



Annual Review

of the Human Rights Situation of Lesbian, Gay, Bisexual, Trans, and Intersex People in North Macedonia covering the period of January to December 2018

North Macedonia

Asylum

The new Law on International and Temporary Protection adopted in April, recognises SOGI as grounds for seeking asylum or protection, under the definition of “social group”. The first documented case of an asylum seeking person based on persecution on sexual orientation submitted in November 2017, has not been decided upon, passing all legal deadlines. Unfortunately, there are no specific measures in place to prevent violence against LGBTI asylum seekers in asylum centres or in detention. The asylum seeker in question was housed at the LGBTI shelter, and cooperation between civil society and authorities was good.

Bias-motivated speech

The Criminal Code still does not explicitly regulate hate speech and hate crimes on grounds of SOGI. In 2018, NGOs documented 19 cases of hate speech in the media, including on social media, and 26 cases in public spaces. The Commission for Protection from Discrimination, the Public Prosecutor’s office and the Ministry of Interior Affairs all fail to address these cases. The latest public awareness LGBTI campaign “Do not judge who loves whom” in November, triggered considerable levels of hate speech on social media.

Bias-motivated violence

NGOs documented 43 hate crimes against LGBTI people in 2018 (up to November). In the absence of SOGI inclusive hate crime laws, attacks on the LGBTI Support Centre and activists in previous years remain unsolved, despite evidence and promises of the ruling party.

Trans people, especially trans sex workers, are most exposed to violence. Macedonia ratified the Istanbul Convention in March 2018, and adopted an action plan on its implementation. This could provide wider protection for trans people. According to recent research in the trans community, all respondents have experienced violence.

Education

LGBTI youth continue to face harassment and bullying in school. The Law on Primary Education and the Law on Secondary Education are currently being amended, and civil society organisations submitted their suggested amendments to the law in 2018.

Equality and non-discrimination

The new draft Law on Protection and Prevention against Discrimination, which includes SOGI as grounds for discrimination, was presented to Parliament. It was expected to be adopted in June, but is still pending. Following the adoption, all laws will have to be amended to include SOGI in their anti-discrimination clause.

In February 2018, the Inter-Party Working Group for LGBTI Rights held a session in the Parliament for the first time. The group consists of 14 members from different parties and two independent MPs. The group, founded last year, actively works with LGBTI organisations and aims at ensuring legislation are in line with the new anti-discrimination law. It has already submitted amendments to the Law on Media for inclusion of SOGI in the anti-discrimination clause.

NGOs documented 18 discrimination cases this year, including in healthcare, access to goods and services, and education. Trans people are especially vulnerable to discrimination in employment.

Freedom of assembly

Pride Weekend Skopje in June and the ERA conference in October took place without incidents. The Pride Weekend of cultural events was attended by over 500 people. However, a homophobic attack occurred at Pich Preach, a feminist event. LGBT United Tetovo tried to organise a “Queer Iftar”, but cancelled the event because of hate speech and threats.

Freedom of expression

Access to mainstream media for LGBTI organisations remains limited and the media rarely covers LGBTI news.

Health

Two cases were documented this year, of gay men suffering discrimination in healthcare on grounds of their sexual orientation. Three people living with HIV also reported discrimination (a gay man, a trans woman, and a cisgender straight woman) to NGOs. Despite free legal aid, none of the victims reported their case. A rising number of HIV infections among MSM were documented. Civil society organisations are concerned that the budget allocated the state allocates to them to address this rise in infections is insufficient.

Human rights defenders

Activists of LGBT United Tetovo received numerous threats (see **Freedom of assembly**). The director's address and photos were published online, and he had to temporarily flee Tetovo with his family for their safety. Perpetrators were reported to the police and criminal charges were filed against 11, on grounds of threats to the life of a member of a marginalised community.

Activities for strengthening the capacities of the trans community continued, and an informal trans organisation TransForma was established.

Police and law enforcement

Six cases of police misconduct were documented in 2018. Even in cases where a particular police officer was identified, no investigation or punishment followed.

Public opinion

According to a World Bank study, Macedonia is one of the least accepting countries towards LGBTI people in the region. Yet, government representatives have been more openly supportive. The ERA conference was organised in partnership with the Ministries of Labor and Social Affairs, and Foreign Affairs, and the Inter-Party Working Group for LGBTI Rights. A national LGBTI campaign in cooperation with MPs and local anti-discrimination bodies took place in December in two cities. The Skopje Pride Weekend received a grant from the Ministry of Culture.

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