



FYR Macedonia



The year began on a negative note, with the government's attempt to constitutionally define marriage as a union between men and women only. An additional constitutional amendment to make the passage of any future civil union legislation for same-sex couples more difficult was another source of disappointment, especially as it was introduced at the last minute, without informed debate. Hate crimes against LGBTI people remain a concern; the apparent lack of a systematic response to violent attacks was pointed out by the European Commission and led LGBTI activists to protest on the streets during the summer.

Access to goods and services

- In 2015, the Coalition on Sexual and Health Rights documented three cases in the access to banking services and health care services based on gender identity.

Asylum

- LGBT NGO Subversive Front supported an LGBTI person applying for asylum in Belgium (see **Belgium**). He had experienced psychological violence, discrimination, hate speech and harassment since he publicly came out in an online video campaign in 2013.

Bias-motivated speech

- In February, one journalist was sanctioned with a public warning by the Council for Ethics in the Media after his national TV show contained homophobic hate speech.
- An opinion poll carried out by the US-based National Democratic Institute (NDI, see **Public opinion**) revealed that 66% of the LGBTI people surveyed in FYR Macedonia had been verbally harassed or abused because of their sexual orientation or gender identity.
- Bekim Asani, the leader of Tetovo-based NGO LGBT United, spoke at Amsterdam Pride in August. After his speech appeared online, Asani received many homophobic messages and multiple death threats. He temporarily relocated abroad.
- In November, the Commission for Protection against Discrimination (CPD), civil society organisation HERA and the Coalition on Sexual and Health Rights of Marginalised Communities launched the *Nation without Discrimination* campaign to make the public more aware of how to report discrimination on various grounds, including sexual orientation (see **Equality and non-discrimination**). The campaign attracted serious bias-motivated speech; the incidents were reported to the Cyber Crime Unit but no action had been taken by the end of the year.

Bias-motivated violence

- The perpetrator of a violent attack against two LGBTI activists in 2012 was sentenced to 7 months imprisonment in January. The decision was quashed on appeal in

December and will be reviewed by the Basic Criminal Court in 2016.

- In June, the National Network against Homophobia and Transphobia protested outside government headquarters to highlight the lack of progress made in investigating violent hate crimes against LGBT people.
- An opinion poll carried out by the US-based National Democratic Institute (NDI, see **Public opinion**) revealed that 27% of the LGBTI people surveyed in FYR Macedonia had suffered physical violence because of their sexual orientation or gender identity.
- The Coalition on Sexual and Health Rights documented two cases of assault based on sexual orientation and one case of violence based on gender identity in 2015; two of these cases were pending at the end of the year.

Data collection

- In July 2015, NGO Subversive Front commenced the first ever comprehensive survey on SOGI-based bullying among youth in Skopje. The study is based on sample of LGBT-identifying and non-LGBT identifying people, aged between 18 and 30. Preliminary findings show that young LGBT people experience more anxiety and show more compulsive tendencies towards depression than young straight people. The final survey results will be presented in February 2016.

Education

- The Coalition on Sexual and Health Rights successfully applied to the Commission for Protection from Discrimination to remove homophobic content from a university psychiatry text book. During the year, the Coalition also initiated advocacy activities to discuss the material included in the regular curricula.

Enlargement

- FYR Macedonia formally applied to join the EU in 2004. In its annual report on progress made towards EU accession, published in November, the European Commission pointed out that the LGBTI community continue to suffer hate speech in the media. Such

bias-motivated incidents need to be systematically investigated. The Commission also expressed disappointment at the government's failure to add the grounds of sexual orientation and gender identity to existing anti-discrimination legislation. Considerable efforts need to be made to promote acceptance and diversity, through public campaigns and training for law enforcement officials.

- An opinion poll carried out by the US-based National Democratic Institute (NDI, see **Public opinion**) revealed that 83% of the LGBT population think that EU support is very important for the improvement of their position in the country.

Equality and non-discrimination

- An opinion poll carried out by the US-based National Democratic Institute (NDI, see **Public opinion**) revealed that 54% of the LGBTI people surveyed in FYR Macedonia had been personally discriminated against because of their sexual orientation or gender identity.

- On 13 July, NGO Subversive Front, submitted a complaint to the State Commission for Protection against Discrimination regarding discriminatory, derogatory and openly homophobic content in some supplementary books at the University 'Ss. Cyril and Methodius' in Skopje. No response to the complaint had been received by the end of the year.

- In November, CPD, HERA and the Coalition on Sexual and Health Rights of Marginalised Communities launched an anti-discrimination protocol. Anti-discrimination legislation does not include sexual orientation or gender identity as protected grounds. As a result, the protocol outlines how to treat claims of discrimination based on sexual orientation or gender identity.

- LGBTI NGOs expressed concern following the appointment of six new members of the Commission for Protection against Discrimination by parliament in December. NGOs were particularly concerned about three appointees as they had previously expressed homophobic, islamophobic and misogynistic views.

Family

- In January, the parliament voted in favour of constitutionally defining marriage as a union solely between a man and a woman. In addition to this, politicians also adopted an amendment to ensure that a two-thirds majority of members of parliament would be necessary to regulate marriage, family, and civil unions, including any future unions for same-sex couples. Such a majority was previously only reserved for issues such as sovereignty and territorial questions. On 9 January, the parliamentary committee on constitutional issues approved a series of amendments, including the limitation of marriage and the two-thirds majority requirement which was included at the last minute. On 20 January, the amendments were approved in parliament by 72 votes to 4. In order for these amendments to be added to the constitution, a final vote was required to approve them. This final parliamentary session was commenced on 26 January but never concluded, as the ruling coalition did not obtain the two-thirds majority required. The parliamentary session on the constitutional amendments was in recess until the end of 2015.

- An opinion poll carried out by the US-based National Democratic Institute (NDI, see **Public opinion**) revealed that 89% of the general population finds equal marriage unacceptable.

Freedom of assembly

- An opinion poll carried out by the US-based National Democratic Institute (NDI, see **Public opinion**) revealed that 45% of the LGBTI people surveyed in FYR Macedonia felt that Pride parades have improved the position of the LGBTI community in society; FYR Macedonia was the only one of the six countries surveyed where only a minority agreed with this statement. In addition, 84% of the general population would not personally support the organisation of Pride events.

Freedom of expression

- National Broadcasting Television did not respond to a request from NGOs to air the *Nation without Discrimination* video campaign as a public interest broadcast (see

Bias-motivated speech). National media outlets also failed to cover the Coalition on Sexual and Health Rights' 10 December billboard campaign in cooperation with NGO Queer Zagreb; only seven independent news sites mentioned the initiative.

Human rights defenders

- An opinion poll carried out by the US-based National Democratic Institute (NDI, see **Public opinion**) showed that 31% of LGBT people surveyed do not have favourable opinions about activists that advocate for LGBTI rights in the media.

Legal gender recognition

- LGBT NGO Subversive Front filed a case in the Administrative Court in November in support of a trans woman whose request to change her gender marker and official ID was refused. The NGO also initiated civil proceedings due to the authorities' delay in responding to her request; this was still pending at the end of 2015.
- The Coalition on Sexual and Health Rights provided legal representation to five trans people who have requested legal gender recognition; some of the cases are pending since 2011.

Public opinion

- From June – August, the National Democratic Institute, the U.S. Agency for International Development, the Gay and Lesbian Victory Institute and Civil Rights Defenders carried out opinion polls in the Western Balkans on attitudes towards LGBTI people. In FYR Macedonia, 58% of the general public said that they would try to help their son or daughter find a cure if they found out that their child was not heterosexual. 61% said they would not vote for a political party that championed the rights of LGBTI people.