

# **LGBTI Annual Report 2016**

Western Balkans and Turkey

Belgrade, April 2017

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## **ABBREVIATIONS**

- ARV	Anti-Retroviral Treatment
- BiH	Bosnia and Herzegovina
- CoE	Council of Europe
- CPD	Commissioner for Protection from Discrimination

- CSO Civil Society Organization
- EC European Commission
- ECHR European Court of Human Rights
- ERA ERA – LGBTI Equal Rights Association for the Western Balkans and Turkey
- EU European Union
- FBiH Federation of Bosnia and Herzegovina
- GAP Gender Action Plan
- IDAHOBIT International Day against Homophobia, Transphobia and Biphobia
- LGBTI Lesbian, Gay, Bisexual, Trans, Intersex
- LGR Legal Gender Recognition
- MEP Member European Parliament
- MoU Memorandum of Understanding
- MP Member of Parliament
- MSM Men who have sex with men
- NAP National Action Plan
- NGO Non-governmental Organization
- OSCE Organization for Security and Cooperation in Europe
- SOGI Sexual Orientation, Gender Identity and Expression
- TIGV Trans, Intersex and Gender Variant People
- UN United Nations
- WB&T Western Balkans and Turkey
- USAID United State Agency for International Development
- IVF In-Vitro Fertilization

## INTRODUCTION

This report covers the period 1 January – 31 December 2016. In very few cases, events from 2015 are added as a reference to developments in 2016. It covers 9 countries where ERA operates: Albania, Bosnia and Herzegovina, Croatia, Kosovo, Macedonia, Montenegro, Serbia, Slovenia and Turkey.

The information provided in this report has been proofread by ERA member organizations and almost all information is traceable through links to original resources, including articles, publications and research articles.

The topics covered by this report are related to progress – or regress – in the areas of legislation, protection from discrimination, policy influencing and change - with particular focus on national and local action plans - recorded cases and statistics on discrimination, hate speech and hate crimes, including here recorded responses and attitudes of law enforcement authorities such as police, prosecutors and courts. Particular attention has been paid to landmark decisions from national courts relating to discrimination, hate speech and hate crimes.

Additionally, the report focuses on court cases, either national or international – particularly decisions of the European Court of Human Rights (ECHR) – which have an important impact on the countries of the WB&T region.

The report covers also:

- issues related to family rights and developments with regards to legal recognition of same-sex unions as well as discriminatory legislation in the region;
- issues related to economic empowerment of LGBTI people, with particular attention paid to cases of discrimination in the workplace;
- issues related to education, including here discrimination, bullying and discriminatory text-books and other important developments;
- issues related to health and well-being of LGBTI people including here legal changes, access to health, cases of discrimination and research;
- trans and intersex rights particularly those pertaining to legal gender recognition, anti-discrimination legislation, public attitudes, stakeholders' attitudes, access to services as well as hate crime and harassment;
- issues related to freedom of expression and the situation of the media in the WB&T region with regards to discrimination and hate speech, legal changes and public authorities' attitudes towards media;
- political participation and representation of LGBTI people, with special focus on dialogue with political parties and visibility of LGBTI issues in political party programs;
- Immigration and asylum issues of LGBTI people in the WB&T region are also covered, with particular focus on individuals leaving their countries and LGBTI refugees seeking asylum or shelter;
- visibility and public campaign actions of its members in the WB&T with special attention on activities aiming to change public attitudes and perceptions;
- research conducted in the region during 2016 is also included in the report, with very brief summaries of main findings. Original links are available.
- lastly the report covers developments of the LGBTI movement in each country, with particular focus on freedom of association, security and main challenges faced by organizations throughout 2016. Additionally, the report tries to cover much of the activities organized and recorded by LGBTI organizations in the region, in order to

further increase the visibility of their efforts and hard work done in the advancement of LGBTI rights in their countries.

For regular updates on developments in the WB&T region subscribe to our regular newsletter by sending an Email at [office@lgbti-era.org](mailto:office@lgbti-era.org). For more information on developments in the Western Balkans and Turkey region visit our [webpage](#) and follow us on [Facebook](#) and [Twitter](#).

### **The Online Resource Center**

If you are looking for LGBTI specific resources concerning any country in the WB&T region visit our Online Resource Centre. There, you can find thousands of resources in English and local languages including research, articles, toolkits, guidelines, reports, magazines etc. You are more than welcome to upload your research work or other materials and publications which are relevant for the region directly into the repository. For more questions on the Online Resource Centre send an Email at [office@lgbti-era.org](mailto:office@lgbti-era.org)

### **Dissemination**

While disseminating this report in social media please use the hashtag #ERALGBTIReport2016

## **REGIONAL SUMMARY**

### **Executive Summary**

2016 was a year of significant developments in the Western Balkans and Turkey (WB&T) region. While the Western Balkans recognized some degree of progress, Turkey experienced incredible setbacks. Due to the varied political and social circumstances, the summary on the Western Balkans will be slightly separate from that of Turkey, mostly with the intent to provide a clear picture, while avoid unnecessary comparisons.

In 2016, governments in the Western Balkans committed to varying degrees to the legal advancement of LGBTI rights. The Albanian Parliament refused to vote on the inclusion of sexual orientation and gender identity (SOGI) as grounds for protection from discrimination,

arguing that this would pave the way for marriage equality. Bosnia and Herzegovina (BiH) included sex characteristics as grounds for protection from discrimination while all three administrative units of the country managed to amend the criminal codes and include SOGI. The Serbian Parliament amended Article 5 of the Law on Police to regulate prevention from discrimination based, among others, on gender and gender identity.

Despite these developments, however, LGBTI people are far from being treated equally to the rest of society. Efforts for full marriage equality were unsuccessful in both Croatia and Slovenia and both countries have had to do with registered partnerships. In Croatia particularly, this law is still under constant threat of being repealed by conservative political parties which keep imposing a negative rhetoric. Croatia, meanwhile was found in violation of Articles 8 and 14 by the European Court for Human Rights in a case which concerned family reunification of a same-sex couple. Otherwise, no significant progress has been done in this respect in other countries of the region. In Albania and Montenegro draft laws for same sex civil partnerships have been prepared but they are still to be voted by Parliaments. Same sex unions are not allowed in any of the other countries.

With regards to legal gender recognition, no particular progress was made, even though draft laws have been already prepared and legal changes are being advocated for in Bosnia and Herzegovina, Albania, Serbia and Montenegro. Trans rights did get some legal recognition however in Macedonia, where an Administrative Court decided positively on the request of a trans woman to legally change her gender while the Serbian Law on Police now offers protection also on grounds of gender identity.

With regards to anti-discrimination policy, most countries of the region are either in the phase or implementation, or approved new action plans during 2016. New plans were launched in Albania and Kosovo while SOGI were extensively included in national human rights and equality plans of Bosnia and Herzegovina and Macedonia.

Some degree of progress was reached in increasing cooperation of LGBTI organizations with local governments. Different forms of partnerships and cooperation with local governments and stakeholders were established in Montenegro, Serbia, Macedonia and Bosnia and Herzegovina.

LGBTI organizations, however, have criticized widely the poor implementation of action plans and forms of cooperation which do not usually translate in concrete activities or results for LGBTI people and often have very little impact in the quality of their lives.

Of particular concern throughout the entire region – including Croatia and Slovenia as EU countries – as well as Turkey, remains the high incidence of hate crimes, hate speech and discrimination experienced by LGBTI people. This report contains detailed information on cases of hate crimes from all across the region as well as the performance and approach of law enforcement authorities with. Performance, overall, remains much below expectations and LGBTI people show very high levels of distrust and lack of confidence especially towards the police and law enforcement generally. Efforts to collect and report hate crime data have been put in place by LGBTI organizations in almost all countries of the region while several NGO's have followed this issue strategically including monitoring, reporting, as well as

legally following cases. Important research has been conducted both on public attitudes and experiences of discrimination of LGBTI people in the education sector as well as other areas.

Public attitudes towards LGBTI people continue to remain negative also when it comes to their visibility as well as claiming social spaces. Studies in Croatia and Montenegro showed that the general public does not endorse Prides. In 2016 the LGBTI community continued to be highly visible. LGBTI organizations and activists joined mainstream political uprisings such as in the case of the Colorful Revolution in Macedonia while Pride marches and many forms of demonstrations were held successfully in all the Western Balkans and Turkey. Hate speech and harassment of LGBTI people prevailed particularly around IDAHOT activities and this remains one of the most problematic legal areas all across the region. While equality bodies have taken affirmative actions in addressing hate speech, particularly from public personalities, the magnitude of hate speech online is so big that more efforts and affirmative action is required.

The situation with LGBTI rights in Turkey was particularly more challenging and problematic than any other country in the ERA region or south-east Europe. The state of emergency following the failed coup d'état in July came with very high price for civil liberties. Many NGO's were closed down while hundreds of thousands of people were arrested or fired from their jobs. Meanwhile the increased authoritarian tendencies of the government as well as their pro-Islamist political agenda has contributed to an increased rhetoric of social and cultural conservatism which constitutes a big threat with regards to secular values but also the liberties guaranteed to Turkish citizens by the Constitution. Censorship in traditional and new media is now a daily reality in Turkey. All these deep changes in Turkish politics and social reality has reflected the approach of central institutions towards LGBTI rights. No positive affirmative action has been taken by the central government while the number of hate crimes against LGBTI people, particularly trans sex workers, has increased exponentially. Many of these crimes go unpunished or un-investigated while the pleas and demands for help of trans people often go ignored by law enforcement authorities. Most Prides during 2016 were banned citing security of participants or public sensibilities as justifications.

Despite all these immense obstacles, the LGBTI movement in Turkey has been more powerful than ever. New associations have been formed all across the country and Pride events were organized in most cities, despite the bans.

## **ALBANIA**

### **Executive Summary**

2016 was a year of moderate progress for Albania. No legal advancements were made during the year. The Government proposal to amend the family code which would pave the way for the recognition of same-sex partnerships has not yet been debated or voted in Parliament. The draft-law on legal gender recognition, sent to the Ministry of Social Welfare and Youth more than two years earlier has still not been taken into consideration by the latter. The year 2016 was also widely influenced by negotiations on the Justice Reform a much anticipated and difficult legal process which consisted in the amendment of the Constitution and important laws. At some point, part of the negotiations, became also the inclusion of SOGI as grounds for protection from discrimination. This however was strongly opposed by extreme right-wing MP's and the main opposition party which threatened not to vote the justice reform unless SOGI was removed from the list. Their main argument was that such an amendment in the Constitution would open the way for marriage equality. This was however an unnecessary political move, considering that the Albanian Constitution already defines marriage as a universal right without making specific mention to genders and that this inclusion would not play a significant role in the arguments of LGBTI organizations to demand marriage equality. SOGI, were however, removed from the final draft and as such were not voted by the Parliament.

Cooperation between LGBTI organizations and the Government continued throughout 2016. An MoU was signed between some organizations and the Ministry of Social Welfare and Youth. Later on, the LGBTI NAP 2016-2020 was launched. Compared to the previous

one this NAP is budgeted and several Ministries are tasked with specific actions and responsibilities.

Studies were conducted and launched in 2016 in the areas of access to local services, education, employment, discrimination and hate crimes.

Visibility activities continued during 2016 with high intensity around IDAHOBIT. For the first time members of the trans community spoke openly in mainstream media. Street actions took place as well as countless social and cultural activities.

The LGBTI community, however, continued to remain invisible, and most activities were focused in the capital Tirana, which is also the main choice as place of residence for LGBTI people.

Discrimination and hate speech continued throughout 2016 with a high peak during IDAHOBIT activities. Hate speech was widely present in traditional and social media. The latter was loaded with hate pages, messages of hatred, call for actions of crime etc.

### **Protection from Discrimination**

In August, Albania missed the chance to include protection from discrimination on grounds of SOGI in its Constitution. As the country was risking a political crisis over disputes concerning the justice reform, conservative opposition parties and MPs - a few influenced by main religious groups - threatened not to vote the justice reform unless SOGI were excluded. Their argument was that such addition would risk introducing same sex marriage in legislation, even though legal experts rebuffed this argument. At last SOGI was removed from the draft amendments. More on the story [here](#).

In January, three organizations in the country, [Alliance against Discrimination LGBTI](#), [Together for LGBT Cause](#) and the [LGBT Shelter](#) signed an MoU with the Ministry of Social Welfare and Youth. Through the MoU the parties agreed to strengthen cooperation in order to fulfill legal obligations, improve services towards LGBTI people and their access to opportunities. Particular focus was paid to closer cooperation for the consolidation of services of the LGBT shelter. More on the agreement [here](#).

### **Policy**

In May, the Albanian government approved the NAP for LGBTI people 2016-2020. Considered by some organizations to be the biggest step since the adoption of the Law on Protection from Discrimination in 2010, the plan includes a model of change which aims to create a culture of inclusion and openness to diversity and contributes further to the strengthening of the LGBTI community. The budget is also the first on LGBTI rights to be funded from the state – with regards to public officials' salaries - and is expected to be followed by fundraising and communication strategies. A national coordinating committee has been established.

In October, the government officially launched the NAP at a roundtable meeting. Activists noted, that even though several ministries are obliged to implement this plan, only two of them – Social Welfare and Education – were present. They also highlighted that the role of civil society was not clear in the meeting while several state officials openly said they were doing this because they are paid and not because of empathy for the LGBTI community. More on the story [here](#).

Meanwhile the budgeting of this action plan – with 2.2. million EUR – for the salaries of officials charged with responsibility, was not well-received by public opinion, with traditional and social media publishing discriminatory titles and expressing outrage.

### **Discrimination, Hate Crimes and Hate Speech**

In 2016, Alliance against Discrimination recorded [12 cases of domestic violence](#) against LGBTI people. All these cases concerned verbal and psychologic harassment. 7 out of 12 reported to have been victims of physical violence from their relatives. Most of the victims of discrimination were gay men aged between 17-35, while trans gender women were mostly vulnerable to physical violence.

In January 2016 two LGBTI organizations Alliance against Discrimination LGBT and Pro LGBT denounced the ill treatment and psychological abuse suffered from police officers in the Shkodra district. Activists were in the city together with a trans woman who needed to get an ID in order to have her city of residence transferred to Tirana. They encountered discrimination initially at the offices of the civil registry. Later on, they were stopped by police officers who started to question the trans woman's identity. As she had no ID – this was the reason why she was there in the first place – the officers threatened to take her in custody, despite the activist's explanations. In the meantime, officers started to offend and insult them. For more on the story click [here](#).

Later on, in November, the same trans woman set herself on fire in front of the Albanian Parliament in an apparent suicide attempt. Despaired at the total lack of support from institutions - which have not afforded her any help, be it shelter, employment or any other support – she made a plea for help. More on the story [here](#).

In August 2016 [PINK Embassy](#) notified that that the Commissioner for Protection from Discrimination started revision of a complaint against conservative MP. Mesila Doda following her hateful speech against LGBTI people in the Albanian Parliament. More on the story [here](#).

According [to a survey](#) conducted by Alliance LGBT in 2016, 42% of LGBTI people have been victims of malicious gossip due to their sexual orientation or gender identity. 36% have received threats or offensive messages on their social accounts. Of all individuals who have experienced discrimination or violence, 92.65% have not reported it to the police or authorities, citing lack of trust as main reason.

In December, the Commissioner for Protection from Discrimination decided that three online news and entertainment portals had committed discrimination based on sexual

orientation and gender identity. More specifically, “Anna Media Group”, “Jeta Osh Qef” and “Lapsi.al” did not only discriminate against citizen D.T but their lack of measures put the complainant in unfavorable conditions and in a state of fear and humiliation. The Commissioner ordered the three mediums to remove all discriminatory data from their publications regarding the specific case.

## **Economic Empowerment**

In May 2016 human resources company [the Headhunter](#), launched the first LGBTIQ Employment Equality Index - first of its kind in Albania and the region - as a ranking system which evaluates companies' performance with upholding the rights and dignity of LGBTIQ job-seekers and employees. The index evaluated 71 companies, which agreed to go through the process voluntarily. Out of 71, five companies achieved rankings of bronze, silver or gold recognition. The awards went to: Vodafone (Telecommunications) and the British Council (NGO) – Gold, Top Albania Radio – Silver, Europe Agency (Human Resources) and Neptun (Retail) – Bronze.

The survey showed that workplace diversity policies, practices and programs are generally lacking in Albania and when they exist they do not include LGBTIQ job-seekers and employees. According to the study, only 17% of companies in Albania include SOGI in their employment and non-discrimination policies, only 3% of companies have favorable policies for employment of LGBTIQ people and 68% of businesses in Albania do not have mechanisms for reporting SOGI based discrimination in the workplace.

The findings suggest that there is tremendous need and demand for trainings on workplace diversity for companies in Albania as well as standardized policies and practices which companies can adopt. More on the report [here](#).

## **Education**

A study on homophobic discrimination and bullying was conducted in 18 high schools across country by PINK Embassy. The study found out that 1 in 4 teenagers do not accept their LGBT peers and 64% do not accept or respect LGBT people in general. Bullying and harassment is frequent in schools, with 53% of teenagers having been testimonies of such treatment in the school environment. According to them 17.3% of the cases were because of sexual orientation. 1 in 3 cases the perpetrator was a peer, 18.3% of cases was an unknown person and 15% of cases was a teacher.

Interestingly 82.3% of teenagers said they were aware of the law on protection from discrimination even though only 5.3% of them thought this law protected LGBT people also.

Finally, 15% of Albanian teenagers think that being LGBTIQ is "*just to show off*".

More information on this research [here](#).

## **Health and Wellbeing**

During 2016, Alliance against Discrimination LGBT, reported an increase in number of LGBTI people who work as sex workers. [11 individuals](#) who visit the community center regularly are sex workers. This is seen by most of them as the only way to secure an income. Most of them come from smaller cities and towns, have either finished or dropped out of high school and have no professional experience. The sex workers report also high incidence of attacks and violence particularly from residents in the areas where they operate but also by police authorities, considering that sex work is illegal in Albania.

### **Trans and Intersex Rights**

In 2016 no particular progress was recorded with regard to the legal rights of trans and intersex people. Visibility of trans people increased significantly however, with a few individuals speaking up in national media for the first time on their identity, struggles and demands. More on these activities, [here](#), [here](#) and [here](#).

### **Political Participation**

In May, [Open Mind Spectrum Albania \(OMSA\)](#) organized the country's first forum on the subject of political participation of LGBTI people. Keynote speaker of the event was Mrs. Ulrike Lunacek, Vice President of the European Parliament and was attended by MPs from both ruling and opposition parties. The event attracted media attention and served to highlight the issue of political representation and participation of LGBTI people. More on the forum [here](#).

### **Immigration and Asylum**

Organizations in the country reported a high prevalence of [LGBTI people leaving the country](#) as the only chance for a better life economically and socially. During 2016, Alliance against Discrimination LGBT recorded a total of 17 LGBTI people leaving Albania, citing their sexual orientation or gender identity as the main reason. Many of them have also asked for asylum.

### **Visibility and Campaigns**

IDAHOBIT was marked with a packed agenda of awareness activities by four LGBTI organizations in the country and the LGBTI Shelter. In total, more than forty activities took place. The Tirana Gay (P)ride of May 14<sup>th</sup> was attended by around 180 people. It was preceded by the [courage](#) campaign where people supporting the march sent pictures of support. No incidents were reported.

One of the first [videos with the message for same-sex families](#) was published on Albanian main TV stations and social media by Alliance against Discrimination LGBT. Negative comments on social media prevailed.

PINK Embassy [raised the LGBTI](#) flag in the historic center of Tirana. This was the first time that the flag was raised in a public space in Tirana. The initiative was supported by the Municipality.

For an extended summary on IDAHOT activities by all LGBTI organizations click [here](#).

In December 2016 Albania joined the United Nations “Free and Equal” Campaign with an awareness video which shed more light on perceptions of teenagers about LGBTI people and practices of businesses and companies with regards to the same topic. To see the video message click [here](#).

On the occasion of end of year holidays BIRN photographer Ivana Dervishi organized a photo shooting session LGBTI activists in Albania celebrating the community and sending the message that “holidays belong to all forms of love”. Gallery [here](#).

## Research

PINK Embassy published the findings of a survey with local public officials. The study was conducted with 6 municipalities across country and revealed lack of information and minimal contact and engagement with members of the LGBT community. Only 36% of officials admitted they knew an LGBTI person and only 42.3% of those cases they had known them at the work place.

The respondents revealed high level of prejudice: 32% of officials saw LGBT people as inferior compared to others, 24% believed that LGBT persons should not be hired by the public administration and 10% believed they should have less rights than the rest of society.

With regards to quality of services, 67.9 admitted that LGBT people had never requested a service from their municipality which revealed the low contact of the administration with community members.

Only 15.2% of officials had received some information from trainings and seminars, 75.1% have never received training on the topic and 60% admitted that they would like to.

Click [here](#) for a full review of the study.

In 2016 Alliance against Discrimination LGBT [launched an online survey](#) which was filled in by 78 LGBT people. The study aimed to assess issues of discrimination and violence against LGBTI people. According to the survey, 42% of respondents claim to have been victims of malicious gossip due to their sexual orientation or gender identity. 36% have received threats or offensive messages on their social accounts. This has become particularly frequent following the negative depiction of LGBTI people in social media and online media outlets.

Of all individuals who have experienced discrimination or violence, 92.65% have not reported it to the police or authorities.

## BOSNIA AND HERZEGOVINA

## Executive Summary

2016 marked important institutional and legal achievements for LGBTI rights. Among landmark achievements were the inclusion of sex characteristics, as protective grounds in the Law for prohibition of discrimination and the amendment of the Criminal Code of Federation of BiH to include sexual orientation and gender identity. After these amendments all three administrative units of BiH include sexual orientation as a prohibited motivation of hate crime in their criminal codes, and two of them (Republika Srpska and Federation of BiH) include gender identity as well. Policy wise, a landmark step was the inclusion of LGBTI rights in 2016 in the annual operational plans of the entities for the implementation of the Gender Action Plan of Bosnia and Herzegovina for the years 2013-2017.

Cooperation with institutions continued in 2016. Capacity building and awareness raising activities were organized by [Sarajevo Open Centre](#) with prosecutors, judges and the police but also with young professionals such as journalists and lawyers. The Ministry of Human Rights and Refugees agreed to include IDAHOBIT and Coming Out Day in its Annual Program starting from 2017. An important achievement was the inclusion of a training module on hate crimes, part of which were also LGBTI community – by 10 Ministries of Interior. Moreover, in 2016 the Criminal Code was amended to include crimes motivated by hatred due to SOGI as aggravating circumstances.

Important visibility activities took place in Sarajevo and several main cities of the country, including a spontaneous protest in the capital on IDAHOBIT. One event however was attacked, which shows the vulnerability of LGBTI people in BiH once they are visible. Negative attitudes continued to persist. Hate crime reports, a study on high school text books and negative attitudes to visibility activities reveal that prejudice and misinformation on LGBTI rights and people is still an issue.

For the coming years, the LGBTI movement in BiH grew and listed a series of important priorities. In 2016, Sarajevo Open Centre published a Proposal of Measures for the equality of lesbian, gay, bisexual, transgender and intersex persons in Bosnia and Herzegovina for the period 2017-2019. In January 2016, [Tuzla Open Centre](#) was established in Tuzla.

[CURE Foundation](#) has begun the advocacy process for changes of content in high school books in regards to LGBTI persons, which will continue in 2017, based on research done on current content. All cantonal ministries have received the research and appeal and have responded to the documents. In 2017, elementary schools will also be included.

In 2016 Sarajevo Open Center produced a model law on legal gender recognition and a model law for recognition of same-sex partnerships. Both areas will be advocated for by the organization in the coming year.

Finally, Sarajevo Open Center started working on intersex issues, including here the publication of a small policy paper.

## Protection from Discrimination

By July 2016 the House of People of the BiH's Parliamentary Assembly [officially amended the Anti-discrimination law](#) of BiH by explicitly covering sex characteristics as protected grounds along with sexual orientation and gender identity, becoming thus the first country in South-East Europe to provide anti-discrimination protection for intersex people in all spheres of life.

In March, Sarajevo Open Center signaled that the Ministry of Human Rights and Refugees of BiH has agreed to include IDAHOBIT and Coming Out days into its Program starting from 2017. The dates are observed by all relevant Ministries of the Government and as such "send a strong message of dedication in the combat against discrimination, marginalization and human rights violations on any ground". More on this story [here](#).

## Policy

In March, LGBTI rights became part of the annual operational plans of the entities for the implementation of the Gender Action Plan of BiH for the years 2013-2017. The plan was passed by the Government of Federation of BiH in March 2016 and in December of 2015 by the Government of the Republika Srpska. These annual plans included the following measures: education programs for gender center employees on the rights and needs of LGBTI persons and the introduction of a gender perspective in the training programs of police academies and other agencies for education of police officers. More on this story [here](#) and [here](#).

Based on the Conclusions of the joint Commission of Human Rights of the Parliamentary Assembly of Bosnia and Herzegovina and with the support of LGBTI organizations, the Institution of the Ombudsman and Human Rights in BiH [published a special report on the rights of LGBTI persons in Bosnia and Herzegovina](#).

In January, nineteen apprentices of prosecutor's offices and courts from across BiH [received training on bias motivated crimes](#) by SOC. Participants admitted to not having received such knowledge during their formal education and that the training helped them distinguish legal terms and legal regulations in BiH when it comes to bias motivated crimes.

During 2016 Sarajevo Open Center [was negotiating with Ministries of Interior](#) from the entire Federation of Bosnia and Herzegovina for the training module on hate crime to be included into programs of professional trainings and specialization of police officers and in the permanent education of Ministries of Internal Affairs. During 2016, all 10 MoI's included in the education gave their consent to the request. Such negotiations were preceded by train the trainer program for their employees delivered by Sarajevo Open Center in cooperation with OSCE on hate crime prevention.

Following the amendments of the FBiH Criminal Code, which provided for more severe punishment of criminal offences motivated by hatred and prejudice, to ensure proper implementation, in May 2016 Sarajevo Open Center [organized a two-day training](#) for judges and prosecutors in FBiH on the topic of anti-discrimination and criminal law which aimed to introduce judges and prosecutors to the effective ways of protection from hate crime and

prosecution of human rights violations based on sexual orientation, gender identity and sexual characteristics.

At a training conducted by Sarajevo Open Center on 9<sup>th</sup> and 10<sup>th</sup> of May in Jahorina, judges and prosecutors, [recognized the importance](#) of education for judicial practitioners on the human rights of LGBTI persons and expressed that such educations are very important for their work.

### **Discrimination, Hate Crimes and Hate Speech**

By June, FBiH became the third and final administrative unit of BiH to legally regulate hate crimes through its criminal code.

Data collected from Sarajevo Open Center in 2015 and 2016 revealed the high prevalence of hate speech and hate crimes against LGBTI people. More on the data collected [here](#).

In March, staff and visitors of Art Cinema *Kriterion* in Sarajevo, were victims of a homophobic attack. Four young men stormed into the cinema shouting homophobic slurs and threats, throwing bottles, glasses etc. One young man sustained severe injuries and one girl was physically attacked while around thirty people who were present in *Kriterion* at the time were subjected to grave psychological harassment. The perpetrators also threatened to throw a bomb in case members of *Kriterion's* staff called the police. SOC and other organizations in BiH reported that this was not the first case of organized attacks in Sarajevo, recalling the homophobic attack which occurred also in Art Cinema *Kriterion* back in February 1<sup>st</sup> 2014. The also expressed concern that just like on that occasion, law enforcement authorities will not prosecute the attackers and that this will further convince perpetrators that attacks on free and open spaces against civilians are permissible. Organizations also added that media reports described the motive of the attack as unknown while the incident was described as violent behavior while the attackers were released shortly by the police after giving their statements. More on this story [here](#) and [here](#).

In May, Tuzla Open Centre organized an online campaign for supporting LGBTI people which was very successful and visible but also led to hate speech and many violent threats in social media. The organization filed a complaint with the Police.

### **Education**

Research conducted by CURE Foundation of high school text books and educational programs for 2015-2016 found that issues related to sexual orientation or gender identity are covered insufficiently and that existing content is discriminatory and misguided. LGBTI issues are mostly covered in the prism of gender and biology, and homosexuality is largely interpreted as a deviation of heterosexuality, often as perversion and deviance. The Law for prohibition of discrimination is spoken very rarely if not at all. More on this research [here](#). To read the full report click [here](#).

In March, Sarajevo Open Center demanded from the Senate of the University of Sarajevo to address and condemn the homophobic, transphobic and discriminatory statements given by

Haris Zahiragić, president of the Students' Parliament. The Senate did not make any statements on the matter. In April 2017 the Senate responded by condemning such behavior and stating that the University supports diversity and human rights and is inclusive for all. More on the story [here](#).

## Health and Wellbeing

In March Sarajevo Open Center [provided a two-day training](#) for 15 psychologists and psychotherapists from Sarajevo and Banja Luka. The training focused on how to work with LGBTI persons in relation to sexuality, working with elderly LGBTI people, coming out process, transition process for trans persons, stigma and work with clients before and after the transition.

## Trans and Intersex Rights

By July, the House of People of the BiH's Parliamentary Assembly [officially amended the Anti-discrimination law](#) of BiH by explicitly covering sex characteristics as protection grounds along with sexual orientation and gender identity, becoming thus the first country in South-East Europe to provide anti-discrimination protection for intersex people in all spheres of life.

## Media

In 2016 Sarajevo Open Center started the second year of a program which aims to improve professional reporting towards LGBTI rights in the country. In the first year, the organization cooperated with four mediums, by providing information and education materials. From analysis, it had become clear, that even media which are open to reporting on LGBTI topics lack information which leads to mistakes and poor reporting. Through the program different formats were explored such as personal stories, providing guidelines and helping in editing etc. One issue recognized by the media partners themselves was that in the frenzy of sensationalism and need for news, media tends to overlook important topics and that simply following LGBTI issues is not enough. More on this cooperation [here](#).

In June, Sarajevo Open Center organized for the third consecutive year a series of [info sessions for journalists](#) in Bosnia and Herzegovina, where journalists had the opportunity to meet and talk with guests from the country and the region who are working on LGBTI rights as activists or researchers.

## Visibility and Campaigns

In January Sarajevo Open Center hosted the fourth [International Queer Film Festival "Merlinka"](#). The event promoted LGBTI themed films, documentaries and events such as musical and artistic performances. More information on the event [here](#).

The International Queer Film Festival "Merlinka" was also organized by Tuzla Open Centre in Tuzla. At the end of 2016 Tuzla Open Centre received a grant for the Merlinka 2017 Festival from the City of Tuzla. This is the first time in Bosnia and Herzegovina that one LGBTI organization received funding from any level of government.

On May 17<sup>th</sup> on the occasion of IDAHOBIT, LGBTI activists [organized a symbolic street action](#) in front of the FBiH Parliament presenting MPs with demands from the community as they were entering the plenary session. The activity served to further increase pressure towards the legislative to improve legislation and implement positive and inclusive policies for LGBTI people.

In the same week, awareness activities were organized by LGBTI organizations and their allies and supporters. Along with the peaceful protest in front of Parliament, activists held a spontaneous march, which many considered to be the first Pride March. Meanwhile an outdoor campaign was organized again in Sarajevo with positive messages for LGBTI people. In May several people and institutions were publicly recognized for their support of LGBTI rights. More on IDAHOBIT actions [here](#) and [here](#).

In May, Tuzla Open Centre organized an online campaign for supporting LGBTI people which was very successful and visible but also led to hate speech and many violent threats in social media. The organization filed a complaint with the Police.

On 25 October, on the occasion of Coming Out Day activists from Sarajevo Open Center and allies held the street action [“Our lives exist outside our four walls”](#) drawing attention to the fact that visibility leads to greater acceptance while claiming public spaces.

### **LGBTI Movement Developments**

In January 2016, association Tuzla Open Centre was established in Tuzla as the first and only LGBTI and feminist organization in north-east Bosnia and Herzegovina with a vision to empower local LGBTI community and to create the local institutional network for equality.

## CROATIA

### Executive Summary

In 2016 Croatia saw the law of registered partnerships being put into practice with many couples entering into unions, mainly in the city of Zagreb. Despite the rhetoric of some right wing politicians, no significant threats were posed to the law. A landmark decision by the ECHR found that Croatia had violated Article 8 and Article 14, becoming the Court's first ruling on family re-unifications of same-sex couples. Despite the progress achieved in legal terms, attitudes towards LGBTI people continued to be negative. A survey prior to Split Pride revealed that most people still did not support visibility of LGBTI people while hate crimes were recorded in Zagreb and other cities of the country.

### Discrimination, Hate Crimes and Hate Speech

In June, on the occasion of Split Pride the news portal Dalmatia interviewed city residents. The interviews aimed to measure the levels of acceptance of the pride and LGBTI community in general. While the 2015 pride was more relaxed and there was no physical separation between pride marchers and passersby social attitudes seem not to be positive. Many people considered the pride march a western trend, unacceptable and a provocation. Others, more extreme ones, said they would kill their son if he were gay. More on this [here](#).

In February, two homophobic attacks were recorded. Both incidents were recorded on weekends as gay people were at parties or while leaving them. More on the incidents [here](#).

A professor from the Faculty of Medicine of Split compared homosexuality to pedophilia and bestiality at an event designed around the subject of the family. More on the story [here](#).

### Family Rights

In 2015, a total of [72 life partnerships](#) were registered in Croatia, most of which in City of Zagreb. During an interview in February 2016, Croatian Minister of Administration [declared that the law on life partnerships will not be changed](#) despite numerous announcements from

the ranks of right-wing parties. She also declared that Croatia can be proud of the law and that until that moment 109 life partnerships had been registered in municipalities across the country.

## **Court Cases**

In February, the ECHR held that there had been a violation of Article 14 (non-discrimination) in conjunction with Article 8 (private and family life) in the case of *Pajić v. Croatia*. This was the first ruling by the Court on family reunification of same-sex couples. The Chamber found that the domestic Aliens Act excluded all same-sex couples from the possibility of obtaining family reunification. The Croatian authorities had not justified this exclusion or provided any convincing reason why same-sex couples were treated differently to different-sex couples. As a result, the ECtHR found that Croatia had violated Article 14 in conjunction with Article 8.

Ms. Pajić, a national of Bosnia and Herzegovina, had applied for a Croatian residence permit in 2011. Her attempts to be reunited with her Croatian partner were initially refused by the local police department and subsequent appeals to the interior ministry, Zagreb Administrative Court and the Constitutional Court were all unsuccessful. More on the story [here](#) and [here](#).

## **Education**

2016 saw an increase in efforts by conservative groups to influence the country's education reform, which was initially designed with the goal to help improve the country's weak economy. According to civil society organizations and teachers' unions, the new center-right government was interfering too much with the planning, including here too much intervention of staunch conservative groups which wanted to have their views reflected in controversial social issues, including here of course, LGBTI rights.. Even after the fall of the government led by Tomoslav Karamarko, conservative political groups continue to hold protests and actions against LGBTI rights. More on this story [here](#).

During 2015 and 2016 the Ministry of Social Policy and Youth of the Croatian government supported a project implemented by [Zagreb Pride](#) and [LORI](#) aiming to address homophobic and transphobic prejudice in several Croatian secondary and high schools. Lectures were given on sexual and gender minorities, and awareness materials were distributed. More on this story [here](#).

## **Visibility and Campaigns**

The [sixth Split Pride](#) took place in June without any incidents. Around 400 participants attended the march. In August an [LGBT Festival](#) took place in Istria, a major touristic and cultural town in Croatia, attracting many LGBTI people from the country and the region.

## **KOSOVO**

### **Summary**

2016 was a year of important developments for Kosovo, though no major achievements were recorded legally. Dialogue with central institutions such as Government, Presidency and Parliament continued, particularly through the Advisory Coordination Group for LGBT Rights. Part of the dialogue included several high level meetings, discussions and trainings focusing on implementation of the anti-discrimination legislation and other important issues for the LGBTI community. A landmark achievement in this regard was the approval of the LGBTI National Action Plan 2016-2018. An important event for 2016 was also the ERA regional conference "Why Laws are not Enough!" which brought together in Pristina more than 200 representatives of governments, CSO's, international community and media from the region and beyond.

The social and political situation of LGBTI people, however, continued to remain negative and difficult despite the improved dialogue. 2016 recorded several cases of hate crimes which were closely followed by local LGBTI organizations. A few of these cases served as milestone cases in advocacy work with institutions which often refuse to accept that LGBTI people are victims of hate crimes. This was also accompanied by efforts of LGBTI organizations to collect hate crimes and develop systems of reporting for data collection. Several cases of hate speech by high ranking officials were also recorded. The cases reflected also the low performance of the institutions responsible for the implementation of the Law on Protection from Discrimination something which was often brought to public attention by LGBTI organizations.

The LGBTI community continued to be visible throughout 2016 particularly during IDAHOBIT but also on important occasions. The motto of 2016 IDAHOBIT was "Our Love is Constitutional" bringing forward the issue of family rights for LGBTI people.

### **Protection from Discrimination**

In 2016 the Office on Good Governance of the Prime Minister's Office in cooperation with the Advisory and Coordination Group for LGBT Rights held a national conference which was attended – among others – by Deputy Minister of European Integration, Deputy Minister of Education, Science and Technology and representatives of Kosovo's Judicial Institute, Kosovo Institute for Public Administration, Kosovo's Prosecutorial Council, Police, LGBT NGOs, representatives of the international community and partners. The conference aimed to present recommendations of EU Twinning Project "Normally Different" for the government to pursue further trainings and capacity building activities with public institutions and secondly it aimed to get the commitment of relevant institutions in implementing these recommendations. One of the main topics of discussion was how to turn

anti-discrimination legislation into policy which brought up also the idea of an action plan. More on the story [here](#).

2016 marked for the first time a change in rhetoric of important state leaders towards LGBTI rights. On the occasion of the publication of the American State Department on Kosovo, the President of Kosovo Hashim Thaçi mentioned among other things LGBTI rights: "An important issue, in front of which we should not dare to close our eyes is violence in society, in the family, especially that towards vulnerable groups, such as LGBTI people. We need to say no to violence even where it is less visible but still present. We should not allow for any topic to remain taboo, particularly if this leads to violence and discrimination" he said. More on this story [here](#).

## Policy

In December the Advisory and Coordination Group for LGBTI Rights in Kosovo approved the LGBTI NAP for the period November 2016- November 2018.

## Discrimination, Hate Crimes and Hate Speech

In May 18<sup>th</sup> LGBTI organizations denounced publicly the homophobic remarks made by Kosovo MP Gëzim Kelmendi who among other things stated that "homosexuality as a disease", "same-sex marriage destroys the family", "the march promotes homosexuality" etc. More on this story [here](#).

In May 2015 a gay man was raped in his workplace by a colleague during working hours. Two days later the victim reported the case to the Police and it was processed by the Serious Crimes Department of the Pristina Basic Court. The prosecutor indicted the suspect for rape under Article 230 of the Criminal Code of the Republic of Kosovo, for which offence the accused spent eight months in custody and since then is in house arrest. In September 2016 the victim was supported by [Centre for Social Group Development](#) (CSGD) including free legal service and psychological support. The victim was also hospitalized at the Psychiatric Clinic of Pristina, due to psychological trauma. In January 2017, the Basic Court found the perpetrator not guilty due to lack of material evidence. The victim and CSGD are waiting for the written decision of the court after which they will submit an appeal to Court of Appeals.

In June, [two gay men were victims of a homophobic attack](#) in Ferizaj, a town 35 km away from Pristina. One of the victims was badly injured over his body and received hospital treatment. Two men were identified as attackers and were arrested by the police. They were unknown by the victims. The attack happened at the victim's place of work. Initially they were verbally attacked and then it turned physical. LGBT organizations in Kosovo, reacted to the incident reporting it to the media and demanding the punishment of perpetrators in accordance with the law. After the indictment filed in July 2016 by the Basic Prosecutor's Office against the two attackers, in September 2016 the Basic Court of Ferizaj found the main defendant guilty of the criminal offence of incitement to hatred and of the criminal offence of light bodily injury after requalifying of the criminal offence of assault into the criminal offence of light bodily injury. The Court, found the second defendant not guilty of the criminal offence of incitement to hatred but guilty of the criminal offence of light bodily

injury conducted in cooperation with the main defendant. The main defendant was sentenced to an effective prison time of five months, whereas the second defendant was sentenced to four months in prison, which was suspended on the condition that the defendant does not commit another criminal offense for a period of one year. The prosecutor and the accused have appealed against the judgment and the next session will be held in the Court of Appeal in February 2017.

Later in July, [a gay couple were attacked](#) by their landlord as he discovered their sexual orientation. The victims were verbally and physically attacked as well as threatened with a knife and shovel. The owner of the apartment threw them out and decided not to give them their personal belongings. Fearing for their lives the couple fled the apartment jumping from the second floor balcony of the building. Eventually they ended up homeless with injuries to the faces and body. The case was reported to the central police station and officers helped victims to get their personal belongings. In July, the victims, with the help of Center for Social Group Development reported the case to the Kosovo Police. In the same month the applicants were informed by the Police that their case is being processed by the Prosecutor's Office in Pristina, with criminal charges against suspects recognized. The victims, have not received any information on their case since then.

In August, a case of a minor was reported to CSGD, whereas he was experiencing domestic violence from family members because he was perceived as gay, while he himself claimed he is not. The case was reported to the police and later on to children's organization Terres Des Hommes.

In December LGBTI and other civil society organizations in Kosovo reacted publicly against the degrading, discriminatory and offensive language of stand-up comedian Dardan Islami who in a Facebook post had used sexist and offensive language against women and LGBTI people.

In 2016 more efforts were made by LGBTI organizations to raise awareness with the community and invite them to report cases of crimes and discrimination, including free legal aid. More information on this topic click [here](#), In September 2016, [CEL Kosovo, launched a campaign](#) encouraging victims of violence/discrimination based on their SOGI status, to report their cases to the police and/or to LGBT organizations. Aside from advertising their services on billboards and through a video campaign, information is also posted on the organization's website, together with an online reporting form.

## **Family Rights**

In March, Kosovo's Acting Minister of Foreign Affairs Petrit Selimi declared during a lecture at the London School of Economics, that Kosovo is the only state in the Balkans where homosexuals can get married. In his statement he added "there is no danger in Kosovo [for LGBTI people]. It is the most pro-western country in the Balkans and the only one where homosexuals can get married". LGBTI activists in Kosovo rebuffed the statement immediately in their social media and public statements. Rajmonda Sylbije from CEL Kosovo, stated that "if our country wishes to be the only where same-sex marriage is legal then they should do so, but not lie to the world and to the population that something is legal

when it is not.” Agim Margilaj from CSGD explained that if Minister Selimi referred to Article 37.1 of the Constitution which says that everyone has the right to get married and create family (without mentioning gender or sex) then also countries such as Albania, Macedonia and Slovenia have the same article. He also mentioned that the Family Code defines marriage as a union between only a man and a woman. More on this story [here](#).

The 2016 International Day against Homophobia, Transphobia and Biphobia was marked under the motto “Our Love is Constitutional” which organizers used to express their demands for changes in the family law. LGBTI organizations consider the family law to be unconstitutional because the Constitution of Kosovo, states that everyone has the rights to marry and create family, Article 37.1 and everyone is equal before the law and should not be discriminated based on their sexual orientation (or other grounds) Article 24.

### **Trans and Intersex Rights**

In December, Equal Rights for All Coalition – ERAC in partnership with CSGD and CEL published the report “Social protection and access to healthcare for transgender people in Kosovo.” It provides insight on trans’ peoples expression of their gender identity and the consequences encountered. The report also highlights the issues around the legal framework in Kosovo which can be equally enabling or disabling for trans’ people needs and demands. It also observed the views and experiences of service providers in the areas of social protection and health. Main findings in this area were that health officials mostly do not see this as an issue that needs to be addressed at all while most social workers revealed positive attitudes and a generally positive understanding of the approaches that need to be taken. Many health care providers however admitted that they would be willing and able to provide help and assistance, recognizing also the need for more knowledge and understanding of these issues by the sector. Others were openly against any form of support for transgender people. The report provides a series of recommendations for the above mentioned sectors which if followed properly would help the further advancement of trans rights in Kosovo. To access the full report click [here](#).

### **Visibility and Campaigns**

IDAHOBIT was celebrated in Pristina with an equality march in the city’s main promenade. The march, which was organized jointly by the three LGBTI organizations, CEL, CSGD and [QESH](#) with the motto “Our love is constitutional”. It was attended by Kosovo’s President Hashim Thaci, former President Atifete Jahjaga, Vice President of the European Parliament Ulrike Lunacek and many representatives from government, civil society, international community etc. Through it, organizers wanted to show that same sex love is protected by the Constitution and that Family Law needs to be corrected adequately. Outdoor public events have taken place only in the last three years in Kosovo, however, every year, bigger number of people participate in the events. More on the story [here](#) and [here](#).

On the occasion of IDAHOT the Kosovo government [displayed the LGBTI flag on its facade](#).

On 6-8 October ERA in partnership with CSGD and CEL, as well as the Government of Kosovo, held [its first regional conference on 6-8 October in Pristina, Kosovo](#). More than 150

delegates attended the event. Among the participants there were 40 LGBTI organizations, government officials, equality bodies, donor community, international organizations, media, independent activists, researchers etc. The main theme of the conference was “Why laws are not enough!” which aimed to look at the existing gap between good laws and their implementation in practice. For more background on the Annual Conference of ERA read the report [here](#).

A round table was organized in December, where the report of the case study on treatment of LGBTI cases by the Kosovo judicial system was presented. The report was based on the legal procedures that followed the hate crime case where two gay men were physically attacked. This was the first case of a hate crime based on sexual orientation brought in front of a court. Among the panelists of this round-table were representatives from the Ombudsman, Office for Good Governance, Police, Prosecution and Court. The round table came to the conclusion that the Basic Court failed to establish an example and provide good court practice on the treatment of cases where persons of the LGBTI community are involved as victims in a criminal procedure. The Court failed to refer to the constitutional rights of the victims to live freely without fear of being insulted, attacked or discriminated by anyone.

Early in 2016 a [short documentary](#) depicted the reality of LGBTI people in Kosovo. The video has attracted many views online and positive comments from viewers.

In September, CEL, [launched a campaign](#) encouraging victims of violence/discrimination based on their SOGI status, to report their cases to the police and/or to LGBTI organizations. Aside from advertising their services on billboards and through a video campaign, information is also posted on the organization’s website, together with an online reporting form.

In 2016 Kosovo organizations launched a few awareness campaigns with different messages. One of them was on Human Rights Day and asked the question: “[When did you decide to be heterosexual?](#)”. More on this documentary [here](#).

## **LGBTI Movement Developments**

In 2016, seven Kosovo based organizations formed the [Equal Rights for All](#) Coalition. The network aims to work in the domain of rule of law and fundamental rights with particular focus on the establishment of a sustainable network of civil society organizations which are active in the protection and promotion of fundamental rights of vulnerable and marginalized groups such as ethnic minorities, women, youth and LGBT people. Members of the network are European Centre for Minority Issues in Kosovo, Centre for Equality and Liberty Kosovo, Centre for Social Group Development Kosovo, Center for Legal Aid and Regional Development – CLARD and Kosovar Center for Gender Studies, Youth Initiative for Human Rights and Kosovo 20. More on the network [here](#).

## **MACEDONIA**

### **Executive Summary**

The year 2016 was very important for the LGBTI community in Macedonia, particularly in light of the deteriorating political climate and the much anticipated early parliamentary elections of December 11<sup>th</sup>.

2016 saw the establishment of a working group led by the Ministry of Labor and Social Policy focusing on amending the existing Law for protection from discrimination. Inclusion of sexual orientation, gender identity and sex-characteristics has been advocated for by civic sector and other interest groups. Furthermore, in May, the same Ministry adopted the National Equality and Non-Discrimination Strategy 2016-2020 which for the first time includes LGBTI people and to a much greater extent protection from discrimination on grounds of sexual orientation and gender identity.

Dialogue continued throughout 2016 not only with government institutions but also equality bodies. An MoU was signed between LGBTI Support Centre and the Ombudsman institution in order for the latter to increase its capacities on LGBTI rights and further improve its cooperation with LGBTI organizations. NGOs however, reacted negatively to the non-transparent election of Commissioners at the Commission for Protection from Discrimination which according to them many were homophobic and transphobic.

Cooperation was established during 2016 with several municipalities across country some of which also established anti-discrimination bodies with focus also on LGBTI rights.

Despite increased cooperation, the unstable political climate and the reluctant position of the government to make any concrete advancement to LGBTI rights, influenced the persistent negative public and social attitudes towards LGBTI people in Macedonia. Hate crimes against LGBTI people were recorded also during 2016, while NGO's reiterated the lack of prosecution of the notorious hate crimes and attacks against LGBTI organizations, activists and venues in 2013 and 2014.

Hate speech was prevalent during 2016 while organizations made public several discriminatory text-books as well as remarks from notable individuals. Several cases of hate speech involved notable individuals from politics, media and academia.

All hate crime and hate speech cases have been reported to relevant authorities, which have continued to be mainly non-responsive. A few decisions from the CPD however were deemed positive by LGBTI organizations.

NGOs reported also several cases of ill-treatment of trans individuals including here difficulties in accessing services as well as challenges with legal change of name.

Important research was conducted during 2015-2016 in the areas of hate crime and bullying, sexual health and well-being as well as an analysis on health rights of trans people.

The LGBTI community continued to be highly visible in 2016 with several campaigns and visibility actions as well as persistent demands for legal and social improvements of LGBTI rights. The LGBTI community was also an important and visible part of the Macedonian Colorful Revolution during 2016 which included a series of anti-government protests against corruption, human rights violations, abolition of politicians accused of organized crime and corruption, media freedom etc. The rights of LGBTI people were mentioned in speeches and for IDAHOBIT the main message of the protest was "Silence = Death" including PINK triangles and rainbow flags.

### **Protection from Discrimination**

In June, the Ministry of Labor and Social Policy, in consultation with civil society organizations began working on amendments to the existing anti-discrimination law. Among the proposed changes were those for the addition of references to sexual orientation, gender identity and sex characteristics as protected grounds. The ruling coalition of the time did not express public support for these specific amendments and at the date of preparation of this report the work on amendments to the existing Anti-Discrimination Act is in the phase of public consultations and debates.

In December the Ombudsman signed a MoU with the USAID LGBTI Inclusion Project which is being implemented by the Helsinki Committee for human rights. The main goals of the MoU are to encourage cooperation between the [LGBTI Support Centre](#) and the Ombudsman in order to strengthen capacities of the Ombudsman's offices in the areas of human rights

and liberties of LGBTI people, also supporting legal security and protective mechanisms for protection of human rights of the LGBTI community on the whole territory of Macedonia. More on this story [here](#).

In 2015, when the new members of the CPD were elected by Parliament, several organizations – among which also LGBTI – reacted upon the non-transparent election of Commissioners among which are several public figures known for their homophobia, nationalism and Albano-phobia.

## **Policy**

In May, the Ministry of Labor and Social Policy adopted the National Equality and Non-Discrimination Strategy 2016-2020. For the first time the strategy included LGBTI people and protection against discrimination on the grounds of sexual orientation and gender identity to a much greater extent.

During 2016, [H.E.R.A](#) in partnership with [Coalition Sexual and Health Rights of Marginalized Communities](#) implemented the project “Addressing anti-discrimination and LGBT rights at local government level” in cooperation with the municipalities of Kumanovo, Shtip and Strumia as well as the Ombudsman institution and the Ministry of Justice. As a result, three local coordinative bodies for anti-discrimination were formed with the decision of the council of the three municipalities. Representatives from local institutions and organizations working on anti-discrimination and free legal aid are part of these bodies, which will work on protection from and prevention of discrimination on the grounds of sexual orientation and gender identity, among other grounds.

## **Discrimination, Hate Crimes and Hate Speech**

A study conducted in 2016 by [Subversive Front](#) revealed that young LGBTI people in Macedonia are to a higher extent exposed to depression, anxiety and more often conceal important information. Conducted among youth in Skopje, the study found out that 40% of LGBTI youth have been physically assaulted, 24% of LGBTI youth respondents online and 10% of respondents offline had been bullied, 9.2% of LGBTI youth respondents online and 14.7% of respondents offline had been discriminated.

The findings – as they were comparable with non-LGBTI youth – showed that the impact of homophobia and transphobia on psycho-physical wellbeing of young LGBTI people is quite visible. Even more worrying are the harmful effects of internalized homophobia among LGB people themselves, while discriminatory attitudes are promoted by education professionals.

More on the study [here](#). To read the report click [here](#).

## **Hate Crimes**

During 2016 Coalition SHRMC documented 12 cases of violence against trans people. Most of them occurred in public areas. With the help of the legal team, some of those cases were

reported to the police. The main problem with violence against trans people is under-reporting and insensitive and unprofessional treatment by the police.

The hate crimes against LGBTI Support Center, LGBTI activists and the homophobic attack at bar *Damar* – which took place during 2013 and 2014 – are still not solved and according to authorities “investigations are still ongoing”. After three and more years since the submission of criminal charges the public prosecutor has failed to find the perpetrators. After a series of protests organized by LGBTI organizations, activists claim that hate crimes are still not solved because state institutions refuse to protect the basic human rights of LGBTI people.

## **Hate Speech**

Subversive Front documented thirty-one cases of hate speech based on sexual orientation and gender identity during the campaign “[Vote for Equality](#)” conducted before the December 11<sup>th</sup> parliamentary elections. The hateful comments left on the Facebook page of Subversive Front contain extremely worrisome rhetoric that calls for murder of LGBTI people, their deportation to mental hospitals, ISIS to kill them, burning them in hell, public hanging, their extermination from society, and for gas chambers where they should be burned down. All 31 complaints were lodged to the respective police unit responsible for tackling hate crimes.

During the abovementioned “Vote for Equality” campaign, Strasho Angelovski, formed MP and current representative of a minor right-wing political party, made homophobic remarks stating that their political party, as part of the right-wing coalition led by VMRO-DPMNE, will seek for restoration, promotion and protection of the traditional values of the family as a union solely between a man and a woman, and that will seek to re-pathologize homosexuality and to provide its free treatment by the health-care system of the country.

[LGBT United Tetovo](#) and Helsinki Committee denounced the hate speech perpetuated by Language Professor Sulejman Hajazi in his article for an Albanian news portal titled: “Homosexual – Today’s faggots”. Among other things in his article Mr. Hajazi wrote: “...we are living in the times of prophet Lut, when homosexuals-pederasts were flourishing, the times of a ruined world, deeply in every aspect of life...” and “... a time when the most developed countries support homosexual-pederasts from the family circle to social institutions...” and “... the biggest homosexual-pederasts are patriots, religious people, scientists, literary people and politicians with their clans by turning their a\*\* to each-other for their own interests. Please God protect us from homosexual-pederasts.” LGBT United Tetovo, Helsinki Committee and LGBTI Support Centre filed a complaint about this article arguing that such text incites hatred against LGBTI people and stigmatizes them as sick people spiritually and physically. The CPD considered this article discriminatory and asked Mr. Mehazi to publicly apologize to the LGBTI community. More on the story [here](#).

In November, LGBT United publicly denounced the homophobic speech made by a candidate from an Albanian party, who during an interview at *Television 21* spoke in a denigrating way against LGBTI people and called it a deviation of society. Activist Bekim Asani from LGBT United made a public statement on the occasion reminding the political

factor in the country not to discriminate against LGBTI people and remind them that LGBTI identities are not against other identities or traditions but that are part of society and that political parties need to protect and respect the LGBTI community and not to discriminate against them. More on this story [here](#).

## Education

Coalition for Sexual and Health Rights of Marginalized Communities in Macedonia published the findings of the HBSCM survey on sexual health and well-being of young people in the country. The study found that all 15-year-old youth with early sexual experiences are at higher risk for their sexual, mental and psychosocial health compared to young people with no sexual experiences. The research also revealed worrying health data and experiences of homosexual and bisexual youth. Compared to heterosexual youth, they are much more frequent victims of harassment in school and victims of psychological and physical violence in the home compared to their heterosexual peers. They are almost five times more frequently victims of sexual harassment and sexual assault. Most of them have little support and understanding from their family and parents, much less from peers. The incidence of risks for mental and emotional problems is two or more times higher for homosexual and bisexual youth compared to heterosexual ones. Feelings of depression, sadness and hopelessness are high among this group of young people. Coalition SHRMC addressed the issue of lack of methods and skills for combating homophobic and transphobic bullying in high schools through trainings of school lecturers, psychologists and educators from 15 secondary schools in Skopje. More on this story [here](#). To read the report in Macedonian language click [here](#).

Young LGBT persons are often victims of violence in the home and in school bullying.

## Discriminatory texts in school and university books

In 2015 Subversive Front and Macedonian Association of Young Lawyers, filed a complaint to the Commissioner for Protection from Discrimination against professor Blagoja Janakov of the Faculty of Philosophy on the discriminatory script authored by Janakov "Personality (psychology of personality)". In it, among other things, Janakov writes: "Well, as it is so, there isn't impediment for marriage between man and beast (including if you are of the same sex, for example male elephants and male person). Gays and other will require the *"legalization of child prostitution and legalize marital relationships with androids, virtual creatures, artwork, ports etc..."* and also *"if anyone freely opted for a homosexual relationship let them enter into such a relationship and let them enjoy it. If anyone freely opted for love and marriage with hippopotamus – let them do it and let them enjoy it..."*.

On 1 July 2016, 8.5 months overdue, the Commissioner for Protection from Discrimination, found no discrimination in the complaint lodged by Subversive Front, [Women's Alliance](#) and Macedonian Young Lawyers Association. According to the Commissioner for Protection from Discrimination of Macedonia, the above text does not contain words that refer to

offend or incite hatred. Organizations, justly argued that the CPD has failed to offer effective protection from discrimination to Macedonian LGBTI citizens, and that the text contains personal and unscientific views and above all prejudices of the author against homosexuals and the so called developed democratic and free world. The author does not present any research on which to base his conclusions nor does he explain the use of harsh and degrading words. More on the case [here](#).

## **Health and Well being**

The budget for HIV treatment for 2017 was reduced at a time when the Global Fund for HIV and Tuberculosis interrupted funding for Macedonia. The current budget for HIV is 59% smaller than the necessary budget needed for prevention and therapy. People living with HIV, drug users, sex users and LGBTI organizations protested this decision during November and December. The consequences of this budget cut may result in higher rates of HIV infections, cutting down of services for prevention and harm reduction and shortage of ART.

## **Trans and Intersex Rights**

Trans people remain invisible in legislation as well as social and cultural life of Macedonia. In 2016 Subversive Front provided free legal aid to three trans-identifying people. Two of them were subjected to ill treatment from the police and violation of their rights to privacy and freedom from violence. In September, the Administrative Court reached a verdict in favor of a trans woman whose request for legal change of gender had been rejected by the competent state authority which administers the birth registry. This verdict, demanded that the Ministry of Justice and the respective body administering the registry of births adopts a decision permitting the plaintiff to change the gender marker and the unique identification number of her ID documents. To date the trans woman has not been able to legally change her gender.

During 2016 Coalition SHRMC submitted 3 complaints in front of the Ombudsman and one in front of the CPD, for discrimination on grounds of sexual orientation and gender identity in university text books of Psychology, Social pathology and Criminalist psychology. The text books include content claiming that homosexuality is a disease, promoting methods of treatment, presenting trans people as dangerous criminal etc. The Ombudsman recognized the discrimination and the process is still ongoing.

In 2016 Coalition SHRMC prepared an analysis on the health rights of trans people. The analysis presents the problems that trans people face in accessing health services in the process of medical transition and access to primary healthcare. The analysis shows that the healthcare system is completely insensitive and judgmental towards the needs of trans people. One of the biggest obstacles is that the Health Insurance Fund does not recognize services for transition as necessary for improvement of health and life of trans people, so most of them cannot afford medical costs of transition. The other serious obstacle is the lack of a legal framework as a result of which trans people cannot change their personal documents. As a result, the Civil Registry department is making arbitrary decisions on the requirements for legal recognition of sex change.

## Media

The Agency for audio and audio-visual media services documented hate speech on the ground of sexual orientation and gender identity on the Milenko Nedelkovski show broadcasted on the national TV station Channel 5 and submitted the report to the CPD. Even though the Commission failed to recognize the hate speech, one of the Commissioners gave a public statement against the Commission's opinion.

## Political Participation

Public debates commenced last year on the subject of political participation of LGBTI people. Subversive Front hosted a civil society forum and a national LGBTI conference. Both events were attended by representatives of political parties and state representatives while discussions focused on issues of legal protection and amendments concerning discrimination and hate crimes.

A study conducted by Subversive Front on the subject of political participation of LGBTI persons in Macedonia, revealed that LGBTI issues are included to a very small extent in the political agenda and so far only in those of leftist ones. The findings of this research reveal that the major topics addressed in the election programs refer to the fundamental rights and freedoms of LGBTI, in particular the right to equal treatment and non-discrimination, freedom from violence, freedom of speech, and freedom of assembly. More on this subject [here](#).

## Immigration and Asylum

In March, LGBTI organizations from Macedonia and the region joined the call of the country's civil society organizations [asking for the removal of the fence](#) in the Greece-Macedonia border. The setting up of a fence represented huge risks for migrants and refugees which resulted in life losses and other severe repercussions for children, the elderly, people suffering from illnesses etc.

Three new cases of LGBTI people requesting free legal aid and counselling in seeking asylum from persecution on the basis of sexual orientation and gender identity have been documented in 2016 by Subversive Front. In two of them, the asylum seekers have been victims of ill treatment of the respective state authorities and subjected to human rights violations by state authorities.

## Visibility and Campaigns

Macedonia held several awareness events around IDAHOBIT. [LGBT United Tetovo](#), organized awareness activities in Tetovo, Gostivar, Kumanovo and Struga, including street actions, movie screenings, debates, workshops, study visits etc. In the capital Skopje, Subversive Front in partnership with UNDP and EC delegations in Skopje organized a joint observing of IDAHOBIT where the situation of the LGBTI community was discussed. The organization also presented the "Ally of the Year" award, which for 2016 went to the Macedonian journalist Ognen Janeski. More on IDAHOBIT activities click [here](#).

In June, Pride Weekend, organized by Coalition SHRMC and LGBTI Support Centre took place. The main idea behind the event was solidarity, as political, social and ethical position that allows you to build alliances and groups of resistance contrary to the constraining identities and exclusive interest groups, without leveled specifications of different lived experiences of oppression. The event included debates, lectures on the LGBTI history in Macedonia, performances of Borjana Rosa and Vaginal Davis. The event was visited by 500 guests and with big media interest.

In October, Coalition SHRMC organized a film festival of sexuality and gender in alternative films and video of Ex-Yugoslavia through subtle, thoughtful and historically sensitive approach. This approach takes into account and emphasizes the liberal approach towards sexuality in Yugoslavia, including the persistence of patriarchal, heteronormative, gender binary, imagination of sexuality. More than 20 videos and films were presented at the festival, followed by lectures and debates.

Coalition SHRMC in cooperation with LGBTI Support Centre and LGBT United organized three local LGBT campaigns in the cities of Bitola, Kumanovo and Tetovo. The campaigns in Tetovo and Kumanovo included videos for promotion of LGBT rights, broadcasted on local TV stations. The campaign in Bitola included city lights with LGBTI messages which were destroyed twice after the publishing, probably by members of local football fan clubs.

LGBTI organizations increased efforts to remind members of community on their power to vote, prior to the general elections in December: LGBT United Tetovo, launched the campaign "[We vote too](#)" which aimed to raise awareness among community in Gostivar and Tetovo (west Macedonia). Subversive Front in Skopje, launched the campaign "Vote for Equality" which aimed to promote the inclusion of LGBTI equality in the agenda of political parties, which was reflected in the visible media interest in the TV debates between the political parties' candidates.

During the Colorful Revolution protests, sexual orientation and gender identity were used by the media against LGBTI activists and participants at the protests. Coalition SHRMC submitted several complaints in front of the Council for Media Ethics (journalists self-regulatory body) for hate speech on the grounds of sexual orientation and gender identity and violation of the right to privacy. The complaints were successful, but the decisions of the Council are not obligatory for the media.

## **MONTENEGRO**

### **Executive Summary**

The LGBTI movement in Montenegro had a year busy with activities which paved the way for important developments in the areas of legislation, policy and public awareness. With regards to the Montenegrin Strategy for Improving the Life of LGBTI People in Montenegro, activists argued that it was failing to provide significant changes and that the government does not treat this plan equally to others. Despite this, organizations continued to engage in

dialogue and cooperation with institutions. Thanks to such cooperation MoU's were signed between the Ministry for Human and Minority Rights and 10 municipalities across Montenegro with the aim to combat discrimination based on SOGI.

Trainings were held in 2016 with prison and border police, school teachers and psychologist, psychologists and psychiatrists working with trans people etc.

While cooperation with law enforcement institutions continued throughout 2016, a lot more remains to be done in order to change public opinions and attitudes towards LGBTI people. Ill treatment, discrimination and hate crimes against LGBTI people continued. Two LGBTI activists were attacked in separate occasions during first half of year. A dozen cases of harassment, discrimination and violence were recorded. Research, conducted by NGO's in this area, revealed that negative attitudes towards LGBTI people prevail with a disturbing 14% of citizens endorsing violence against LGBTI people.

Organizations continued their advocacy and litigation work. [LGBT Forum Progress](#) continued the legal battle with institutions against the banning of Niksič pride in 2015, while [Queer Montenegro](#) and [Juventas](#) continued their advocacy and legal work aiming at the recognition of same-sex civil unions.

The LGBTI community and movement was highly visible throughout 2016. Montenegro Pride was held in December successfully even though public attitudes towards prides remain negative. According to a survey 60% of Montenegrins do not support prides. Two independent groups were formed within Queer Montenegro: Qvira working and advocating for the rights of LBTO women and Transovci working and advocating for the rights of trans people.

Important research was conducted in 2016 in the areas of hate crime, access to justice and public perceptions on pride and visibility of LGBTI people. Several toolkits were produced and published aiming to strengthen capacities of public institutions with regards to LGBTI rights.

## **Protection from Discrimination**

In 2016 the Ministry for Human and Minority Rights signed Memorandums of Cooperation (MoUs) with 10 municipalities across the country with the aim to fight discrimination based on sexual orientation and gender identity (SOGI). The MoUs are signed in the framework of the Strategy for Improving the Quality of Life of LGBT People in Montenegro. Following the signing of agreements, open public debates were held on the subject in all 10 municipalities. More on the MoU's [here](#), [here](#), [here](#), [here](#), [here](#), and [here](#),

In July, Montenegro became the only country from the WB&T region to join the Global Equality Fund which works since 2011 for LGBTI equality as part of the US State Department. Through the fund, beneficiaries can get small grants to implement short-term projects, including emergency funds, capacity building, documentation, reporting etc. The Ministry

for Human and Minority Rights of Montenegro paid 10.000 USD as first contribution for the fund. More on this story [here](#).

In the meantime, Queer Montenegro and Juventas invited civil society organizations from Montenegro to implement projects at local levels and provided small grants with that purpose. More on this [link](#).

In 2016, Juventas published a [guide](#) with good practices for social workers on working with LGBT people.

## Policy

2016 marked the third year since the adoption of the Strategy for Improving the Quality of Life of LGBT People in Montenegro (2013-2018). LGBT Forum Progress, [in a public statement](#), argued that the plan had failed to do anything significant, that the LGBT strategy is not treated similarly to other government strategies, that the coordinating group is absent, that the number of activities held in the framework of the plan is negligible and that it is doubtful whether activities held correspond to the needs of the community. LGBT Forum Progress also argued that LGBT organizations are not consulted properly on the process and the opinions of the LGBT community are not taken into account.

Several activities took place during 2016 in the framework of the strategic plan including signing of MoU's with local governments, capacity building activities etc.

## Discrimination, Hate Crimes and Hate Speech

In January 2016, Stevan Milivojevic, executive director of LGBTI Forum Progress was attacked by two unidentified young men near Podgorica's railway station. Milivojevic, who is also one of the most known LGBTI activists in the country said that the motivation behind the attack was his direct involvement and work with LGBT rights in the country. More details on the incident [here](#).

Later, in September a similar attack happened against a teenager near the capitals' old airport. The young man was attacked by three main perpetrators which seemed to be motivated by the victim's open support and engagement with LGBTI rights. More on this incident [here](#).

Also earlier in 2016 the Ombudsman of Montenegro - the institution in charge of the implementation of the law for protection from discrimination - decided that Orthodox priest Jovan Plamenac was propagating hate speech against LGBTI persons and called on him to make a public apology to the LGBT people of the country within 2 weeks. In a statement made during Orthodox New Year celebrations in Podgorica's main square, referring to the logo of Montenegro Pride, Plamenac said "Montenegrins' moustache should go back from faggot asses to where it was in our ancestor's era". A few days later, in an interview with the "Podljeba" daily he added "if their moustache grown under their nose and they wear them on their back, then they are mocking Montenegrins who cherish the moustache as a symbol of their honor and who would kill whomever puts a finger on it." On the same case, the State

Prosecutor of Podgorica, decided that the statements made by the Orthodox Priest constitute no element of criminal act to be prosecuted ex-officio. More on this story [here](#) and [here](#).

Throughout 2016, LGBT Forum Progress has monitored online hate speech and verbal violence against LGBTI people in Montenegro. [39 cases](#) of harassment, threats and verbal abuse were registered for the period August-September. In its analysis the organization argues that cases increase significantly when media increases its reporting and coverage of LGBTI topic. Most of these comments and cases are observed in neo-Nazi and fascist groups. Most perpetrators are men. In the specific cases 31 times perpetrators were men and 8 other times women. In one such case, an official from the State Police was found to make derogatory and insulting remarks against an activist on social media. The organization denounced [this case](#) publicly.

A [survey](#) conducted by Centre for Civic Education showed that 14% of Montenegrin citizens are ready to justify physical violence against homosexuals. At a press conference, Danijel Kalezic from Queer Montenegro considered this worrisome. "This is a high percentage, and I think the best way to lower it is for the Prosecution and Courts to impose higher penalties for physical violence against LGBTI people. Unfortunately, people learn some things this way" he said.

An analysis conducted by LGBT Forum Progress in cooperation with the Supreme State Prosecutor of Montenegro found out that criminal protection of LGBTI people in the country is adequate. The book "Legal protection of LGBT people: The role and conduct of the prosecution" observes and examines 21 cases. More on this story [here](#). To read the full report click [here](#).

Later in October, organizations Queer Montenegro, Juventas and Institute for Legal Studies organized a first training with prison and border police on LGBTI rights. This was identified as a need from previous work and from issues identified from the organizations with both authorities. The training included testimonies from police officers who have worked on this subject. More on this story [here](#) and [here](#).

## **Family rights**

In 2016 Queer Montenegro, Juventas and Institute for Legal Studies conducted several advocacy activities with the purpose of introducing registered partnership in Montenegro. Initially, [discussions took place](#) with civil society on the draft law. Other discussions took place during Pride Week events in December.

## **Court Cases**

In November LGBT Forum Progress and NGO Hiperion filed a complaint against the verdict of the Supreme Court from September 2016, which confirmed the decision of the Police Directorate and Ministry of Interior to issue a temporary ban on the Academic Pride Walk in the town on Niksic, back in September 2015. The constitutional complaint states that the Supreme Court has violated the right to freedom of assembly and protection from

discrimination to organizations in clear violations of the law. In contradiction while the Police Directorate banned the Academic Pride Walk, it allowed the Communist Party of Yugoslavia to have a gathering, despite its membership issuing threats to LGBTI Forum Progress and Hiperion. More on this story [here](#).

## Education

LGBT Forum Progress reached an agreement with the Student Parliament of the University of Montenegro to hold joint activities which aim to address homophobia, discrimination and prejudices among youth and improve the approach of this student body toward the subject of LGBTI rights as human rights. This meeting served also for NGO representatives to meet and discuss with representative of students from the Faculty of Philosophy against whom a complaint was filed for hate speech against the LGBTI community. LGBT Forum Progress decided to withdraw the complaint following the constructive meeting. More on this story [here](#).

Juventas and Queer Montenegro both cooperated with the Ministry of Education in 2016 with the aim to enhance capacities of school psychologists and pedagogues with the aim to support young LGBTI people who have suffered discrimination. The basis of the initiative was a research conducted in 2013 which showed that attitudes towards LGBTI people of high school and undergraduate students remain negative and that violence is very present. Trainings, research and guidelines were developed with several schools. The project has also provided specific recommendations for the government and education institutions on the subject. Among recommendations more importantly were mentioned implementation of projects aiming to prevent violence in schools, workshops, seminars and debates with students on the subject of human rights, trainings with school staff on sexual orientation etc. More on this story [here](#).

A [study](#) by Centre for Civic Education showed that 46% of parents would not mind if their children attended classes in school about homosexuality from a scientific point of view.

## Health and Wellbeing

In 2016 Juventas published the third edition of ["Guide to good practices for health professionals working with LGBT people"](#). The main purpose of the publication is to provide extensive information for health care practitioners so they can better assist LGBT persons. Targeted groups were health practitioners employed in the primary, secondary and tertiary health care as well as students from the Faculty of Medicine in Podgorica. More information [here](#).

## Trans and Intersex Rights

In June, Queer Montenegro held a training with psychologists and psychiatrists on working with trans people. In Montenegro, a large number of mental health professionals lack experience in working with trans people, which in the meantime are becoming more visible in society. More on this story [here](#).

Recently the informal group Transovci, working on the rights of trans people was formed within Queer Montenegro. The group focuses on the rights and needs of the trans community and is working to raise awareness, strengthen capacities of community and institutions. The group started to get formed since 2013 when several trans people would join the organization. More on this story [here](#).

### **Political Participation**

Political representation and participation of LGBTI people is still not a reality in Montenegro. The general elections of 2016 were a missed opportunity. This was the evaluation of Danijel Kalezic from Queer Montenegro who in a press conference declared that in Montenegro almost all parties avoid topics of LGBTI rights in public discourse. He argued that while some parties do give support through different branches or bodies, they avoid giving such impression in the public. More on this story [here](#).

### **Visibility and Campaigns**

December 17<sup>th</sup> marked Montenegro's fourth Pride March which took place in Podgorica under the slogan "Support – Family Value". The main message behind the slogan was that often LGBTI people face refusal, intolerance and aggression by their own relatives. While the family environment is supposed to be the safest and most inclusive, this is often not the case for Montenegrin LGBTI people. The march was attended by more than 200 participants including the Minister for Human Rights, Mehmet Zenka. More news on the Pride [here](#).

A [survey](#) conducted by Centre for Civic Education in February found out that 60% of Montenegrin citizens were against the Pride Parade. In a statement on the survey Danijel Kalezic from Queer Montenegro said: "We have 40% of those who support it or they do not mind. It is an improvement over earlier surveys."

Later in June, artwork "Queer Dream Book" was shortlisted at a regional art competition as the only Montenegrin work, in the theme "revival of tradition". The works were displayed across the region during 2016 with the aim to preserve imaginative, interesting, intellectually provocative frames of traditional knowledge which challenge patriarchal, heterosexist, racist, classist and many other classical views. More on this [here](#).

During 2016 two new groups were formed in Montenegro, Qvira working with LBT women and Transovci working with trans people.

## **SERBIA**

### **Executive Summary**

During 2016 LGBTI organizations spent a lot of efforts in establishing cooperation with local institutions across all Serbia, with particular focus on setting up multi-sectoral coordinating groups. Meanwhile the most important legal development was the adoption of amendments to Article 5 of the Draft Law on the Police by the Serbian Parliament which prevents among other things discrimination based on gender and gender identity.

Negative public attitudes prevailed also during 2016 with several cases of hate crimes, hate speech and discrimination. One activist was attacked a few weeks before Belgrade Pride. Reports from local organizations revealed that LGBTI people continue to have very low trust towards the police and law enforcement institutions and that most of them fail to report. Significant efforts were made in 2016 by organizations to increase reporting of cases while more work was done to continue institutional cooperation. On several cases NGO's reported the mishandling of hate crime cases which further increased mistrust of LGBTI people towards authorities.

While since 2015, discriminatory textbooks are prohibited by law, many books releases in 2015 and 2016 continued to have discriminatory, offensive and wrong information on LGBTI rights.

Freedom of speech continued to be severely undermined by political interference and shutting down or mocking of political opposition. NGO's argued that during 2015-2016 Serbia has seen a significant change in trajectory since 2010, from being "on a good path to becoming free and independent" to the current situation of instability.

On a positive note, during 2016 Serbia became the first country in south-Eastern Europe to have an openly gay minister. Despite this development however, political participation and representation of LGBTI continued to be much below expectations. Research conducted in 2016 revealed that very few political parties include LGBTI rights in their programs.

During 2016 the LGBTI community continued to be highly visible with important awareness and community building events taking place throughout the whole year. Serbia Pride was conducted in June and Belgrade Pride in September. A first Pride event was also conducted in Novi Sad.

### **Protection from Discrimination and Policy**

In 2016, [Labris](#) formed seven multi-sectorial networks for the prevention of discrimination and support for LGBTI persons in seven cities of Serbia – Subotica, Novi Sad, Pančevo, Belgrade, Kragujevac, Niš and Novi Pazar. The focus of the local networks is networking and cooperation of municipalities, Ministry of Internal Affairs, Centers for Social Welfare, Office of the Local Ombudsman, prosecution offices, judiciary, National Employment Service, medical and educational institutions, Office of Coordinating Body for Gender Equality and civil society organizations in order to provide better protection of the human rights of LGBT people. More on this story [here](#).

In May-June [Rainbow Association](#) in cooperation with the Office for Human and Minority Rights held 4 focus groups with social workers, LGBTI people and their relatives. The focus groups were held in Belgrade, Novi Sad, Sabac and Nis and focused on establishing cooperation between Centers for Social Work and LGBT persons. More on this story [here](#).

In 2016 Rainbow Association signed an agreement on the financing of two projects with the municipality of Sabac. For 2016 activities focused on HIV/AIDS prevention and the organization of “Living Library” events. More on this story [here](#).

In 2016 [Egal Serbia](#) implemented the project “LGBTI Karavan” whose aim was to provide open spaces for discussions on diversity and issues faced by LGBT people. The caravan travelled across Serbia – north and south – in cities such as Nis, Svilajnac, Kragujevac, Krusevac, Novi Sad, Vrbas, Apatin, Zrenjanin etc. Almost all activities went quite well and organizers had good cooperation with local authorities including municipalities, police etc. The only incident recorded was that of Krusevac where the director of the city’s cultural center insulted the participants and did not allow them to hold the event. The event also served to show that while LGBTI communities are quite not visible there is great potential and desire for more openness, discussion and inclusion. More on this story [here](#).

In December, the Ministry for Internal Affairs in cooperation with Labris published a handbook for police work with the LGBT population.

### **Discrimination, Hate Crimes and Hate Speech**

In February, during the meeting of Municipal Assembly of Trstenik, Dragan Vilimonović, chief counselor of the SNS in Trstenik Municipal Assembly, stated that: “I have to cross myself because I have information that the municipal budget of Trstenik founded the LGBT population. Faggots. I have to ask who normal here would give money from the municipal budget for the gays.” More on this story [here](#).

In April, a complaint was submitted against Orthodox Church Leader of Serbia, patriarch Irenej. [Gayten-LGBT](#) reacted to the article in daily newspaper Srpski Telegraf, where Irenej accused gay men of spreading HIV all over Serbia. The Patriarch claimed he was misinterpreted which led to the Commissioner for Protection of Equality deciding to end the process. More on this story [here](#),

In August, activist Boban Stojanovic, known as one of the organizers of Belgrade Pride, was a victim of a brutal attack in downtown Belgrade. Stojanovic received light injuries as he was initially harassed verbally by the perpetrators.

In September, the Court of Appeals of Belgrade denied the appeal of high school professor Jelena Popović Ivanović and confirmed the first instance verdict of the Higher Court in Belgrade for inciting hatred and discrimination against members of the LGBT population based on their sexual orientation and/or personal characteristics. The accused was sentenced to a suspended sentence of three months in prison, with the term of verification of one year, due to the profile comments on Facebook full of intolerance against the LGBT population. More on this story [here](#).

According to the recently established association [Da Se Zna](#), this was the 5<sup>th</sup> attack against an LGBTI person in Serbia recorded up until that moment. Of these 5, only 2 had been reported to the police which shows the low level of trust towards state authorities. This has also been confirmed by the findings of a survey conducted in early 2016 by the Public Research Policy Research Center according to which a significant number of respondents have stated that they rarely report these cases to the police as they do not trust that authorities will consider and respond to them. More on this story [here](#).

In October, trans organization Egal Serbia denounced the mishandling of a hate crime case by the Police in the city of Vlasotince. According to the organization, authorities acted unprofessionally towards a trans man who was victim of violence and had called for help. The victim is a trans man who has been attacked multiple times by the same people who are already known to police, prosecutors and court since he already brought criminal charges against them in the past. More on this story [here](#).

An analysis carried out by the Center for Public Policy Research during June-December 2016 shows that LGBTI people in Serbia feel extremely unsafe and do not trust the police. The 13 focus groups conducted reveal that the feelings of insecurity stem from a belief that state institutions act arbitrarily, not in accordance with the law and are tolerant to the high levels of violence in society. According CPPR, unlike 2011 when this study was conducted for the first time, LGBTI identity is not the primary reason of insecurity, but an additional one to the feelings of distrust towards police. More on this story [here](#).

Later on Rainbow Association signed a cooperation agreement with the Ministry of Internal Affairs which includes the organizing of 10 round tables in cities around Serbia. More on this story [here](#).

## **Education**

By adopting a new law on Textbooks in 2015, the Ministry of Education, Science and Technological Development introduced the principle of equal opportunities and prohibited discrimination in textbooks, in accordance with the Law on Prohibition of Discrimination, thereby creating the necessary conditions for a review of textbooks used in primary and secondary education.

Although experts, the Protector of Citizens, the Commissioner for Protection of Equality, Institute for the Improvement of Education, CSO's and the EU have warned that high school textbooks do not adequately portray same-sex sexual orientation and send discriminatory messages, nine high school text books (biology, psychology and medicine textbooks) still contain negative prejudices against LGBT persons and portray issues pertaining to the rights of LGBT persons in an unacceptable and discriminatory manner.

Upon receiving official letter from Labris, Ministry of Education, Science and Technological Development stated that they did not adopt the "Rulebook for changing the name and gender in school transcripts and diplomas", which in accordance with the Law for Protection from Discrimination and opinion of the Commissioner for Protection of Equality (297/2011) is an act of indirect discrimination of trans individuals.

In November, Labris commenced data collection on bullying based on sexual orientation and/or gender identity in high schools in Serbia. So far 119 high school students from 7 schools participated and high school pupils who participated in the survey recognized LGBTI children as the group mostly exposed to violence in their schools. The final research results will be presented in 2017. More on this story [here](#).

### **Trans and Intersex Rights**

In January the Serbian Parliament adopted proposed amendments to Article 5 of the draft Law on the Police which among other things regulates prevention of discrimination. With the new amendments it now provides protection based also on gender and gender identity. Gayten, one of the organizations working on this law, stated that the adopted amendment is very significant as it regulates the fundamental rules which form the basis of the Law on Police. This law is also to be strictly applied in the recruitment process and employment of Serbia's police force. More on this story [here](#).

### **Media**

In a 2016 analysis [Civil Right Defenders](#) argues that freedom of media in Serbia has seen a significant change in trajectory since 2010, from being "on a good path to becoming free and independent" to the current situation of instability. Freedom of expression is perceived as extremely limited while human right defenders have been targets of constant attacks by the largely pro-government media. Critical voices against the government are immediately discredited by them. In the latest campaign, such groups aimed to portray human rights defenders as groups used by foreign foundations and governments against the Serbian government in order to create chaos. More on this story [here](#).

### **Political Participation**

In 2016 Ana Brnabic became the first openly gay politician to serve as a Minister in Serbia and in any other Balkan country. Brnabic has no background on LGBTI activism or membership in any political party and was appointed due to her extensive experience on development of local communities. Speaking to reporters later after her appointment she expressed hope that public attention will eventually fade. "Hopefully this will blow over in three or four days and I won't be known as 'the gay minister'. I will be known as the minister of public administration and local government," she said. Brnabic attended the Belgrade Pride a few weeks later in September, meanwhile LGBTI activists, such as Boric Milicevic, who is a high-level official with the Socialist Party of Serbia considered this a positive event. "I hope that the Prime Minister's decision will encourage more LGBT people to take part in politics, as well as encourage many who already hold positions in the government to come out." he said. More on this story [here](#).

In June, Labris published the research "From principles to concrete measures – Political parties on human rights, gender equality and LGBT rights". Analysis of the statutes and programs of political parties (66 out of 108) shows that the issue of LGBT human rights is addressed mostly in the context of protection of the rights of "marginalized groups" or through a principled commitment to equality regardless of sexual orientation. Only three political parties have included LGBTI rights, promotion of same-sex marriage or explicitly state the equality of its members regardless of their sexual orientation in their statute and party bodies. Only 11 out of 65 programs are addressing the rights of the LGBT community. One political party has a special part of the program dedicated to human rights including LGBT persons. One party mentions the rights of LGBT persons in a negative context in their program.

### **Visibility and Campaigns**

On the occasion of International Day against Homophobia, Transphobia and Biphobia organizations held different awareness activities. Labris and Gayten hosted a queer picnic at a park in central Belgrade. [Gay Straight Alliance](#) distributed Rainbow Awards to people and institutions who have contributed to the advancement of LGBTI rights. Rainbow and trans flags were dropped from the Ombudsman's building in Belgrade as a symbol of support. More on this story [here](#) and [here](#).

In June Serbia Pride took place in central Belgrade.

On 18 September, Belgrade Pride was held under the slogan "Love changes the world". The pride itinerary was the same as the one in 2001, which was attacked brutally by violence hooligans. More on the pride [here](#). The march was attended also by the Minister of Public Administration and Local Self-Government of Serbia Ana Brnabic. More on this story [here](#). Meanwhile, one international supporter, Kevin Jennings from Arcus Foundation, who had attended the pride march declared he was "manhandled" by a group of anti-LGBTI thugs following the march. In his statement he wrote that "some young thugs" accompanied a group of Orthodox priests who sought to "purify" a square after the Pride march. As he was recording them with his phone he was "set upon by some of their thugs who manhandled me". He also added that police officers who intervened accused him of inciting the people

who attacked him because he was wearing a t-shirt with a rainbow on it. More on this story [here](#).

On November 20<sup>th</sup> Gayten-LGBT marked the 18<sup>th</sup> Transgender Day of Remembrance. Attendees gathered to commemorate the persons who were killed because of transphobia and to protest against daily exposure to violence and discrimination of all trans\* people. More on this story [here](#).

Group "[Come Out](#)" from Novi Sad, organized two photo exhibitions in 2016 called "Gender non-conformity". The aim was to represent 10 gender non-conforming persons, their lives and the effect they had in decreasing homophobia and transphobia. Photo exhibitions were organized as part of Belgrade Pride Week and during the "Our Pride" event in Novi Sad.

Alexander Stojmenovic, Liason Officer for the LGBT community in the Ministry of Interior of Serbia received the Rainbow Award for the year 2016 on the occasion of International Day against Homophobia, Transphobia and Biphobia. Stojmenovic has been appointed in this position in early 2014 and since then has worked on cases of violence and discrimination against LGBTI people as well as other issues of importance to the work of the police with LGBTI people. More on this story [here](#).

On the occasion of International Day of Human Rights, group "Come Out" and the Panonian Human Rights Platform organized the "Our Pride" event, the first of its kind in Novi Sad and Vojvodina. It helped to raise visibility of the LGBTI community in Novi Sad and set a good base for future Pride events in Vojvodina. The idea is to make an annual Pride event by engaging more organizations and individuals each year.

In 2016 Egal Serbia implemented the project "LGBTI Karavan" whose aim was to provide open spaces for discussions on diversity and issues faced by LGBT people. The caravan travelled across Serbia – north and south – in cities such as Nis, Svilajnac, Kragujevac, Krusevac, Novi Sad, Vrbas, Apatin, Zrenjanin etc. Almost all activities went quite well and organizers had good cooperation with local authorities including municipalities, police etc. The only incident recorded was that of Krusevac where the director of the city's cultural center insulted the participants and did not allow them to hold the event. The event also served to show that while LGBTI communities are quite not visible there is great potential and desire for more openness, discussion and inclusion. More on this story [here](#).

In 2016 a documentary on the realities of LGBTI people [was created and launched by AS-Center](#). Titled "I exist" the film was funded from the budget of the Office for Human and Minority Rights in the framework of the project "Creating and tolerance understanding towards LGBT population in the Serbian society." The film interviewed six LGBT persons where they reveal their live stories and the challenges they face every day.

## **LGBT Movement Developments**

In 2016 a new association "Da Se Zna" was established with the purpose of empowering LGBTI persons to be actively involved in exercising their rights. One of the main areas of focus for the organization is that on collecting and reporting in safety and anonymously

violence and discrimination against LGBTI people through its [portal](#). This portal is not only a place where LGBTI people can safely report their cases, but also a hub of information for members of the community where they can inform themselves on existing mechanisms of protection and other related legal, social and political issues.

In December Group "Come Out" established the Panonian Human Rights Platform whose main aim is to include different Vojvodina based human rights organizations into a unique network with an aim to promote the values and solidarity and human rights protection. The Platform was established by four organizations and several individuals from Novi Sad, and successfully organized the first Pride event in Novi Sad, "Our Pride". It is expected that in 2017 the Platform will increase its membership and achieve goals aiming to protect human rights of every citizen of Vojvodina. By doing so it will help the LGBTI community to interact with other vulnerable groups.

Data collected by [Optimist](#) during 2016 reveal that LGBTI organizations in Serbia have experienced a decline in amounts of funds received. All organizations' financial statements reveal a decline in budget from 2014 to 2015. Several organizations, which work on service provision, such as those working on HIV prevention have suffered most decline. Optimist argues that while many LGBTI friendly countries depict the LGBT topic as a priority, it "is not reflected in the funding of LGBT organizations in Serbia, especially when it comes to serious problems such as HIV prevention." More on this story [here](#).

## **SLOVENIA**

### **Executive Summary**

During 2016 the Slovenian Parliament adopted the Civil Union Act which grants to same-sex couples the same rights as those of marriage except for the right to adopt children or use procedures of assisted reproduction. The Law for Protection from Discrimination was challenged by the Union of Migrant Workers who were protesting double taxation and in that regard were challenging 4 different laws. The request was rejected by the Constitutional Court as the complaining part had not collected enough signatures for a referendum.

Important research was conducted and/or promoted in 2016 in the areas of health and wellbeing of LGBTI people. One study revealed that the living realities of LGBTI people have not changed dramatically in the last 10 years in the country even though people are out to a larger extent and are accepted by the family. Another landmark research provided important data on the lived realities and needs of trans persons. Another widely publicized media publication focused on the stigma faced by MSM, gay and bisexual men with regards to their sexual health.

### **Protection from Discrimination**

In April 2016 the Slovenian Parliament approved the Law for Protection against Discrimination. The Union of Migrant Workers were protesting unfair double taxation. One method of protest was for them to collect signatures on recently approved laws and to challenge them by referendum. As a result, they were requesting collection of signatures for six different laws, two of which were the Protection against Discrimination Act and the Partner Relationship Act. The President of the National Assembly did not allow the Union to collect signatures, arguing that they were just using the system to protest something completely unrelated to their case. The Union filed a complaint to the Constitutional Court and they were rejected. More on the story [here](#).

### **Discrimination, Hate Crimes and Hate Speech**

In April, a comparative study was presented by sociologist Roman Kuhar, which focused on the lives of lesbians and gays in Slovenia supported by two surveys conducted in 2004 and 2014. The study showed that on a large scale the realities of LGB people have not changed significantly in the country, considering that 10 years is not a long enough time for radical changes. However, he noticed small changes in the area of private life, as more LGB people are now out and a large proportion are accepted by their family. Meanwhile levels of social prejudice and discrimination remain the same. A worrying negative trend was that of bullying and violence in high schools where the study showed an increase of incidence. Meanwhile verbal harassment by strangers had remained the same. More on this research [here](#).

### **Family Rights**

Following the late 2015 [referendum on marriage equality in Slovenia](#) - where voters rejected a law to open marriage to same-sex couples with 37% in favor of the amendment and 63% against - in April 2016 the National Assembly adopted the Civil Union Act which grants same-sex couples same rights to married couples except for two limitations: same sex couples cannot jointly adopt children or use procedures of assisted reproductions (IVF). Same sex couples can enter into unions by February 2017. More on this story [here](#).

### **Health and Wellbeing**

During 2015 and 2016 the book from Dr. Bošjana Mlakar "70 shades of rainbow or without muzzle about sex" was presented at many events, namely to the MSM community and students of medicine. The book aims to provide information on sex, sexually transmitted

infections and safe sex, primarily by addressing stereotypes that gay and bisexual men face. More on this story [here](#) and [here](#).

## **Trans and Intersex Rights**

In 2016 [TransAkcija](#) and [Legebitra](#) published the results of a survey on the Needs of transgender people in Slovenia. 65 transgender people aged between 15 and 63 years filled in the survey, considered to be the biggest sample of participants in a survey which addresses trans rights in Slovenia. According to the survey only 25% of Slovenian trans people are supported by their family. 62% of respondents find support from people with similar experiences in terms of gender identity and expression as important. The survey suggests for a strong need of trans people to socialize and have peer support. This coupled with the need for LGBTI mainstream movement to provide more safe spaces for trans people. More worryingly 69% of respondents have experienced discrimination and/or negative experiences in everyday life because of their gender identity. This is an area still largely unexplored in the country and the findings are important for the LGBTI community, NGOs, political and educational institutions as well as state authorities for more productive work in this area. More on this story [here](#). For a detailed summary of the findings click [here](#).

## **TURKEY**

### **Executive Summary**

Turkey declared state of emergency after the failed coup d'état in July 15<sup>th</sup>. Among the extreme measures taken by authorities was also the shutting down of 1425 NGO's and human rights organizations in total, since July 15<sup>th</sup>, allegedly for suspected terrorist ties. Even though no LGBTI organization was in the banned list, the work of organizations has become increasingly more challenging day by day. More than 110,000 people have been fired or suspended from their jobs and around 37,000 people have been arrested since the coup in July. Among those arrested are civil servants, lawyers, intellectuals, politicians, academics, journalists and activists.

LGBTI rights saw a steep deterioration throughout 2016 in Turkey, mostly pertaining to the increased authoritarianism of the government and increased conservatism which has seen LGBTI group become targets of harassment, hate crimes and hate speech. Istanbul Pride and other prides planned in the country were banned under pretenses of security while conservative hate groups made open threats of violence against LGBTI people and events. Authorities failed to investigate and persecute these groups while during public

demonstrations they acted with impunity with physical violence and threats against LGBTI people.

LGBTI organization [Kaos GL](#) had to close down its offices and reallocate to an undisclosed location following a leaked document from authorities claiming that it had become target of terrorist group ISIS along with other organizations and venues. Authorities failed to provide reliable information with regards to the leaked paper and as such the organization had to take measures and close its center.

Cases of discrimination, hate, speech and hate crimes were persistent throughout 2016. Many trans women were victims of hate crimes and lost their lives in gruesome scenarios of kidnapping, assault, rape and murder.

Hate speech was prevalent among traditional and social media, with the latter even banning LGBTI pages, groups or events while openly allowing hate groups to spread threats and messages of hate. Facebook came under the scrutiny of LGBTI organizations following extensive reports of its submission to government requests and seriously infringing the right to privacy as well as security of people in its portal.

While the LGBTI movement was stronger and much better organized than ever, its increased visibility has come with a very high social and political costs. The successful Istanbul Pride was banned in 2016 and protestors were attacked and detained. Lack of protection and support from authorities makes their work and activities even more dangerous. Despite all the setback LGBTI organizations have worked hard to organize the community, follow all issues on a case by case basis and providing legal aid and advice to many people who have been victims of discrimination and hate crimes, while joining the mainstream social movements which aim to preserve democracy, justice and rule of law in the country.

### **Non-discrimination**

In February Turkey held discussions on the drafting of the Law on Human Rights and Equality of Turkey, which was enacted in April. The bill – as well as the approved law – have been criticized for ignoring sexual orientation and gender identity. For instance, during deliberations on the draft law in the Plenary of the Grand National Assembly, civil society organizations initiated a campaign with the slogan “Human Rights Cannot Be Protected with this Law”, pointing out that the structure aimed to be established for the enactment of this law does not have the possibility to fulfill its objective and that it does not conform with Turkey obligations and requirements by international agreements. More on this [here](#). Detailed information on the new law follows below.

### **Discrimination, Hate Crimes and Hate Speech (please read below for detailed report on transphobic discrimination, hate crimes and hate speech)**

According to data recorded by LGBTI organization KAOS GL, in 2016 there were recorded 16 hateful attacks (in 12 cases the perpetrators were civilians and in the other 4 police forces), 2 threats and 2 suicide cases by LGBTI reflected in the media. There were 6 cases of discrimination recorded, one of which happened in prison and another in the workplace. The

Law on Human Rights and Equality Institution of Turkey does not provide protection based on sexual orientation, gender identity and sex characteristics.

There were 5 recorded cases of hate speech, one of which was done by a political figure. Posters targeting LGBTI people were hanged on the walls of universities and streets while no administrative or criminal investigations were carried out. On the other hand, the amendment of the Turkish Criminal Code – Article 227 on “Prostitution” – shows that the systematic oppression of LGBTI people, especially trans sex workers, is going to increase.

## **Discrimination**

In January, response to criminal complaint against the Young Islamic Defense group, hanging banners “if you see anyone doing the dirty work of the people of the lot, kill both perpetrator and affected” was refused, along with the request of organizations to punish those websites which provoke people to commit crimes and incite hatred.

In February, MP Ayse Dogan from the ruling AKP party made homophobic remarks at a meeting of the Commission on Equal Opportunity for Women and Men of the Grand National Assembly of Turkey considering homosexuality as “artificial sexual tendencies, that are not in line with human nature and our society’s customs and traditions.” Concluding that “everybody knows that this can be one of the biggest threats to our society”. Her homophobic and hateful speech was made following a request by opposition parties MPs to create a Human Rights Equality Foundation which should include LGBTI people, who are faced with discrimination and hate crimes. More on this story [here](#).

In February, Prof. Dr. Aliye Mavili Aktaş, Dean at the Health and Sciences Faculty of Selçuk University, made a homophobic and transphobic statement by saying: “I prevented a lesbian who wanted to take her female genital organs off. We cannot leave those kids alone in their freedom”, during a meeting of Parliamentary Commission on Divorce. More on this story [here](#).

In March, the Anatolian Youth Organization hanged homophobic and transphobic posters in Yildiz Technical University Davutpasa Campus. Producing hate speech against LGBTI people by referring to some verses of the Quran, the organization got reactions from some other students against discrimination.

In April, the Turkish Minister of Justice Bekir Bozdog, explained the opinions of the government on LGBTI people with a discriminatory speech during a meeting of the Parliamentary Justice Commission. He said that they will not add “sexual orientation” in Turkish law, because they are a conservative democratic party and it is their political attitude.

Turkish Human Rights and Equality Institution (TIHEK) was published in official gazette in 20<sup>th</sup> April. The Law on Human Rights and Equality Institution was criticized widely by LGBTI organizations and activists because of its discriminatory attitude that ignores to include sexual orientation and gender identity while being an institution which is supposed to advocate human rights and regulate discrimination cases.

In May, a gynecologist Cüneyt Genc shared a photo of a transgender person and wrote some transphobic sentences mocking the appearance and gender identity of the person. After the sharing, he received a lot of negative reactions in social media about his homophobic and transphobic attitude. He then deleted the photo and shared a letter in which he apologized for the situation and he did not mean it. After the incident, Pembe Hayat and Kaos GL filed a complaint against him. Later on, he also filed a complaint about the reactions he received in social media and many of the news/comments/sharing about the incident were banned on the internet.

In September, [Istanbul LGBTI Solidarity Association](#) was asked by the property owner of their office to vacate on the grounds that they do not condone their activities. According to representatives of the organization this case is related to the state of emergency declared after the July 15<sup>th</sup> failed coup attempt. More on the story [here](#).

## Hate Crimes

In April, a gay man, A.K, was found dead in his home in Iskenderun, Turkey. After the investigations, it was determined that he was killed by unknown people. One of his friends made a statement to KaosGL.org stating that he was killed because of his sexual orientation.

In May, KAOS GL published its media monitoring report on hate crimes against LGBTI people. According to the report, in the year 2015, there were 5 hate-crime murders, 32 hate crimes, 2 cyber-attacks and 3 suicides appeared in the press. More on the story [here](#).

In June, an Irish citizen living in Bodrum, Turkey, John Edward Donnelly, was killed in a homophobic hate crime. Three months after the incident, police found the two murderers, brothers Mehmet and Sinan Irmak. In their confession, they stated that they killed the man because he invited them in his home and offered them sexual intercourse.

In June, a gay man was victim of a homophobic attack by two men in Macka Park, in Istanbul. His friend managed to escape, but he was caught and beaten up. During the attack no one in the park did nothing to help him. Security and police officers came after the attackers left the park, and as he said police and security did not give importance to the situation.

In August, Nalan Bayar, a lesbian woman and student at the Middle East Technical University of Ankara, [committed suicide](#) due to the systematic family pressure and threats due to her sexual orientation. Her friends made a written statement that said "It's not a suicide, but a social homicide, and the murderer is obvious".

In August a Kaos GL activist informed his organization that three months earlier he had been victim of a homophobic attack in Cumhuriyet Park, next to Ankara Courthouse. In the beginning they spoke to him in a positive way and later on attacked him and beat him with a grip of a gun. He had a crack on his skull and had lost some of his teeth. After the incident he was badly affected and could not accept his situation for three months, and he also did not go to the police because of his mistrust towards officers he said.

In December, DJ Kerimcan Durmaz, an openly gay social media celebrity in Turkey, was attacked by a group of men after his DJ performance in Samsun. Four men gave themselves over to the police after the incident. While they were taken to the police station, they posed for cameras and states that social media makes Turkish youth “faggots”.

## Hate Speech

In February, MP Ayse Dogan from the ruling AKP party made homophobic remarks at a meeting of the Commission on Equal Opportunity for Women and Men of the Grand National Assembly of Turkey considering homosexuality as “artificial sexual tendencies, that are not in line with human nature and our society’s customs and traditions.” Concluding that “everybody knows that this can be one of the biggest threats to our society”. Her homophobic and hateful speech was made following a request by opposition parties MPs to create and Human Rights Equality Foundation which should include LGBTI people, who are faced with discrimination and hate crimes. More on this story [here](#).

A few days before LGBTI Pride Week in Istanbul, far-right, ultranationalist and Islamist youth group Alperen, linked to the nationalist Great Union Party (BBP), [released a press statement on Trans and LGBTI Pride Marches](#) and said “We will never allow their immorality”. The press statement made was inciting hatred and violence against LGBTI people.

Additionally, in June, an organization named “Muslim Youth of Anatolia” started a hate campaign on social media against the Pride Week taking place during the last week of June. Facebook administration indicated that the page, which called openly on attacking LGBTI people, “does not violate community standards”. More on this story [here](#).

## Security

LGBTI organization KAOS GL learned through a leaked intelligence document [that it could be target of ISIS along with many other institutions and public locations](#). Upon learning about the document the organization inquired with the Governorship of Ankara, the Turkish Armed Forces and the Prime Ministry. While most responses were vague, denying the originality of the document, the association learned from GATA Ankara that the document was an “internal correspondence” even though it was not officially confirmed by the General Staff of the Turkish Armed Forces. Following the vague and unclear position of public institutions on the case KAOS GL decided to temporarily close its cultural center. More on the story [here](#).

According to Dogan news agency, the Anti-Terror Branch of the Istanbul Police Department arrested three people suspected to be members of the terrorist group ISIS who allegedly were planning to attack the Istanbul Trans Pride. Suspects had suicide bomb vests, military camouflage gear, military-grade knives and laser meters. More on this news [here](#).

Levent Piskin, lawyer, LGBTI activist and HDP Istanbul administrator, was detained in November after being targeted by pro-government media. His detainment, was part of a long series of arrests and detentions of parliamentarians, journalists and government dissidents on terror related charges pending trial. He was then taken to Bursa by request of

Bursa's Public Prosecutor's Office. Piskin, is also a member of Libertarian Jurists Association, which is among the 1425 associations ordered to halt their activities. Part of the reason pertaining to his detainment was the story run by Turkey's state run news agency: According to the report a magazine in Germany for a message to Europe and Germany from the HDP's Co-President Selahattin Demirtas through a lawyer who would visit him in prison "for the purposes of propaganda. More on this story [here](#) and [here](#). Levent Piskin [was released](#) later in November on conditions of judicial control and restrictions on travelling abroad.

### **Cases of discrimination in the workplace**

In January, Gay football referee Halil Ibrahim Dinçdag won the lawsuit relating to the termination of his employment conducted at the Çağlayan Court. Dinçdag won the lawsuit for financial and emotional damages.

In March, a GAP Turkey branch [forced a gay staff member to resign](#) following constant homophobic remarks and harassment. In a largely published case LGBTI Solidarity association took action legal action against the discrimination and a petition against the company was released. More on the story [here](#).

### **Education**

In January, a LGBTI [student was attacked and insulted](#) by security officers at the Bosphorus University. The incident was followed by an disciplinary investigation to the student.

In August, Nalan Bayar, lesbian woman and student at the Middle Eastern Technical University of Ankara, committed suicide due to the systematic family pressure and threats. Her friends made a write statement clarifying that this was not a suicide but a social homicide. More on the story [here](#).

In October, a high school student was attacked from a peer in the city of Antalya. Even though the attacker was expelled, the school directorate continued to oppress the victim while the director sent a letter to the District Police Department saying: "This kid is gay". Then the teenager's father was informed and they were forced to transfer him to another high school. In a letter to Kaos GL the student said he was exposed to insults, harassment and discrimination.

Two cases of positive discrimination were recorded in 2016: Sabanci University Gender Forum's brand new certificate program Purple Certificate, aims to end discrimination based on gender in education by raising awareness of high school teachers on gender. By training teachers, the program also aims to transfer this awareness into lecture practices. Meanwhile, during 2015-2016 academic year, Bursa Nilüfer Municipality, which has already signed LGBTI Friendly Cities Protocol in Turkey, [started seminars](#) on gender inequality, violence against women and LGBTI people and struggle against discrimination based on SOGI. Seminars have reached 16 schools and more than 5000 students and feedbacks of the students were encouraging the organizers to reach more schools next year.

### **Trans and Intersex Rights**

In January the Constitutional Court of Turkey [placed on its agenda](#) a petition to repeal Article 40 of the Civil Code which requires that individuals undergoing gender transition be unable to reproduce. The request was based on human rights principles as well as the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), Article 17 of the Turkish Constitution and the March 2015 decision of the European Court of Human Rights which declared the current article as a violation of right, emphasizing that forcing individuals to go through sterilization is the equivalent of a crime against humanity.

In October, Minister of Justice Bekir Bozdağ made a statement about the new regulations in the Turkish Penal Code (TCK) concerning new punishments to sex workers. The regulation is planned to regulate TCK Article No. 227 titled 'Prostitution' that "A person who distributes the products including images, texts and words prepared to promote prostitution shall be punished by one to three years imprisonment, and/or two hundred and two thousand days of forensic money." Although the regulations were not submitted to the parliament yet, they caused many reactions from LGBTI organization; that is, Pembe Hayat LGTBTT Association started a campaign which the new regulation would violate all rights to work of sex workers, so said "We need a law, but not this". More [here](#) and [here](#).

### **Transphobic discrimination, hate crimes and hate speech**

In January a trans man was [discriminated against and insulted](#) by public bus driver, whose gender identity is recorded as female on his public transportation card. The incident revealed the daily struggles of transgender people whose documentation or appearance does not conform to binary gender norms.

Also in January, Solidarity Initiative with Trans Prisoner Esra, [made a statement](#) on Esra's situation and discrimination that she has faced during the 12 years of her lifelong imprisonment. Esra, as a trans woman has been exposed to harassment and cell isolation, and is not allowed to go out for air breaks and go to infirmary of the prison. At last, she was transferred to Menemen T Type Prison due to her gender identity. In November, Esra sent a letter to her lawyer saying that she was insulted, severely tortured and attacked to get killed by a group of guardians. After the torture, she was prevented to go to hospital. Therefore, her lawyer applied to Turkish Human Rights Watch Committee and Ministry of Justice.

In February, two trans sex workers [were exposed to a transphobic hate crime](#). While they were working, a guy attacked them with a knife and injured them. When caught by the police he said: "I am doing this for pleasure, and I will stab more transvestites".

Also in February, a trans woman [became victim of discrimination](#) while in custody at the Istanbul Maltepe No. 3 Prison. Azerbaijani trans woman Sibel, was transferred to hospital from prison to a hospital. A gendarme commander responsible for the transportation told to his soldiers, "handcuff the faggot"! When Sibel reacted by showing her transsexual report, the commander continued to swear at her refusing to take her to hospital. At the end, an investigation was carried against the commander, while gendarmes filed a complaint against her and she had to give testimony to the police.

In February, trans activist, actress and journalist Esmeray, [was threatened by unknown people](#) in one of Istanbul's main avenues Istiklal Street. As she was walking, two men stopped her and told her: "If you will write anything criticizing the government, you will have trouble". After the incident, Esmeray stated that in spite of this polarized and oppressive atmosphere in society, she will not be afraid of such threats.

In March a trans woman [was killed](#) in her home in Istanbul in what was believed to be a hate crime. She was found two days after the murder by her friends who said that this was an obvious case of hate crime because on her body there were several cases of batter. Also in March, a trans woman [was killed in the town of Çorlu](#). The offender admitted the killing to a taxi driver a few minutes later and was arrested in his home by the police.

In May, another planned transphobic attack took place in Ankara. A gang of 15 people in the region attacked trans women with iron sticks, stones and knives. A trans woman who is also a member of Pembe Hayat was stabbed in the back. The perpetrators destroyed also the cars of women.

Meanwhile an incident in June revealed once again the inability of law enforcement to protect trans citizens while often being themselves perpetrators of discrimination and ill treatment. On that occasion, for trans women were insulted by the police, then they were taken into custody without any reason. In July, another transphobic hate crime happened in Avcılar, Istanbul. A group of 20 people attacked a trans woman with stones and sticks at her home. When she was brought to hospital by police, she was exposed to discrimination at hospital including from a woman doctor who refused to examine her.

In August [a trans woman was attacked](#) in Mersin with a knife and iron rode. The assailants were shouting "Allahu Akbar". It was learned that the police did not take action regarding the two people who attacked the trans woman and as they left the scene the assailants attacked the woman again. Also in August, [Hande Kader, a trans activist based in Istanbul was found dead](#) after a week gone missing. Trans sex worker Kader was last seen getting in her customer's car about one week earlier and was not seen since. Her body was completely burned. Her murder caused outrage among LGBTI community, movement and allies in Turkey spanning protests and demonstrations across country. Many articles were published on social and traditional media, several of those people knew Hande personally and recalled her bravery at the previous Istanbul Pride march, which banned by authorities prompted police officers to attack participants with tear gas and violently escort them away. A huge demonstration took place on August 21<sup>st</sup> under the slogans "Trans murders are a political matter. We want to die of natural causes", "We won't lose one more. Justice for Hande, justice for all". The demonstration was attended by women's associations and many political parties as well as LGBTI organizations. More on the story [here](#). Protest were held also in eastern Turkey. Malatya Youth against Homophobia and Transphobia Initiative, [protested Hande Kader's murder](#) shouting "down with your murderous morality".

Also in August a trans woman, Azize Ömrüm [committed suicide](#) in the city of Izmir due to not being able to stand social pressure. In a statement following her suicide her friends said "...she had to be a sex worker because of her life condition. The system did not let her work

in another job. She could not handle the burden and was lonesome” adding that the whole of society is responsible for Azize’s suicide, including her friends.

In beginning of September a group of trans sex workers were attacked with iron sticks at their home in Bülbülderesi Ankara by a man who pretended to be a customer. The attacker first left when the trans women did not file a complaint, but then came back with three others, in a car without a license plate. Police failed to deal with the case adequately. More on this story [here](#). In September another transphobic attack happened in Bursa, this time with the police itself as authors. The trans woman was taken to the police station due to her work and after she was released another police officer took her back to the station without citing any reason. There, she was beaten by the Police commander. In her statement to Bursa LGBTI Association Özgür Renkler, she filed an official complaint about her illtreatment.

Also in September a trans man [became victim of transphobic discrimination](#) at Istanbul’s famous gym chain MACFit. Çağlar Hamza was first warned by the gym’s managers, where he was a member, by being told “You have a pink ID card, you cannot use the men’s changing room” and was then forced to freeze his membership.

In September trans woman and LGBTI activist Kivilcim Arat was forced to leave her home of five years due to continuous attacks from a group of young men living in her neighborhood. She feared for her personal safety, and had to relocate to another city while struggling financially. More on her story [here](#).

In September, the partner of a trans woman was kidnaped in the city of Bursa by his relatives and went missing. The trans woman with the help of LGBTI associations and lawyers in Ankara and Istanbul inquired for a long while with law enforcement officers, gendarmerie and police which adopted a partisan attitude and refused to fulfill their official duties. They openly endorsed the victim’s family position who kept the person in hiding. More on this story [here](#).

In October, trans activists from Ankara based trans organization Pembe Hayat [were assaulted](#) twice by individuals and groups of transphobic men. On the first occasion the attack happened as a group of activists were filming a documentary on strategic litigation at Selanik Street. The attacker started to swear at the activists saying “F\*\*k your creator!” and then started to attack the activists with brass knuckles which he pulled out of his pocket. Also on the same week two trans activists from the same organization were attacked on Konur Street which is situated in parallel to Selanik Street. In October, a similar attack happened against a trans woman by nationalist men in Ankara. After her reaction to the insults she was attacked and beaten up on the street. While she wanted to file a complaint, police warned her that nothing will happen to the guys and that the process will be too long.

A form of institutional transphobic discrimination occurred in October from the Turkish State Railways. The institution declared on their official webpage that “passengers, who declare their gender identity wrong, would be located in different seats if available; if no seats are available, they have to travel while standing; otherwise, if they object to the situation, they are forced to leave the train at the next station. Kaos GL reacted to the statement by contacting the customer service of the institution and they tried to justify the decision by

citing the discomfort of other passengers. Pembe Hayat made a statement on the matter explaining that this decision excludes trans, genderqueer, a-gender, bi-gender people and their freedom of mobility is restricted with those kind of regulations.

In November, a landmark decision was issued about the three aggressors who attacked Red Umbrella Sexual Health and Human Rights Association President Kemal Ordek. One of the attackers was sent to prison following the hearing after being charged with qualified sexual assault. Two of the attackers were sentenced to up to 5 years in prison and a judicial fine on charges of robbery, threat and insult. The third attacker was sentenced to 20 years in prison for qualified sexual assault in addition to the aforementioned crimes and was sent to prison. More on the story [here](#).

In December, a trans woman who is also sex worker was hijacked by three men at her home in Izmir. According to the news of Dogan News Agency, after the detection three men were arrested.

### **Access to Justice**

Taking action against discrimination and violence faced by trans sex workers, in April, representatives of Kaos GL, Pink Life and Red Umbrella Sexual Health and Human Rights Association, visited Security Branch Department of Ankara Police Office in April. During the visit, the head of the branch explained that due to the law which treats sex work as a crime they cannot let trans sex workers do their work.

### **LGBTI Refugees in Turkey**

In June, a lesbian refugee committed suicide and ended her life in Denizli. After the incident, her family took her body back to Iran with the help of Kaos GL and LGBTI community in Denizli. In a statement on the case, General Coordinator of Kaos gl, Umut Güner, stated that: "In Turkey refugees are received in an atmosphere which is not so different from their own country. Here, access to social rights is almost impossible, and the state and local institutions responsible to provide those rights generally create more problems instead of doing their job. Therefore, refugees, especially LGBTI refugees, are feeling lonely and insecure day by day".

In August, Muhammed Wisam Sankari, a gay Syrian refugee was killed in Istanbul. He was beheaded and his body was mutilated beyond identification. His killers have not been caught. Wisam who was previously threatened, kidnapped by a crowded group of men and raped, was trying to go to another country as a refugee because his life was in danger. Friends closer to him testified to LGBTI organizations that the crime was in the making for months in a row and that his life was very much in danger. More on the story [here](#).

In December, a Syrian refugee trans sex worker woman, Werde, was found dead at her home in Istanbul. The murderer came to her home as a customer and then stabbed her. As her friends declared at the Forensic Medicine Institute her body was unrecognizable. After the crime, police could not recognize the murderer from CCTV records, so he could not be found.

Istanbul LGBTI Solidarity Association and Solidarity with Women Foundation assisted for the funeral of the victim.

## Media

In 2016 freedom of expression continued to be severely violated in Turkey. As of 16 December 2015, 105,958 webpages including dissident news outlets have been blocked while the Turkish government has proactively pushed major international social media outlets to pen offices in the country in the country mainly so that it can channel its censorship request more directly. Youtube, Facebook, Twitter, Dailymotion, Vimeo, Reddit and Grindr, among others have been blocked at least once in Turkey. According to official data, Facebook alone, succumbs to Turkey's demands in terms of censorship, handing out user's data and applying double-standards in terms of what it allows and what it blocks. In fact in Turkey, Facebook carries "a completely arbitrary form of self-censorship on the content shared on its website, which usually means anything which could irritate the Turkish government and its Islamist-conservative policies". More on this story [here](#).

After new year celebrations, famous Turkish fashion designer Barbaros Sansal was deported from Northern Cyprus where he had been living, following a post made by him on social media. He was subjected to a lynch attempt at Istanbul Ataturk Airport and was exposed to verbal harassment by a group of men while being taken off the plane by cops. The same people, later surrounded and beat him. After staying in prison for two months Sansal was released.

In January, LGBTI activists and witness of October 10<sup>th</sup> Ankara massacre, Ugur Buber was arrested on the ground of his social media activities. While in custody he was questioned on his social media activities regarding the massacre of Maras, about the trial of the police officer who killed Ethem Sarisülük, during the Gezi Resistance and his criticism on the 'minor' punishment he received and "whether he has a relative who is a member of a terrorist organization". Following his unlawful arrest several campaigns were launched. He was released at the end of January.

In February, Turkey's Facebook management [shut down the Lesbian Bisexual Feminist](#) page citing as reason that "the content shared on the page violated Facebook's community standards".

In April, a panel on "Autonomous Struggle Areas against State Violence" planned to be organized in Diyarbakir by Keskesor LGBTI and LGBTI Commission of HDK (People's Democratic Congress) was canceled due to a homophobic and transphobic campaign carried out on social media by conservative groups. The homophobic group called "Diyarbakir Islamic Civil Society Organizations" started the lynch campaign and threatened the panel and panelists.

In May [a lawsuit was filed](#) against three people who held a banner that read "Ramadan can't interfere with Saban and Recep's love" during the LGBTI Pride March organized in 2015 in Beyoglu, Istanbul. It was suggested that the banner mocked the highly revered month by Muslims.

In May, a banner about access of LGBTI people to services on the walls of Urfa Balıklığöl Hospital was taken off by the son of the hospital's Head Physician. After the incident, Kaos GL stated how this is a reflection of how hospitals treat LGBTI people in general.

In October, a panel on "LGBTI Refugees and their problems" planned to be organized in Van by association Hevi LGBTI, was targeted by a pro-government newspaper *Yeni Akit*. After the news, a group started a transphobic and homophobic lynch campaign on social media; therefore the place of meeting had to be changed. Hevi LGBTI declared it would take legal action against the homophobic group and the newspaper. In spite of all oppressions and threats, the panel was carried out successfully in another place.

In November, the European Court of Human Rights decided unanimously on the case of Kaos GL v. Turkey. The case concerned the seizure of all copies of a magazine published by Kaos GL in 2006. The Court found that the ground of protecting public morals relied upon by authorities had been insufficient to justify the seizure order and confiscation of all the copies of the issue 28 of the magazine for more than 5 years. The decision of the ECHR came at a crucial political and social moment for Turkey, considering the serious backlash of human rights in general and those of LGBTI people in particular. More on this story [here](#).

In November, METU LGBTI Solidarity student group opened a booth on HIV/AIDS Awareness on December 1<sup>st</sup> at the Middle East Technical University in Ankara. The booth was closed down by security guards of the university arguing that "other students are uncomfortable". After the incident the student group made a statement clarifying that other booths have been open without official permission in the past, making it clear that this is a homophobic and transphobic censorship from the school directorate.

### **Political Participation**

In March, Kadikoy Municipality of Istanbul [raised awareness for LGBTI women](#) by putting billboards prepared by Lambda Istanbul. The billboard read "I'm lesbian, I'm bisexual, I'm trans, I'm intersex, I'm at school, I'm in Parliament, I'm everywhere!" and aimed to raise awareness to sexual, gender and bodily diversity for 8 March. The municipality is run by the main opposition party, Republican People's Party.

On another positive note, in 2016, Sisli Municipality of Istanbul became member of the European Coalition of Cities against Racism (ECCAR) and both Sisli and Besiktas Municipalities became members of the Rainbow Cities Network aiming to respect, diversity and inclusiveness in public spaces. The Municipalities are also providing LGBTI friendly services in several areas. Additionally, the Public Health Centre of Çankaya Municipality began offering anonymous HIV testing since 1 December.

### **Visibility and Campaigns**

In January Pembe Hayat hosted the 5<sup>th</sup> QueerFest an event celebrating LGBTIQ+ identities through different genres including documentary, video, animation and feature-length fiction films. The festival included a competition and awards. More news on the event [here](#).

International Day against Homophobia, Transphobia and Biphobia (IDAHOBIT) was commemorated intensively in Turkey in 2016 focusing particularly on inclusion, solidarity and the challenges of increased conservatism and authoritarianism. More on the activities [here](#).

In May the Ankara Governorate [banned Kaos GL's March against Homophobia and Transphobia](#), putting for "certain social sensitivities" as grounds for not finding the march "suitable and refused to ensure the security of the march.

In June the Izmir Governorate [banned the Izmir Pride](#), citing as reason "propaganda for terrorist organization". According to the Governorate intelligence revealed that there might be propaganda for terrorist organization". Despite the Izmir Governorate's ban, people who stand against homophobia and transphobia [marched in the city's main streets protesting the ban](#).

The most widely circulated news however, was the banning of the [14<sup>th</sup> Istanbul Trans and LGBTI Pride by the Governance of Istanbul](#). In their press statement, the Governor's office cited the safety of citizens, first and foremost the participant's and for public order. Further the statement said: "The venues for such events have previously been announced by law. We ask our valuable Istanbul residents to not heed such calls and to help the Security Forces by following their warnings and announce it to the public with respect". In a [press statement](#), following the banning of the march, the pride Committee stated that the Istanbul Governorship is openly violating the constitution and laws. The Committee stated the fact that visibility of LGBTI people is crucial, reminding also the public of the Governorship's banning of the 2015 Pride March putting forth the reason that "certain sectors of society would be sensitive due to the fact that it was scheduled during Ramadan". It also reminded the Governorship to protect people and allow them to exercise their right and not to limited their rights by succumbing to threats. More on the statement [here](#). Another press statement was released by Trans Pride, denouncing the calls to massacre by jihadists and Salafist groups in traditional and new media, complementing the Governor's decision to forbid the march and exposing the coalition among these groups. More on the release [here](#).

Following the banning of the Pride, the organizing committee [filed a criminal complaint](#) against hate speech groups and applied to overturn the Governor's ban on the Pride March.

Meanwhile, a form of protest was chosen by Pride organizers on 26<sup>th</sup> of June. Asked to disperse by police authorities and under direct physical threat from onlookers and anti-LGBTI individuals, LGBTI persons and allies walked throughout the entire Istiklal Avenue area, displaying flags and holding speeches or resistance. 29 people were detained by the police while many groups were attacked with tear gas. More on the story [here](#).

A report [was published](#) after the banning of the Pride, by LGBTI organizations Kaos GL, Listag, Pink Life and [SPoD](#). The report concluded that the constitutional rights of LGBTI citizens were violated on 19 June 2016: "The right to organize meetings and demonstration marchers" was seized by the Istanbul Governor's Office, thousands of police officers working under Istanbul Police Headquarters violated the right to life of those who wanted to march,

took part in homophobic and transphobic hate speech, harassed the anti-homophobia and anti-transphobia activists. The police also remained silent to the attacks of the transphobic groups in guise of civilians. Even though the police detained some of the groups that planned to attack the march, in many other cases they stood by and watched the groups attack LGBTI people.

As proven by the photos published in the press, Turkish police violated international conventions of the Constitution of the Republic of Turkey, and attacked the march with disproportionate force. To read the full report click [here](#).

On a more positive note, the city of Mersin [held its second Pride March](#) in June.

### **LGBTI Movement Developments**

In November, 14 LGBTI organizations released a joint press statement following the recent pressures against the press and democratic politics. The organizations from Ankara, Bursa, Canakkale, Diyarbakir, Giresun, Istanbul, Izmir and Mersin reacted to the increasing repression including the ongoing interventions to media outlets, opposition parties from November 2015 to the political coup attempt. They called the situation unacceptable and citing extended duration of detentions, torture, pressure and violence in prisons and streets which is [threatening](#) people's lives and their fundamental human rights.

Bursa Özgür Renkler and Genc LGBTI (Young LGBTI) became formal associations in 2016.

The first LGBTI chorus was formed in Mersin, during 2015-2016. The group, which is called 7 Renk Koro has already performed in several LGBTI events.

### **International Pressure**

In April the European Parliament published its resolution on the 2015 report on Turkey, where it acknowledged the country's serious setbacks with regards to freedom of speech and expression as well as the increasing authoritarian tendencies of the Turkish leadership. It made a series of recommendations including those on the protection of LGBTI people. It called on Turkey to enact comprehensive anti-discrimination legislation, including prohibition of discrimination and hate speech on the several grounds including sexual orientation and gender identity. More on the resolution [here](#).

As part of its five-year monitoring cycle, the European Commission against Racism and Intolerance (ECRI) published a report on Turkey on 4 October. ECRI expressed concern over the deterioration of conditions for particular groups, including LGBTI people, with specific reference made to the violent dispersal of Istanbul Pride 2015. The independence of several human rights authorities was questioned and the increased use of unsanctioned hate speech by public officials was described as "particularly worrying". The deaths of LGBTI people and under-reporting of hate crimes were noted, leading ECRI to recommend that sexual orientation and gender identity be included in discrimination legislation as protected grounds and that the authorities adopt and implement an LGBTI-specific action plan.

UN Women and UNFPA condemned the brutal murder of trans woman Hande Kader and Syrian gay refugee Wisam Sankari. For all statement click [here](#).