal recognition of same-sex relationships and enabling LBQ women to access protections under domestic violence laws, inheritance rights, and family-related services.

**Ensure that GBV-related laws and protocols are consistently interpreted and applied** to explicitly include same-sex intimate partner violence, and that protective measures (including emergency barring and restraining orders) are available and enforced in practice, regardless of marital or cohabitation status.

**Ensure that national strategies include specific, budgeted measures for LBQ women**, with time-

lines, indicators, and institutional accountability mechanisms.

**Mandate institutional training for police, judiciary, social workers, and health professionals** on SOGIESC-sensitive and intersectional approaches to GBV. Training must include recognizing psychological violence, outing, and secondary victimization, and be tied to performance evaluation and institutional funding.

**Expand access to inclusive and safe shelters and crisis services**, requiring all state-funded facilities to implement anti-discrimination protocols, provide staff training, and ensure that trans and LBQ women can access services without prejudice or risk.

**Increase funding and formal partnerships with CSOs working with LBQ women**, including contracts for service delivery, integration into referral pathways, and regular consultation on law and policy development.

**Revise the definition of rape in the Criminal Code to be consent-based**, aligned with Istanbul Convention standards, and explicitly recognize corrective rape and coercive practices as aggravated forms of violence.

**Create a centralized, publicly accountable data system** that includes disaggregation by sexual orientation, gender identity, and relationship type, tracking GBV cases from report to resolution and enabling targeted policy interventions.

**Prohibit conversion practices in all health and social services**, and monitor compliance through independent regulatory mechanisms. Establish inclusive, trauma-informed psychological support services accessible to LBQ women.

**Strengthen accountability for hate speech and discrimination**, including through the enforcement of sanctions against public officials and institutions, public awareness campaigns, and educational reforms promoting bodily autonomy, gender equality, and LGBTQ+ rights.

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# ANNEXES

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# Questionnaire for Representatives of Public Institutions (English version)

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## Annex 1.

This questionnaire is part of a regional research initiative conducted by ERA – LGBTI Equal Rights Association for the Western Balkans and Turkey, in cooperation with the European Lesbian\* Conference (EL\*C), funded by the European Union. The study focuses on analyzing national laws, strategies, and policies on gender-based violence (GBV), including the level of implementation of the Istanbul Convention and the inclusion of lesbian, bisexual, queer (LBQ) women, trans women, and non-binary persons identifying as lesbians.

The objective of this questionnaire is to gather insights from public institutions regarding the extent to which current legal frameworks, action plans, and GBV-related services recognize and respond to the specific needs of these groups. Your responses will contribute to a better understanding of institutional practices, challenges, and potential areas for improvement, with the aim of enhancing policy inclusivity and protection for all women, regardless of sexual orientation, gender identity, or expression.

We greatly appreciate your time and contribution to this important research effort.

### Questionnaire for Public Institutions

Country:

Name of Institution:

Name of Representative:

Position/Role in Institution:

#### Legal and strategic framework

- Which specific laws, national strategies, or action plans related to gender-based violence and gender equality are under your institution's mandate?
- How are these frameworks coordinated, monitored, and evaluated at national and local levels?

#### Istanbul Convention and international standards

- Does your institution coordinate or contribute to national reporting on the Istanbul Convention or other international frameworks?
- What mechanisms are in place to ensure their effective implementation?
- To what extent do these mechanisms consider marginalized groups, including lesbians, bisexual, trans and non-binary persons who identify as lesbians (LBQ women)?

#### Inclusion of LBQ women in laws and policies

- Are there legal provisions, policies, or strategic documents that explicitly recognize the needs of

lesbian, bisexual, queer, non – non binary and trans women who identify as lesbians?

- Do any existing national frameworks mention sexual orientation or gender identity/expression as factors of vulnerability or grounds for discrimination?
- Are there plans to adopt or update legal instruments or strategies to better address GBV against LBQ individuals? If not, what are the key obstacles?

### **Recognition and protection in law**

- How does the national legal system define intimate partner violence? Is this definition inclusive of same-sex relationships?
- Are protection orders, emergency measures, or shelter services legally available to women in same-sex relationships or those facing GBV due to their sexual orientation/gender identity?

### **Implementation and monitoring**

- Are there formal mechanisms to monitor the implementation of laws and policies on GBV and assess their inclusivity?
- Have any audits, evaluations, or independent reviews assessed whether these measures protect all women, including LBQ women?

### **Data collection**

- Does the state collect and maintain a disaggregated database on GBV and domestic violence?
- Which variables are included (e.g., sex, age, type of violence, perpetrator relationship)? Are sexual orientation and gender identity part of the dataset?
- If not, are there technical, political, or legal barriers to collecting this data?

### **Access to services**

- Are essential services (shelters, legal aid, healthcare, psychosocial support) accessible to LBQ survivors?
- Are service providers trained to offer inclusive, non-discriminatory support?
- Do any LGBTQ+-specific or inclusive shelters exist? How are services made accessible in rural or remote areas?

### **Training of professionals**

- Are police, social workers, healthcare professionals, and other frontline staff trained to recognize and respond to GBV in same-sex relationships or against LBQ individuals?
- How often are these trainings conducted, and how is their effectiveness evaluated?

### **Collaboration with CSOs**

- How does the state collaborate with civil society organizations, especially those working on women's and LGBTQ+ rights?
- Are these organizations included in consultations, advisory bodies, or monitoring structures?
- What challenges or gaps exist in the collaboration with civil society organizations representing LBQ women?

## Annex 2.

### Questionnaire for Representatives from CSOs

Country:

Participants:

#### 1. General situation of GBV against LBQ women

- What are the most common forms of violence experienced by LBQ women in your country?  
(Are some forms more prevalent than others—physical, psychological, sexual, economic, online, or institutional violence? How do these experiences differ from violence against heterosexual women? Are there regional or ethnic differences?)
- Are certain groups of LBQ women more vulnerable to violence?  
(Do some sub-groups face more severe violence? Do more visible or gender non-conforming LBQ women experience different forms of discrimination and violence? How do intersecting factors like class, race, disability, or rural/urban location affect exposure to violence?)
- How does institutional violence manifest in law enforcement, healthcare, and social services?  
(Are LBQ women discriminated against by police officers, medical professionals, or social workers? Have they faced hostility, misgendering, forced outings, or denial of services when reporting violence? What are some common barriers?)

#### 2. Family and intimate partner violence

- How prevalent is intimate partner violence among LBQ women? Are there differences in how institutions respond compared to IPV in heterosexual relationships?  
(Is intimate partner violence in same-sex relationships recognized by law enforcement and support services? Are LBQ survivors believed when reporting IPV, or is it dismissed as “mutual fighting”?)
- How prevalent is family-based violence against LBQ women?  
(Do families pressure LBQ women into heterosexual marriages or religious conversion therapies? Are there cases of corrective rape? Are LBQ women more likely to be financially dependent on unsupportive families?)
- How does economic dependence or lack of housing impact LBQ women facing family violence?  
(Are there shelters or financial assistance programs accessible to LBQ women who are cut off from their families? Do they fear losing jobs or housing if outed?)

#### 3. Public, workplace, online GBV

- What risks of harassment, discrimination, or violence do LBQ women face in public spaces, workplaces, and social settings?

(Do LBQ women experience verbal harassment or physical assault in public? Are there specific high-risk areas, such as bars, nightclubs, or sports venues? How common is workplace discrimination, and do survivors seek legal action?)

- How prevalent is cyberviolence, online harassment, and hate speech, and what impact does it have on LBQ women?

(Have participants or people they know faced doxxing, threats, or social media harassment? Are there laws protecting LBQ women from cyberviolence? How does online harassment affect mental health and public visibility?)

- How do political, religious, and media narratives contribute to violence and discrimination against LBQ women?

(Do political figures, religious leaders, or the media spread anti-LBQ rhetoric? Has this led to increased hate speech or physical attacks? How does the media portray LBQ women—stereotypically, invisibly, or as threats?)

#### **4. Institutional response**

- How do police and the justice system respond to cases of violence against LBQ women?

(Do LBQ survivors trust the police, or do they fear further victimization? Are officers trained to handle GBV cases involving LBQ women? Do survivors experience secondary victimization, such as being blamed, ignored, or harassed when reporting?)

- Are hate crimes based on sexual orientation or gender expression properly investigated and prosecuted?

(Are there legal protections against homophobic hate crimes? Are perpetrators typically punished, or do cases often get dismissed? Have there been any positive legal precedents?)

- Do LBQ women experience secondary victimization when seeking protection or legal remedies? (Are judges, prosecutors, or lawyers biased against LBQ survivors? Are LBQ survivors forced to disclose personal details that heterosexual women would not be asked about?)

#### **5. Access to services**

- Do shelters and safe houses provide adequate access for LBQ women? What barriers exist?

(Are there LGBTQ+-inclusive shelters, or do LBQ women avoid them due to discrimination? Have survivors been denied entry or faced violence from other shelter residents?)

- Are mental health and healthcare services trained to be inclusive and non-discriminatory toward LBQ survivors?

(Are doctors and therapists competent in working with LBQ survivors of GBV? Do LBQ women face discrimination or forced psychiatric treatments?)

- What gaps exist in free legal aid for LBQ survivors of violence?

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(Is free legal aid accessible? Are LBQ-specific cases treated seriously, or do lawyers lack knowledge on their specific legal challenges?)

**6. Data and policy gaps**

- How well does the current legal and policy framework address violence against LBQ women?

(Do existing GBV laws explicitly protect LBQ women, or are they left out of policies? Are there legal loopholes that allow discrimination?)

- What are the biggest gaps in data collection, and how does the lack of disaggregated data affect advocacy and policymaking?

(Is data on intimate partner violence within same-sex relationships systematically recorded?)

- What legal, institutional, or policy changes are urgently needed to improve protection and services for LBQ women?

(What are the most urgent legislative reforms? What institutional changes, such as police training, better shelter policies, or inclusive healthcare, are needed?)

# Contact us

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