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# Report On Situation Testing Of Discrimination against Lesbians, Gays, and Roma Women in the Area of Access to Goods and Services in Prizren



**Publisher:**

Center for Social Group Development - CSGD

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**Design & Print**

NightDesign Studio

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## **1. Executive summary**

In today's societies, the fight against discrimination is the main effort in the pursuit of social justice, equality and respect for human rights. Discrimination based on sexual orientation and ethnicity still remains a worrying phenomenon, requiring research, rigorous scrutiny and comprehensive action. This report delves into a critical review using the methodology of testing the situation of discrimination against lesbian and gay couples and Roma women in the city of Prizren, Kosovo, with a particular focus on their access to goods and services. Prizren, as the second largest city in Kosovo, is known for its rich cultural diversity and historical importance; this city chosen as a case study serves as an example of the microcosm to present the situation of marginalized communities.

The findings of the research show that lesbian and gay couples often encounter subtle forms of discrimination when accessing goods and services in the cafe sector, telling us that the most present forms of discrimination are negative glances, whispers, invasive behavior to physical avoidance, the latter most evident in family-oriented clientele (parent-child). The findings underscore that discrimination or bias is not limited to customers, but extends to employees. When it comes to Roma women, while our study did not identify clear remarks, views or direct discriminatory acts, the findings show that compared to non-Roma women, Roma women have often reported less friendly treatment by cafe staff (not greeting, ignoring, etc.). This more subtle form of exclusion or indifference contributes to feelings of isolation and marginalization of Roma women. In both cases, these experiences are indicators of

microaggressions - subtle but insidious forms of discrimination that require attention and comprehensive action.

The research aims to shed light on the realities faced by these marginalized groups, by measuring the degree of discrimination they face when accessing goods and services. Through the analysis of empirical data, this report aims to contribute with valuable data and recommendations to combat discrimination, promote inclusive policies, and foster a more equitable society. The findings of this report underline the importance of combating discrimination on multiple fronts, from raising awareness to fostering inclusive environments and policies.



## 2. Introduction

LGBTQ+ people (Lesbian, Gay, Bisexual, Transgender, Intersex, Queer) and Roma, Ashkali and Egyptian communities face ongoing discrimination and challenges in various social segments. Individual beliefs and positions on these groups are often the product of collective narratives that stem from deep-rooted prejudices, inequalities, and default knowledge.

Historically, in societies that adhere to heteronormativity, where what is considered true and acceptable is predetermined and where the belief that everyone is heterosexual prevails, being an LGBTIQ+ person becomes increasingly challenging. These challenges encompass various aspects, including social, psychological and economic aspects; such barriers push LGBTIQ+ individuals to the fringes of society, making it difficult for them to participate in social spaces and environments<sup>1</sup>. The prejudices faced by LGBTIQ+ persons are manifested through a range of social and cultural actions that vary in their severity, including forms of direct and indirect discrimination, social exclusion and even incidents of violence<sup>2</sup>.

Roma, Ashkali and Egyptian people inevitably face injustice, inequality and social exclusion. Systematic discrimination is a key factor pushing these communities to the margins of society in Kosovo, leading to their exclusion from various social spheres. Access to education is one of the main problems, where stereotypes within educational institutions have hindered their participation in education, where the dropout rate remains high. In addition, in the labor market, the rate of unemployed

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<sup>1</sup> Abrams, D., Hogg, M.A. & Marques, J.M. (2005). *The Social Psychology of Inclusion and Exclusion*. New York: Psychology Press.

<sup>2</sup> Suppes, A., Napier, J. L., & van der Toorn, J. (2019). The palliative effects of system justification on the health and happiness of lesbian, gay, bisexual, and transgender individuals. *Personality & social psychology bulletin*, 45(3), 372–388-388.

persons belonging to these communities remains quite high. The Government of Kosovo estimates an unemployment rate of nearly 95% among Roma, Ashkali and Egyptian communities. Limited access to the public sector and discrimination in the private sector hinder their integration and access to services. Negative social perceptions and multiple forms of discrimination against these communities occur at both institutional and social levels. In Kosovo, assessments of the level of homophobia show that it is one of the Balkan countries with the highest levels of homophobia. A significant proportion of LGBTIQ+ individuals feel compelled to conceal their sexuality, avoid specific locations for safety reasons, and a significant proportion have experienced verbal and physical abuse<sup>3</sup>.

On the other hand, Roma, Ashkali and Egyptians inevitably face injustice, inequality and social exclusion. Systematic discrimination is a key factor pushing these communities to the margins of society in Kosovo, leading to their exclusion from various social spheres. Access to education is one of the main problems, where stereotypes within educational institutions have hindered their participation in education and the dropout rate remains high<sup>4,5</sup> In addition, in the labor market, the rate of unemployed people in this community remains quite high. Limited access to the public sector and discrimination in the private sector hinder their integration and access to services. Negative social perceptions and multiple forms of discrimination against these communities occur at both institutional and social levels.

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<sup>3</sup> World Bank Group (2018). Life on the Margins: Survey Results of the Experiences of LGBTI People in Southeastern Europe <http://documents1.worldbank.org/curated/en/123651538514203449/pdf/130420-REPLACEMENT-PUBLIC-FINAL-WEB-Life-on-the-Margins-Survey-Results-of-the-Experiences-of-LGBTI-People-in-Southeastern-Europe.pdf>

<sup>4</sup>Office for Good Governance (2017) Strategy for the inclusion of Roma, Ashkali and Egyptian communities in Kosovo society 2017-2021.

<sup>5</sup> TACSO (2015). Access to Education for Roma, Ashkali and Egyptian Communities in Kosovo. Prishtina.

Different theoretical frameworks explain the social positioning on “internal groups = we” and “external groups =they” where social identity theory focuses on how individuals categorize themselves and others into social groups and how this process can lead to discrimination and intergroup bias. In both cases, this theory helps us understand how the categorization process and the need for social identity can contribute to the stigma and rejection experienced by marginalized groups. On the other hand, the theory of stress is another theoretical framework that explores the unique stressors and challenges faced by individuals from marginalized communities. This theory assumes that individuals belonging to stigmatized minority groups experience a high level of stress due to prejudice, discrimination, and social rejection. For Roma, Ashkali and Egyptians, this can manifest as discrimination in housing, education and employment, resulting in increased stress levels that can negatively affect their mental and physical health. For LGBTIQ+ persons, such are the stressors associated with social prejudice and discrimination based on sexual orientation or gender identity, where this includes experiences such as homophobia, transphobia and social exclusion. Consequently, both groups may be more predisposed to issues of mental health difficulties, substance abuse, and other harmful health aspects as a result of these persistent stressors<sup>6</sup>.

Study on Testing the Situation of Discrimination against Lesbian, Gay, and Roma Women in the Field of Access to Goods and Services and Access to Housing was first carried out in Prishtina, Kosovo in 2021, where the findings show that in both segments of both access to services and housing, there were forms of discrimination.

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<sup>6</sup> Meyer I. H. (2003). Prejudice, social stress, and mental health in lesbian, gay, and bisexual populations: conceptual issues and research evidence. *Psychological bulletin*, 129(5), 674–697.

In situations of access to cafes, gay couples were the most discriminated against, with acts of discrimination being ignorance, staring, mockery, joking, and even threats of physical violence. As for Roma women, this was more visible in delays in services<sup>7</sup>. Regarding access to housing, same-sex couples were not completely rejected but there were cases when, after understanding sexual orientation, agents responded with reasons why the apartment was no longer available for rent; while for Roma women there were cases where apartments were offered but with unbearable conditions and not in accordance with the request of the party. The findings of this report signaled the importance of research on this topic in other cities of Kosovo and provided empirical evidence for advocating policies and improving practices.

Such circumstances and findings that demonstrate the likelihood of discrimination and rejection experienced by both communities serve as an urgent call to delve deeper on this topic in order to identify the specific spaces where these communities continue to face significant barriers to accessing essential services and participating in daily life. Whether it's limited access to public space, health care, education or housing, it's clear that systemic biases persist. By critically examining these spaces and by addressing the prejudices rooted within them, we can strive to create a more inclusive and equitable society.

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<sup>7</sup> QKSGJ & CSGD (2021). Report on the Testing of the Situation of Discrimination against Lesbian, Gay, and Roma Women in the Field of Access to Goods and Services and Access to Housing in Kosovo, retrieved from: <https://csgd-ks.org/wp-content/uploads/2021/10/ST-Report-ENG.pdf>

### **3. Situational testing**

Situational testing is an experimental method used to identify cases of discrimination. To achieve this objective, experimental groups are created, consisting of individuals who possess certain personal characteristics that have historically led to discrimination. On the other hand, control groups are formed, consisting of individuals who do not share the same specific characteristic, but are otherwise similar in all relevant respects. Any different treatment experienced by the experimental group which cannot be attributed to any other factor than discrimination is then examined.

In situational testing, two groups are divided – the testers and the control testers – where two individuals are assigned fictitious identities and qualifications that are closely matched in all aspects but the only difference between these individuals lies in the characteristic being researched (i.e., sexual orientation or ethnicity). The exact methodological aspect of the situation testing lies in the fact that the testers should have similarities in every aspect and the only difference should be the characteristic being tested, then they are sent to the place/locality where research takes place in case of discrimination (in this case, cafes), and if the testers receive different treatment from the control testers then it is found that discrimination is the main cause, since the only difference between them is specific characteristics. Discrimination testing can be carried out through two approaches; a) based on reported cases of discrimination where there is already reported evidence that discrimination has occurred in x case, and b) proactive way that implies testing the

situation through research and there is no prior information that the given place/locality has a history of discrimination<sup>8</sup>.

As a methodology, situational testing takes place for several purposes such as:

- Determination of discrimination and facts related to certain discriminatory practices
- Providing evidence
- Court cases – Strategic Litigation
- Advocacy and Awareness Raising
- Research

### **3.1. The City of Prizren**

Prizren, located in the southern part of Kosovo, is a city with a rich socio-cultural history. The city's history is marked by its multicultural heritage, with influences from various civilizations; the city is known for its diverse religious heritage and coexistence of religious communities in harmony. Furthermore, Prizren is known for its cultural scene, where with the marking of the annual Dokufest festival the city has become a cultural center that attracts nationwide visitors. The socio-cultural life of Prizren is characterized by the fact that different cultures and traditions interact, offering a unique and vibrant socio-cultural experience<sup>9</sup>.

The inclusion of Prizren as a case study in our report to explore the situation of discrimination faced by LGBTIQ+ persons and Roma women is essential. First of all, Prizren offers a unique socio-cultural context different from Prishtina, the capital of Kosovo where Prizren's historical, demographic and social dynamics differ markedly, making it essential to examine how discrimination manifests itself in different regions of Kosovo. Second, Prizren's multicultural heritage and diverse population offer the

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<sup>8</sup> Chalovska, N. (2014). Situation testing: A method of proving discrimination. OSCE, Skopje. ISBN 978-608-65216-7-7

<sup>9</sup> Halili, B. (2013). The Culture and Tourism in the City of Prizren (Socio-Cultural Psychological and Antopological Reflection). Mediterranean Journal of Social Sciences 4(4) DOI:10.5901/mjss.2013.v4n4p205

opportunity to identify the specifics faced by both LGBTIQ+ individuals and Roma women within a context of cultural diversity.

So, the inclusion of Prizren as a case study alongside Prishtina is instrumental in providing a different nuance of understanding the dynamics of discrimination, recognizing regional variations and ensuring that the corresponding recommendations are based on empirical evidence evidenced in some contexts/localities.

#### **4. Methodology**

The research procedure went through several stages, initially an analysis was made on the choice of the city in which the research would be conducted and the main area – in this case, access to goods and services, namely access to the cafes where Prizren was selected as the second largest city in Kosovo that is characterized by a socio-cultural diversity. For the selected cafes, the random sample was used, the right-hand rule where from a designated orientation point every third (3) cafeteria was selected in order, and the visit of the couples was with a 3-day time break between them (example: Monday, gay couple and Thursday lesbian couple).

After that, training was held with the research coordinator (the coordinator already had experience from previous research) regarding specific tasks and responsibilities during the research process. After that, the testers and control testers were selected, among them were two (2) individuals who had the role of a gay couple, two (2) of a lesbian couple, two (2) Roma women as friends and two (2) non-Roma women with the same role. During the selection of the testers, details were important such as: the ability to make objective observations, the absence of prejudices, reliability, safety, the ability to suppress their feelings during testing, calmness, disinclination to provocations, good awareness, the ability to think/reflect.

After finding the testers and checking the testers, the preparatory training was held in which the purpose, procedure, methodology, potential scenarios and performance of the behavioral choreography were explained in detail, which should be the same in the way the affection between couples and other behavioral details in the case of Roma and non-Roma women were displayed.



Situational testing of discrimination based on sexual orientation in access to goods and services was carried out by forming three test pairs who were tasked with testing the reaction of staff and other guests to their action as a couple (that is, expressing sexual orientation): lesbian couple, gay couple, and heterosexual controlling couple. Couples would visit the cafe at the same time, where the heterosexual couple would come in 5 minutes later to test and wait for service and would sit in a position where they had access to all (or almost all) of the guests/staff in order to observe everyone. The behavior of couples should be affectionate towards each other, that is, light touches, hugs, glances, etc. but not kisses.

The situational testing of discrimination against Roma women in the field of access to goods and services was created in the form of the establishment of two test parties - two Roma women who act as friends visiting cafes in Prizren and two non-Roma women friends. They were tasked with observing the waiting time for the service, the behavior of staff, and the behavior of other guests towards them.

After visits to the cafes, testers and control testers were instructed to reflect and complete the report separately from each other. The report focused on reflective questions such as: Guest structure/Guest structure (characteristics such as age, ratios, type of clientele), service reception, waiter/waitress approach, detailed description of their interaction while in the cafe, other guest approach, staff/clientele comments, and additional comments.

## **5. Results**

### **5.1. Access to goods and services – identification of discriminatory situations based on sexual orientation**

The findings highlight the challenges faced by lesbian and gay couples when accessing goods and services in cafes. These experiences often involve subtle forms of discrimination, such as casual glances, invasive behavior, and occasionally circumstantial incidents involving physical threats. Moreover, this research emphasizes the urgent need to raise awareness and education about LGBTIQ+ issues within society in order for the daily life of these persons to be dignified; in this particular case it emphasizes the need to raise awareness whereby individuals and staff in public spaces treat all clients with respect and dignity, regardless of their sexual orientation.

#### **5.1.1. Lesbian Couple Experiences**

In the study, the experience of lesbian couples was characterized by disparaging glances, belittling, increased interest in their interactions, comments and in some cases direct incidents. The findings from the previous study conducted in the city of Prishtina<sup>10</sup> showed discriminatory acts towards the lesbian couple to not be as dramatic as in the case of the gay couple and they included looking, ignorance and insult, where often the comments were sexist while this time the discriminatory acts were more severe and threatening.

During their experience, the couple encountered several different incidents during their visits to the cafe, in a case when testing took place in a cafe which is

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<sup>10</sup> QKSGJ & CSGD (2021). Report on the Testing of the Situation of Discrimination against Lesbian, Gay, and Roma Women in the Field of Access to Goods and Services and Access to Housing in Kosovo, retrieved from: <https://csgd-ks.org/wp-content/uploads/2021/10/ST-Report-ENG.pdf>

frequented mainly by families, upon the arrival of the lesbian couple, all the families who were nearby immediately left the cafe, where at a certain moment there was a mother who even took her children away so as not to have them in front of the lesbian couple. This sudden distancing of families hints at the uneasiness and foreboding that some clients felt in the presence of the lesbian couple, indicating a potential concern that society has when there may be public displays/expressions of affection towards same-sex couples in public spaces. Another incident involved a lesbian girl being chased to the toilet by a group of boys. Although there was no verbal communication, the act of being followed by strangers can be interpreted as hostile. Such behavior raises concerns about personal space and invasion of privacy. On another occasion, after the lesbian couple walked out of the cafe, a man was spotted waiting for the couple outside while on a phone. This situation can be seen as a form of surveillance or intimidation, creating a sense of vulnerability and targeting.

In addition to the incidents that had a more direct character, the glances coming from other customers, the ridicule or comments, as in a case where a comment from the clientele "Oh, they really touched each other" was reported by the testers, the lesbian couple attributes these in their reporting to factors such as their clothing or how they may have been perceived. This tendency to justify/rationalize non-discriminatory/threatening behavior suggests a tendency to rationalize or minimize potential discrimination, possibly as a means of self-defense.

### 5.1.2. Gay Couple Experiences

Gay couples reported distinct experiences when visiting cafes. They often encountered casual glances from male customers, often accompanied by expressions of astonishment, humiliation, and comments; all of which became more evident upon arrival and exit from the cafes. These glances seemed to reflect curiosity or judgment about couples' sexual orientation, indicating a social tendency to examine and judge LGBTIQ+ individuals based on their appearance and behavior. Unlike the lesbian couple, they had not encountered direct incidents that implicated a physically threatening situation except for a comment where after leaving the cafes, the testers reported that the guests in the cafeteria commented "Phooey, f\*\*\*\* faggots" .

Both lesbian and gay couples reported cases where café staff exhibited unusual or demeaning behavior towards them. This underlines that discrimination or prejudice is not limited to customers, but extends to employees within these institutions, further reinforcing a hostile atmosphere, the same finding was also found in the preliminary study conducted by the KCGS & CSGD (2021)<sup>11</sup>. In addition, on two separate occasions, café staff approached lesbian and gay couples in English, suggesting that their behavior or sexuality could only be explained by being foreign. This assumption underscores the impact of stereotypes and prejudices on service delivery.

Reports from the group of control testers show that in most cases they observed that people reacted with marked disgust, displayed unpleasant facial expressions, and made silent comments to the gay and lesbian couple.

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<sup>11</sup>QKSGJ & CSGD (2021). Report on the Testing of the Situation of Discrimination against Lesbian, Gay, and Roma Women in the Field of Access to Goods and Services and Access to Housing in Kosovo, retrieved from: <https://csgd-ks.org/wp-content/uploads/2021/10/ST-Report-ENG.pdf>

## **5.2. Access to goods and services – identification of discriminatory situations based on ethnicity**

The findings of this study show that in the case of Roma women, there were no discriminatory comments or observations, however there were other forms that alluded to a “silent” culture of exclusion. The findings of the previous study emphasized this same culture, but acts of discrimination comprised of delays in service provision<sup>12</sup>.

These results show that at least in the context of the cafes studied, there were no open signs of ethnic discrimination or prejudice against Roma women. This finding is in contrast to the prevailing stereotypes and prejudices that Roma individuals often face. Contrary to the lack of discriminatory remarks or observations, the non-Roma control testers reported that the staff at the cafe were generally more friendly to them compared to Roma women. The same was reported by Roma women who reported very often that after expressing thanks for the service or greetings, the cafe staff did not respond and did not greet them. This behavior can mean a subtle form of exclusion or indifference towards Roma women, which can contribute to feelings of isolation, marginalization, and not frequenting spaces.

The results of this study present a complex picture of the experiences of Roma women when accessing goods and services in cafes. While the lack of discriminatory remarks or observations is a positive finding, it is important to recognize that discrimination can take more subtle forms. The finding that non-Roma control testers received more friendly treatment from staff raises concerns about equal provision of services. This disparity in treatment can be indicative of unconscious biases or

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<sup>12</sup> ibid

stereotypes maintained by the cafe staff. It is essential to address these prejudices and ensure that all clients are treated with respect and courtesy, regardless of their ethnicity.

## 6. Discussion

The findings of this study reflect on the experiences of LGBTIQ+ couples and Roma women when accessing goods and services in cafes. The experiences reported by lesbian and gay couples in cafes are characterized by a complex interaction of social dynamics. The findings tell us that the most present forms of discrimination are negative views, whispers to physical avoidance, the latter most evident in spaces oriented with family clientele (parent-child). The staff's reactions, which occasionally exhibited unusual or demeaning behavior towards LGBTIQ+ couples, suggest that discrimination or bias is not limited to clients, but extends to employees inside as well. Furthermore, the instances where staff alluded to couples being strangers because of their behavior or sexuality highlight the impact of stereotypes and biases on service delivery. The experiences of Roma women in cafes show that even though there were no direct discriminatory remarks, observations or acts directed at Roma women, the friendliest treatment by cafe staff was towards non-Roma women. These imply a subtle form of exclusion or indifference towards Roma women, which, although not overtly discriminatory, can contribute to feelings of isolation and marginalization.

Discriminatory acts against all tested groups alluded to a "silent" form of exclusion, where often this form of discrimination poses a particular challenge to victims, because it is difficult to identify and take action against it. This can lead to a permanent feeling of instability and mistrust in public settings.

The findings show that lesbian women faced more severe forms of discrimination, this can be explained in several ways, a) often lesbian women can face discrimination not only based on their sexual orientation, but also because of the beliefs and stereotypes that exist about women. This correlation can result in unique

challenges and forms of discrimination where homophobia and misogyny are incorporated; b) Society sometimes sexualizes and fetishizes lesbian relationships, perceiving them as more to the delight of others (i.e., to male gaze) where this can lead to various and potentially more intense forms of discrimination, as it objectifies and devalues lesbian relationships; c) In some regions or socio-cultural contexts, discrimination against lesbian women may be more pronounced due to deeply ingrained prejudices and traditions.

Reactions by cafeteria staff, occasionally displaying unusual or demeaning behavior towards LGBTIQ+ couples and non-Roma women, reflect the concept of microaggressions. Microaggressions are subtle, often unintentional, acts or comments that communicate hostility or prejudice to individuals from marginalized groups. These microaggressions highlight the prevalence of prejudices and stereotypes, they contribute to a hostile environment, and can have significant psychological and emotional impacts on the groups experiencing them. They can contribute to a hostile environment, affect self-esteem, and foster a sense of alienation where, over time, the cumulative impact of microaggressions can lead to increased stress, anxiety, and decreased emotional well-being.



## **7. Recommendations:**

In addition to the valuable data collected on discrimination against LGBTQ+ couples and Roma women, it is strongly advised that advocacy organizations use these findings to formulate more comprehensive advocacy strategies. These strategies should be designed to improve the social standing and rights of these marginalized groups within Kosovo society.

**7.1 Awareness and visibility:** A key objective of these advocacy strategies should be to raise awareness of discrimination and to operationalize the underlying mechanisms. In doing so, it becomes possible to turn the case from a problem based on anecdotal evidence into a well-documented and evidence-based problem.

**7.2 Evidence-based advocacy (research):** Using the results of the situational testing, organizations can base their campaigns and initiatives on concrete evidence. This evidence-based approach lends credibility and weight to their efforts, making it more likely that policymakers and the public will take discrimination against marginalized groups seriously.

**7.3 Education and outreach:** Promoting educational programs and awareness-raising campaigns targeting different segments of society, including government officials, law enforcement agencies, educational institutions, and the general public. These programs should aim to dispel stereotypes, promote tolerance, and create an environment where diversity is celebrated.

**7.4 Creating anti-discrimination policies and providing training:** Providing inclusive training for all employees on diversity, inclusion and cultural sensitivity. Training involving service-related scenarios and interaction with LGBTQ+ individuals and Roma women.

**7.5 Activating reporting mechanisms:** In cooperation with municipalities, advocate for discriminatory acts to be reported to the Department of Consumer Protection and create confidential forms where customers can anonymously share their experiences and suggestions for improvement.

**7.6 Policy change recommendations:** Develop and propose specific policy recommendations based on the findings of the situation testing. These recommendations should focus on closing legal gaps, enhancing human rights protections, and ensuring equal treatment for marginalized groups.

**7.7 Training of representatives of gastronomy:** Presenting findings and informing them with terminology, LGBTI+ and Roma issues as well as with applicable policies/laws that punish discrimination in all forms.

In conclusion, testing the situation is a powerful tool not only to shed light on discrimination, but also to promote tangible improvements in human rights protection and awareness of the challenges faced by marginalized groups. By developing evidence-based advocacy strategies that target institutional and public aspects of discrimination, we can work towards a more inclusive and equitable society in Kosovo.

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