

Strengthening Gender-Based Violence Protection for LBQ¹ Women in Kosovo

Gaps, challenges and policy
recommendations for inclusive responses

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¹LBQ women as a term inclusive of lesbian, bisexual and queer women, including cisgender, trans and intersex women, and all non-binary or genderqueer people on the gender spectrum who relate to an LBQ identity.

Executive Summary

Kosovo LBQ women need to decide between staying hidden while enduring abuse or exposing themselves by trusting government agencies for protection. The system forces women into this impossible decision because it maintains legal promises without delivering genuine safety measures. The Istanbul Convention guarantees are part of Kosovar law since its constitutional and legal framework matches international standards, yet these protections do not materialize in real-world practice.

LBQ women encounter major obstacles when seeking justice because they fear backlash and systemic inaction while their experiences of violence often become misclassified or completely disregarded. The total absence of specialized shelters combined with inadequate inclusive support services creates a crisis for survivors who need safe places to seek help.

This policy brief addresses essential gaps to develop a specific plan that will enhance protection and justice access and support services for women.

This brief draws its findings from the “Analysis on Gender Equality and Prevention of Violence against LBQ Women in Albania, Bosnia and Herzegovina, Kosovo and Serbia” which combined a desk review of laws and policies, focus group discussions, and an assessment of compliance with the Istanbul Convention.

The Gap between Law and Reality

Kosovo's legal framework provides strong protection through its Constitution along with its fundamental laws which acknowledge sexual orientation and gender identity as protected rights. The Istanbul Convention achieves constitutional status in this country. The existing legal structure remains ineffective because multiple systemic flaws persist in its implementation.

The policies contain empty promises about LBQ women because they lack funding along with specific implementation plans and meaningful civil society organization involvement to transform them into reality.

The lack of specific legal recognition for same-sex intimate partner violence (IPV) leads authorities to misclassify these cases and deny proper protection to survivors.

The National Strategy on Domestic Violence together with the LGBTIQ Action Plan contain inclusion statements but they lack specific funding allocations and measurable steps to support LBQ women.

Barriers to Justice and Services

The intense social stigma prevents LBQ women in Kosovo from reporting their severe family-based and physical abuses and forced marriages and corrective practices. The system works to oppose these women during their search for assistance.

The path toward justice remains closed to LBQ women because they fear exposure and face threats from attackers while dealing with institutional prejudice as well as repeated trauma during court proceedings.

The lack of specialized shelters combined with insufficient trained staff and safety protocols at mainstream services creates an absolute barrier for LBQ survivors who need help.

Healthcare services along with psychosocial assistance fail to meet the needs of patients. Many LBQ women stay away from crucial medical treatment because they remember previous harmful encounters or worry about discriminatory medical treatment.

Why LBQ Women Remain Invisible?

The development of successful policy requires evidence yet current data systems hide LBQ women from view.

The current data collection systems completely hide the realities of LBQ women because they do not separate data based on sexual orientation and gender identity or relationship type.

The absence of vital data prevents us from understanding the extent of the problem which hinders the creation of evidence-based policies together with targeted interventions and effective services.

Recommendations for Inclusive Protection

Kosovo's institutions need to perform these particular actions to bridge the distance between legal guarantees and actual experiences of their citizens.

1. Legal and Policy Reform

Protective measures including protection orders should be made immediately accessible to same-sex IPV victims regardless of their marital or cohabitation status through immediate procedural rule changes.

The Criminal Code and the Law on Domestic Violence need to be amended to define and properly classify IPV in same-sex relationships, family rejection, and psychological abuse as hate crimes and domestic violence. All national strategies must include detailed budgeted and quantifiable LBQ women actions.

On the long term, the government should advance marriage equality to give LBQ women and their families complete legal protection that is identical to heterosexual couples.

2. Inclusive and Accessible Services

The immediate priority requires all mainstream shelters to establish anti-discrimination protocols and deliver complete staff training about SOGIESC issues and develop safety measures for LBQ survivors.

The medium-term goal requires the establishment of one completely funded LGBTIQ shelter and crisis center. Healthcare and reproductive services that include trauma-informed care should be improved to reach LBQ women.

On the long-term, the government should formally ban all so-called "conversion practices" that mental health providers use in their facilities.

3. Institutional Capacity and Training

The immediate priority requires developing secret survivor-oriented pathways between CSOs and police forces and social services which should enable reporting without disclosure of identities.

A medium-term goal establishes mandatory training for all police officers and judges and prosecutors and social workers and health providers which focuses on SOGIESC sensitivity and trauma-informed practice.

The mandatory training program should integrate into public institutions' core curricula and professional development systems instead of using donor-funded ad-hoc programs.

4. Data Collection

The initial step requires modifying all GBV data collection forms and systems to include voluntary fields for sexual orientation and gender identity and relationship type information.

The goal for the medium term involves adding these specific data points to unified national databases which will allow evidence-based policy development.

A national GBV prevalence survey should be reinstituted with indicators for LBQ women experiences and results should be made public.

5. Partnerships and Public Awareness

The immediate priority requires the establishment of formal relationships with proven CSOs to support policy development and service delivery and create referral systems. The state services fail to reach survivors so these partnerships serve as the essential means to provide assistance.

The medium-term goal calls for state funding to be established for the long-term support of these critical CSOs. The public should see coordinated anti-discrimination efforts alongside immediate legal consequences for hate speech that appears in political discourse.

The long-term vision is for public institutions together with school curricula to teach respect for bodily autonomy and human diversity to solve the fundamental causes of discrimination.

A Call to Action

All citizens must receive protection from violence because this stands as an essential national obligation. Kosovo's institutions should implement their promises instead of just making empty statements.

We request to meet immediately with the Ministry of Justice and Ministry of Health and Agency for Gender Equality to discuss state-funded shelter policies about survivor-safe referral pathways and anti-discrimination protocols.

The full analysis “Analysis on Gender Equality and Prevention of Violence against LBQ Women in Albania, Bosnia and Herzegovina, Kosovo and Serbia” contains detailed research findings.

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