

ILGA-Europe's written submission to the European Commission's 2013 Progress Report on FYR Macedonia¹

Brussels, May 17, 2013

Reporting period: October 2012-April 2013

A summary of key developments and trends

Discrimination and stigmatisation of the LGBTI community remained widespread in the country, and often fuelled by bias motivated speech from public officials. One of the most high profile incidents revolved around the derogatory comments of the Minister of Labour and Social Policy about LGBTI families, comments made under the guise of protecting minors and defending of the heterosexual family unit. Likewise, journalists also contributed significantly towards the stigmatisation of the LGBTI community through sensationalist and inflammatory articles. Furthermore, there were cases of violence against LGBTI human rights defenders, including an attempt to set the LGBTI Support Centre on fire and an attack on LGBTI activists in Bitola.

Bias motivated speech

- In October 2012, the Minister of Labour and Social Policy Spiro Ristovski, in the frame of a public presentation related to the International Day of the Girl Child, stated that he doesn't even want to consider the possibility of adoption of children by homosexual people because he believes that "[...] a child should be brought up correctly, to grow and develop in a marriage with a mother and a father in a true and biological sense of the word". The minister reiterated his claims that "homosexuals cannot raise healthy children" on national TV station SITEL. The journalists of the station presented homosexuality as a threat to the nation and to civilisation, making parallels between homosexuality and paedophilia, incest and zoophilia. In reaction, civil society organisations held a press conference criticising the statement by the Minister calling on him to respect existing national laws on non-discrimination. In response, wide media coverage of the press conference presented civil society's demands as that of "same-sex marriage and adoption of children" and hence a threat to the family values. This was followed by numerous media articles with homophobic discourse. Four front pages of the newspaper *Vecer* in four subsequent days published articles containing images from gay porn movies under the following titles: "There will be No Homosexual Marriages in Macedonia", "Chicks with Condoms", "We want nephews, not faggots" and "Researchers prove that children of homosexual couples are victims of paedophilia". These provocative and homophobic articles fuelled a hostile environment. Homophobic hate speech continued on the internet editions of some newspapers, in internet forums and social networks.

Bias motivated violence

- In October 2012, the Macedonian Helsinki Committee opened an LGBTI Support Centre in Skopje with an aim to provide space for LGBTI groups to self-organise and support. A day after the opening of the Centre (and following the above described media portrayal of the issue), three masked assailants stoned the Centre and broke the glass at the entrance. The Helsinki Committee reported the case to police and the case is under investigation.

- In December 2012, there was another attempt to attack and set fire at the LGBTI Support Centre. The face of the one of the attackers was captured on the security camera which was sent to the police. The case is under investigation.
- In April 2013, LGBT activists from LGBT United and the Coalition for the Sexual and Health Rights of Marginalized Communities were attacked by a group of football supporters in the Macedonian town of Bitola. The activists had been in the main street of the town carrying flags and placards and distributing posters on the rights of LGBTI people when they were attacked by four men, who were later joined by three others. The attackers violently grabbed their posters, and used them to hit the activists on their heads and faces. They insulted the activists, spat and pushed them around. When an activist attempted to use his mobile phone to call for help, one of the attackers grabbed it and threw it to the ground, threatening to kill him. The activists reported the attack to the police and called on the Ministry of Interior police to immediately trace the perpetrators and bring them to justice. Following the attack the LGBT United group received several threats of physical attacks, some amounting to death threats, on its Facebook page. A photo of the activists was also posted on the official Facebook page of the Macedonian Sport Fans' group, with the message: "Never again will faggots step foot in Bitola".

Equality and non-discrimination

- Macedonian Helsinki Committee for Human Rights launched an initiative before the Constitutional Court to reassess a provision in the *Family Law* regulating close personal relations as "personal relations between people of different sexes". The organisation claimed that this definition provides grounds for discrimination against people who are in same-sex relationships in protection from domestic violence. In November 2012, the Constitutional Court has decided to reject the submitted initiative on the basis that there is no single category of citizens excluded from protection from domestic violence and the law recognises the potential victims of family violence (including same-sex couples) as those who live in a 'common household'.

Freedom of assembly

- In November 2013, the March of Tolerance was organised by the Macedonian Helsinki Committee/LGBTI Support Centre together with other civil society representatives working on working on non-discrimination and equality. Before the start of the March, when the organisers were setting up information stands at the central square, one masked man has threatened and punched two LGBT activists. The police arrested and charged the attacker for violent behavior. Helsinki committee has also brought charges against the attacker for obstruction of the planned public gathering.
- Skopje Pride planned in June 2012 was cancelled due increased threats and security risks for LGBTI activists following the attack in April coupled with the lack of government support.

¹ This submission gives a snapshot of human rights situation of LGBTI people in the country and follows a structure and approach similar to ILGA-Europe's Annual Review 2013. It is based on continuous monitoring of the country situation, collection and analysis of first-hand information from LGBTI human rights defenders and country experts.