

# AMNESTY INTERNATIONAL PUBLIC STATEMENT

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## **Albania: All members of parliament should support the Pride flag parade**

Amnesty International today welcomed the Albanian Prime Minister's support for the first Pride event in Albania, planned to be held in Tirana on 17 April.

Prime Minister Sali Berisha's statement on Monday – confirming the right to freedom of expression and assembly of the lesbian, gay, bisexual and transgender (LGBT) community in Albania - follows a series of homophobic and discriminatory statements by members of the government and parliamentary parties.

LGBT activists had not planned a full-scale Pride March for 17 April, but according to the LGBT organization, the Pink Embassy, they plan to raise the LGBT rainbow flag beside the Albanian flag in a main public square, and then carry it to the Prime Minister's Office to request the government to do more to ensure the respect of LGBT rights. The Pink Embassy also aims to celebrate diversity and raise public awareness about the rights of LGBT people.

Following the announcement of the Pride event, Ekrem Spahiu, the Deputy Minister of Defence, stated in an interview in the daily Gazeta Shqiptare on Friday 23 March "My only comment on this gay parade is that they deserve the stick."

LGBT activists from the "Alliance against Discrimination" and "Pro-LGBT" have also called for the Deputy Minister to be prosecuted. Amnesty International notes that on 26 March they filed a formal complaint with the Prosecutor of Tirana District against Ekrem Spahiu for inciting hatred under Article 266 of the Criminal Code. The Anti-Discrimination Commissioner, Irma Baraku, has also responded by launching of an *ex officio* investigation. The Ombudsperson's Office condemned the remarks, on the basis that such statements incited hatred and violence. Some 48 non governmental organizations and activists have reportedly added their support.

In February 2010 Albania adopted anti-discrimination legislation which includes the prohibition of discrimination based on sexual orientation and gender identity. Under both domestic and international human rights law, therefore, Albania has a duty to respect, protect and fulfil the right to be free from discrimination on the grounds of sexual orientation and gender identity.

The Delegation of the European Union to Albania on 27 March recalled that Albania had made a commitment to combating discrimination, and criticized Enver Spahiu's statement for being in contradiction with the implementation of anti-discrimination policies and fundamental rights of the EU.

However, following his remarks, Ekrem Spahiu's party, the Legality Movement Party, declared that "Homosexuality is a sexual deviation, a vice, a misfortune or a curse that undermines national values". The Demo-Christian Party and Republican Party subsequently issued statements, objecting to same-sex relationships and same-sex marriage.

In the context of the Pride, Amnesty International reminds the Albanian government that it is obliged under international and domestic law to guarantee the rights to freedom to assembly, expression and association to the LGBT community and their supporters.

Any threats against the rights of LGBT people, and which amount to incitement to discrimination, hostility or violence against organizers or participants must be promptly and effectively investigated by the Albanian authorities.

Amnesty International reminds the Albanian authorities of their obligations to ensure the protection and safety of the Pride organizers and participants. The police have a duty to identify possible security threats from counter-demonstrators. Effective security measures must be put in place to protect participants, including an adequate police presence at and around the chosen venue.

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