



NORTH MACEDONIA

BIAS-MOTIVATED SPEECH

Hate speech remained a serious issue and despite countless reports being filed, the authorities took no meaningful action. The European Commission's country report on North Macedonia also highlighted that hate speech and hate crimes remain common, without an effective response from the justice system. Comments on social media often include death threats and calls for violence against the community. Several cases were submitted to the Media Ethics Council and The Commission for Prevention and Protection against Discrimination (CPPD) for review and prosecution. In April for instance, the Council found that Alfa TV's negative reporting on state funding for the Pride Festival violated media ethics.

The anti-gender movement gained more ground, spreading countless hostile and hateful statements and posts all year (see here, here, here, here). Politicians, religious leaders and newly formed organisations were among the most common perpetrators of hate speech, but intellectuals, academics, and public figures also joined in. In March for instance, Bishop Jakov Stobiski of Strumica said "transgenderism" was a "disorder" and the work of the devil and incited hatred against civil society organisations and activists. In June, he called LGBT people "sick" and "Satan's emissaries". The CPPD established that the bishop's statements were discriminatory on the basis of sexual orientation and gender identity. Following the bishop's refusal to apologise, the Commission filed a criminal complaint for misdemeanour.

Legislative initiatives were also demonised by the Orthodox Church who launched a misinformation campaign against the Gender Equality Law and the amendment of the Birth Registry Law concerning legal gender recognition (see here, here, here, here). In June, Archbishop Stefan called for a nationwide demonstration against the reform of the Gender Equality Law and the Birth Registry Law. The Archbishop alleged that under these new laws could result in "different genders could emerge every day"; and that it would harm "women and children" in particular. The Platform for Gender Equality, the National Network against Homophobia and Transphobia, and the Network Against Discrimination condemned the hostile and stigmatising statements. In addition to gender equality, the Church also attacked the concept of gender identity and the Istanbul Convention.

Sexuality education was also a common target. In March for instance, the Coalition for the Protection of Children equated sex education with the promotion of pornography and paedophilia.

BIAS-MOTIVATED VIOLENCE

In September, the Basic Criminal Court of Skopje sentenced a man to two years in prison for assaulting an LGBTI activist in 2022, applying the aggravating grounds of sexual orientation of the Criminal Code.

BODILY INTEGRITY

ECRI published its report on North Macedonia in September and called for a ban on medically unnecessary and non-consensual surgeries on intersex children.

EDUCATION

In March, parents that are supported by anti-gender groups campaigned against a first-grade class handout that included a gay couple and their child. The school defended the material.

The Orthodox Church demonised comprehensive sexuality education throughout the year. HERA warned about the dangerous spread of misinformation and false allegations about sex education, and harassment of civil society organisations. The 2021 Law on Prevention of Violence against Women and Domestic Violence envisioned sex education in schools and violence prevention, but implementation has been lacking since.

EQUALITY AND NON-DISCRIMINATION

The parliamentary Intergroup on LGBTI people's rights celebrated IDAHOBIT again this year. President Stevo Pendarovski also published a supportive statement.

Following the adoption of the new Gender Equality Strategy in 2022, the draft bill on Gender Equality was published in June, which sparked intense anti-gender backlash and hate speech (see Bias Motivated Speech). The bill would distinguish between 'sex' and 'gender'. Under the influence of the anti-gender movement, the Minister of Labor and Social Policy did not continue the process of adoption of the law.

In its September report, ECRI warned that the government is yet to carry out a comprehensive study on all forms of discrimination against LGBT persons. ECRI expressed disappointment that the 2022 Equality and Anti-discrimination Strategy hardly mentions LGBTI people. It recommended that an LGBTI working group be set up to facilitate communication between the government and civil society.

In November, the Parliament started the procedure for the election of four members of the Commission for Prevention



and Protection from Discrimination. The Network for Protection against Discrimination demanded a transparent election based on merit and in accordance with legal criteria, demanding that all four mandates be for five years. After a public interview, the parliamentary commission adopted a proposal list in which three candidates were chosen because of party affiliation without particular experience or knowledge.

One candidate, a co-ordinator of the Network for Protection against Discrimination and an advocate for LGBTI rights, was elected for the term of one year and two months. Civil society accused the Assembly of partisan and illegal elections and of political discrimination.

FAMILY

ECRI urged the government to provide some form of legal recognition to same-sex couples.

FREEDOM FROM TORTURE, CRUEL, INHUMAN, OR DEGRADING TREATMENT

In October, the European Court of Human Rights ruled in D.H. and others v North Macedonia that the 2008 police action against sex workers, including detention, physical abuse, forced medical tests, and the publication of the victims' photographs without their consent violated the applicants' freedom from inhuman and degrading treatment (Art. 3) and their right to privacy (Art. 8).

FREEDOM OF ASSEMBLY

The 11th Skopje Pride Weekend art and cultural festival was held between 1-13 June and featured discussions, exhibitions, performances, and parties again this year.

The fourth Skopje Pride march was held on 24 June, with the motto 'Loud and Proud!'. CSOs published safety guidelines ahead of the march, advising participants to avoid the Church-led demonstration (see under Bias-motivated Speech), and to remove Pride-related symbols before and after the event. The march was attended by thousands, including several Ministers and MPs. No incidents were recorded.

HOUSING

Housing remained challenging for many LGBTI people. The Safe House shelter provided housing to LGBTI persons, but funding by the Ministry of Labor and Social Policy is limited.

LEGAL GENDER RECOGNITION

Following the much criticised withdrawal of the draft Civil Registry Law in 2022, the MPs from the Inter-parliamentary group for LGBTI rights announced in January that they would put (LGR) back on the agenda. On Trans Day of Visibility, Transforma held a demonstration calling for the law to be adopted.

The new draft law entered into its first parliamentary reading in June. In July, the Council of Europe Commissioner for Human Rights called on the parliament to adopt the draft, despite the ongoing pushback from anti-LGBTI and anti-trans groups and the Orthodox Church. The draft sets out an LGR procedure without medical interventions or diagnosis as requirements, but excludes minors and only features male and female gender markers. The Commissioner recommended to the government that it remove the mandatory divorce requirement. The law was not put on the parliament's agenda until the end of the year. With a lack of clear LGR procedures, North Macedonia continues to fail to comply with the 2019 European Court of Human Rights judgement in X v. FYROM.

In September, ECRI called on the government to adopt a clear LGR framework. In October, the government submitted an updated plan of action to the ECtHR, saying the law may be adopted before the end of the year.

Transforma launched a campaign about the importance of the law for trans people in the country.

Four trans people changed their gender marker, all of them on the basis of self-determination. The procedures were faster compared to the previous year.

PUBLIC OPINION

A poll found that over half of North Macedonians support sex education in school, but less approve that LGBT topics should be included.

Coalition Margins published a study in October, finding that homophobic views are common regardless of political affiliation.



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