

Mr. Nikola Gruevski, Prime Minister of the Republic of Macedonia

Mr. Vasko Naumovski, Deputy Prime Minister for European Affairs

Mr. Xhelal Bajrami, Minister of Labor and Social Policy

Mr. Mihajlo Manevski, Minister of Justice

Mr. Trajko Veljanovski, President of the Assembly of the Republic of Macedonia

Ms. Blagorodna Dulik, Chairperson of the Legislative Committee, Assembly of the Republic of Macedonia

Mr. Petar Pop Arsov, President of Committee of European Issues, Assembly of the Republic of Macedonia

Ms. Vesna Bendevska, President of the Standing Inquiry Committee for protection of civil freedoms and rights, Assembly of the Republic of Macedonia

Brussels, February 1, 2010

Your Excellences,

After consulting with civil society groups in Macedonia, we are writing to you as representatives of the executive and legislative branches of the Government of Macedonia to ask that you maintain non-discrimination based on sexual orientation in the comprehensive anti-discrimination draft law up for consideration in Macedonia.

We have learned and are deeply concerned that a comprehensive draft law to combat discrimination was changed to exclude sexual orientation as a protected ground in the anti-discrimination law.

Lesbian, gay, bisexual and transgender (LGBT) people face discrimination, are denied basic human rights in their everyday life and are regularly subjected to violence in Macedonia. As the European Commission acknowledged in its 2009 Progress Report on Macedonia, 'The Framework Law on Non-Discrimination has not yet been enacted and the existing legal provisions are not fully aligned with the acquis.'[...] 'Neither the Constitution nor the existing legislation identifies sexual orientation as a basis of discrimination. Lesbian, gay, bisexual and transgender (LGBT) people are not protected against direct or indirect discrimination and are stigmatised, particularly in rural areas.'

As a candidate country to EU membership, the Former Yugoslav Republic of Macedonia is expected to introduce a comprehensive anti-discrimination law providing protection from discrimination based on 6 grounds of discrimination, including sexual orientation.

All 27 Member States of the European Union adopted employment non-discrimination legislation that explicitly covers sexual orientation in accordance with the Council Directive 2000/78/EC. In most member states the protection of discrimination on grounds of sexual orientation has been extended to cover areas such as social security and health care in addition to employment. Countries aspiring to become EU members such as Croatia, Serbia and Bosnia and Herzegovina have also adopted comprehensive anti-discrimination laws explicitly covering sexual orientation.

The experience of some new member states (for example Latvia) has shown that putting sexual orientation under the heading of 'other grounds' is not sufficient to provide protection from discrimination based on sexual orientation and is not in line with the EU acquis.

Indeed, without explicit and strong anti-discrimination protection in the law, LGBT people will continue to face discrimination and violence and be forced to live under the constant pressure of secrecy.

We, therefore, would like to urge the Government of Macedonia to maintain the full list of protected grounds, including sexual orientation in the Anti-Discrimination law.

Yours sincerely,



Evelyne Paradis,
ILGA-Europe, Executive Director