REPORT ON SEXUAL AND HEALTH RIGHTS OF MARGINALIZED COMMUNITIES IN REPUBLIC OF MACEDONIA
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Executive summary

The key event in 2010 was the adoption of the Law on Prevention and Protection against Discrimination (Official Gazette of R.M., No 50, 13.04.2010). During the promotion of the Draft-Law itself, the Deputy Minister for Labour and Social Politics stated that sexual orientation is not covered by the Law “on the grounds that it is not in line with the Constitution and the laws of the Republic of Macedonia.” The Ministry continued to defend the Government’s attitude that sexual orientation “should not be one of the grounds for discrimination”, disregarding the harsh domestic and international reaction.

The Parliamentary debate on the Law was employed for homophobic campaign led by members of parliament from the ruling party, and aimed towards the opposition, towards citizen’s association fighting for the rights of sexual minorities, and towards non-heterosexuals. During this debate, the MP’s employed different homophobic strategies in order to depreciate and humiliate different sexual orientations, to disrespect the dignity of members of sexual minorities, to refuse their human right on protection against discrimination on the ground of sexual orientation etc. The homophobic campaign reached its lowest level when an MP from the ruling party, “scientifically” and “medically” diagnosed intersexuality as a “pathologic condition” that needs to be treated, continued to diagnose transvestitism as a “mild form of psychological disorder”, only to conclude at the end that “homosexuality is a disease that has to be treated.”

Although the NGO’s and the international representatives stressed that the draft-Law is not in line with the EU Acquis, the Law was adopted when 62 MP’s voted for. A week after the Law was adopted, the EU Commissioner Fulle stated that, “in order to accomplish EC’s demands, the recently adopted Law on Antidiscrimination shall have to be amended so as to include prohibition of discrimination on the ground of sexual orientation.” The 2010 Progress Report stressed many other problems regarding the Law, and expressed a special concern regarding stigmatisation and incidents of discrimination against LGBT community as well as the Government’s necessity to to raise awareness about the need for respect and tolerance of diversity. Instead of raising awareness about the need for respect and tolerance of diversity, the Ministry’s representative replied that homosexuality in our country “cannot be accepted as a normal phenomenon”.

After a homophobic debate regarding the Law on Prevention and Protection against Discrimination, an amendment was adopted which redefined family as a “community of opposite sexes, a man and a woman.” Towards the end of 2010, the religious leaders caused a riot among the public with discriminatory speech and hate speech, which was disguised under the veil of “honest dialogue” for constitutional changes in order to redefine marriage as “constitutionally defined as a community of a man and a woman.” The President of the Republic of Macedonia publically did not condemn the homophobic speech and missed the chance to present himself as a President of all citizens of the Republic of Macedonia, independently of their sexual orientation. At the end of the year, the Government initiated an anti-abortion campaign in the media, which we shall elaborate in details in the following 2011 report.

The Coalition participated in initiatives on introducing comprehensive sexual education and led an initiative for immediate cancelation of all homophobic textbooks in the educational system.

As a result of the year-long monitoring process, the Coalition documented around 40 cases of violation of sex and health rights of members of marginalized communities. It documented 14 cases of discrimination against drug users, 11 cases of discrimination against sex workers, 1 case of discrimination against LGBT and 2 cases of discrimination against people living with HIV/AIDS. It documented 11 cases of violence on sex workers, 3 cases of violence of LGBT persons, 2 cases of discrimination against people living with HIV/AIDS, which only points out to the close correlation between violence and discrimination. Also, it documented 6 cases of refusal to offer health protection on sex workers, 3 cases on drug users and 2 cases on people living with HIV/AIDS.

In 2010, the Coalition represented many cases of flagrant violation of human rights, from which we can draw many conclusions. What concerns us most is the cases of refusing health services and other violations of the right to treatment of members of marginalized communities (the most concerning is refusal of health services on patients in critical state, i.e., conditioning the health services with a medical confirmation of HIV status). As a result of the violation of confidentiality of medical information, persons living with HIV are in constant danger of
violation of their basic human rights by state institutions (the most concerning is the state in prisons).

Members of marginalized communities are exposed to violation of the right to privacy by the Ministry of Interior (for instance, arbitrary taking and holding DNA, which is not in accordance with the Law, nor with the decisions of the European Court on Human Rights). There are serious indications of unauthorized interferences in health institutions that offer health services to members of marginalized communities, interferences that threaten patients' right to privacy and decrease their trust in the health system. The Coalition expresses its concern about the unequal treatment of sex workers, regarding their right to fair trial (the court proceedings in which sex workers were in the role of plaintiffs and victims were unnecessarily prolonged, as opposed to the proceedings in which they were prosecuted and sentenced after the scandalous police raid “Street Prostitution”).

Republic of Macedonia does not offer the conditions for sex change operation, and persons who choose such medical treatment abroad face numerous bureaucratic obstacles, as well as sensational approach by the media. They also face discriminatory approach by the state institutions and medical personnel and constant danger of psychological and physical violence (including family violence).

Activists for sexual and health rights are also exposed to attempts of discrimination by the authorities and the ruling party, to sensational and discriminatory treatment by the media and are also exposed to criminal proceedings about publicly stated attitudes which condemn homophobia and discrimination towards marginalized groups.

The Coalition expresses deep concern about the homophobic hate speech before and during sports events, which often lead to physical violence. The Coalition appeals that the sensational reporting on days which celebrate the rights of members of marginalized groups be stopped, and appeals against abuse of public campaigns for political purposes (for instance, campaigns for prevention of HIV/AIDS, campaigns regarding abortion, campaigns promoting families with many children, etc). The Coalition appeals to all political actors to stop with the homophobic and transphobic campaigns and unite in a joint campaign against homophobia and transphobia.
1. **Legislation**

1.1. **Adoption of the Law on Prevention and Protection against Discrimination**

1.1.1. **Controversial Promotion of the Draft-Law**

At the end of 2010, the Minister of Labour and Social Policy, presented the draft-Law on Prevention and Protection against Discrimination as a Law adopted in the Republic of Macedonia for the very first time. Although sexual orientation had been included as a ground for discrimination in the earlier versions of the Law, the Minister stressed that sexual orientation is not explicitly listed as a ground for protection against discrimination.

According to the Government’s press release, the Minister clarified that “the Law covers more grounds for protection against discrimination than the foreseen European directives do, yet it doesn’t cover homosexuals since such term does not exist in the Macedonian legislation”1 However the statement quoted by BBC, offered an explanation to the question why the draft-Law does not contain sexual orientation as a ground for discrimination: “The reasons behind this are that it is not in compliance with the Constitution and the laws in the Republic of Macedonia”2

The same statement was broadcasted by A1 TV, including the answer to the journalists’ question whether the discriminated on the grounds of sexual orientation can seek legal protection. In his reply, the Minister stated that the discriminated persons will have to prove the discrimination: “They have to prove that they are being discriminated against on the grounds of discrimination and should discrimination on the grounds of sexual orientation be determined they will receive protection”3.

1.1.2. **Public Reactions After the “Promotion” of the Draft-Law**

Coalition Representatives immediately issued a public reaction regarding the elimination of sexual orientation as a ground for discrimination from the Law, as well as the confusing statements from the Minister Bajrami. It was stressed that: “The version that included sexual orientation was on the agenda for months and years and the Government failed to react until now”. Also, it was clarified that “many laws containing sexual orientation as a ground for discrimination have been adopted until now, such as the Law on Patients’ Rights or the Law on Volunteering or on Labour Relations”, and that if the Minister’s statement was correct the above mentioned laws would be against the Constitution.4 The Coalition’s coordinator dismissed the manipulations regarding the Law on Prevention and Protection against Discrimination and the legalization of homosexual marriages and adoption of children: “It is an excuse that homosexuals might ask for marriage, but this Law has nothing to do with that and it is audacious to manipulate with such populist claims”5.

Mirjana Najcevska, an expert from the NGO sector, member of the work group that participated in the preparation of the draft-Law, also was taken by surprise. Najcevska pointed that “The Minister’s statement demonstrates an essential lack of knowledge on the Constitution and legislation”6 and that sexual orientation is one of the six

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1 The first draft of the Law on Prevention and Protection Against Discrimination, Skopje, 31 January. [http://www.vlada.mk/?q=node/4919](http://www.vlada.mk/?q=node/4919)
2 „Macedonia and Sexual Discrimination”, BBC Macedonian, 1 February, 2010. A comprehensive version of the Minister’s controversial explanation was published in Utrinski Vesnik: “The draft-Law contains many grounds for protection against discrimination, maybe more than provided by the European Directive, yet sexual orientation as a ground is not included because it is not in compliance to the Constitution and laws in Macedonia” (02.02.2010 “Law on Protection against Discrimination or on Homophobia”).
3 „Homosexuals not Covered by the Law Against Discrimination”, A1, 31.01.2010.
4 „Macedonia and Sexual Discrimination”, BBC Macedonian, 1 February 2010.
5 „Law on Protection Against Discrimination and Homophobia”, Utrinski Vesnik, 02.02.2010
6 Extensive: “The fact that this category of citizens is not covered by the Constitution does not mean that they cannot be covered by a Law. The sole matter of argument would be if it is against the Constitution. Besides, the Law contains more categories of discrimination that are not present in the Constitution, such as the ground age, disability, and different opinion” (02.02.2010 “Law on Protection
grounds for discrimination that must not be excluded from the legislation of the EU member-countries.7

Soon after the domestic reactions followed the international reactions. First one to react was ILGA Europe on 01.02.2010, calling for “non-discrimination on the grounds of sexual orientation in the draft-Law on Anti-discrimination, which is being reviewed in the Republic of Macedonia”. The letter stressed that “As a country-candidate for membership in the European Union, Republic of Macedonia is expected to introduce a comprehensive Anti-discrimination Law that shall provide protection against discrimination on 6 grounds of discrimination, including sexual orientation”.

Human Rights Watch also reacted with a letter “to the Prime Minister of Macedonia” asking for amendment to the draft-Law and introduction of sexual orientation and gender identity.8 The representative of EU also reacted demanding that the Government respect European standards.9 The members of the European Parliament reacted on couple of occasions.10 11

Beside the many domestic and international reactions, including the Ombudsman's reactions that “The Primary concept had advantages”, the Ministry of Labour and Social Politics continued to represent the Government’s stand that sexual orientation “should not be one of the grounds for discrimination”.

1.1.3. Demands of the NGO Sector

Bearing in mind that the Government and the Ministry of Labour and Social Policy disrespected the traditional consultation negotiations, the Coalition turned to negotiations with many citizen's associations in order to come up with mutual demands regarding the Law on Prevention and Protection against Discrimination.

After the negotiations with the Macedonian Centre for International Cooperation (MCIC), the Centre for Human Rights and Conflict Resolution, the Helsinki Committee etc, issued a joint “Demand to the Government of the Republic of Macedonia as the proposer of the Law on Prevention and Protection Against Discrimination”, signed by around 50 citizen's associations.11 When the joint demand was not accepted by the Government, there was a difference in opinion in the NGO Sector. A group of organizations, members of the Union “Macedonia without Discrimination” began working on amendments to the existing draft-Law, while the Coalition advocated that the November version be replaced instead of the present draft-Law. A group of 29 members of parliament from SDSM, LDP, LP, New Alternative and New Democracy submitted a Proposal-Law on Prevention and Protection against Discrimination, represented by the expert dr Mirjana Najcevska.

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7 “EU documents mention 17 grounds for protection against discrimination, while the EU directives 6. These 6 grounds for protection against discrimination must be contained in the regulative of the EU member-countries, sexual discrimination being one of them”. (02.02.2010 “Law on Protection against Discrimination or on Homophobia”)
8 Letter to the Prime Minister of Macedonia, FEBRUARY 3, 2010 http://www.hrw.org/node/88224. The letter refers to the EC’s evaluation (Lesbian, gay, bisexual and transgender (LGBT) people are not protected against direct or indirect discrimination and are stigmatized, particularly in rural areas.” It also points that „Neighbor jurisdictions, including Albania and Serbia, have amended their laws to bar discrimination based on sexual orientation”.
9 „The Government will discard the responsibilities of a member of the UN and the Council of Europe should it exclude a category. We demand that the Government respect EU standards”. (Criticism on the draft-Law Against Discrimination, BBC Macedonian, 04 February, 2010.)
10 On 30 January, the TV-article „Brussels severely opposes the draft-Law on Anti-Discrimination” (TV Alfa) quoted the criticism of two members of EU Parliament who demanded harmonization of the draft-Law with the EU legislation and demanded that the Government “recognize homosexuals, bisexuals and transvestites are protected against discrimination in the EU.”
11 The LGBT Coordinator in the EP, stated: “Members of European Parliament state their concerns regarding the draft-Law in Macedonia, because the primary draft contained sexual orientation as a ground, which was excluded in the last moment, under the pressure of conservative groups. This is unacceptable for us since it creates hierarchy in discrimination” (“No I won’t, or else you’ll be sued!” Deutsche Welle Macedonia, 05.02.2010).
13 The Demand was published by the press and it contained the numerous flaws of the new version of the draft-Law. The key demand was the withdrawal of the proposed text, and instead adopting the text ‘elaborated by the citizen’s associations and delivered to the working group composed of representatives of the relevant ministries, the Ombudsman and representatives of the civil society, in November 2009, the primary text intended for Parliament debate, thus creating the environment for a fast adoption of a law in compliance with EU standards, the citizens’ necessities and allowing promotion of equality and prevention and protection against discrimination in the RM”.
1.1.4. **Homophobia and Transphobia in the Parliament**

1.1.4.1. The first reading of the Draft-Law in the Parliament

The Parliament debate on the Government’s draft-Law on Prevention and Protection against Discrimination began with the departure of SDSM members from the parliament hall. The main reason for this, according to Vesna Bendevska, Member of Parliament, was that “The Government’s draft-Law does not provide for independent commission that will protect and prevent from discrimination of each Macedonian citizen on any ground”. Also, Bendevska pointed that “the Law you are about to vote for is not the Law that won the visa liberation from Brussels for the Government of Republic of Macedonia”.

According to the representative of VMRO-DPMNE, Kosana Nikolik-Mazneva, the reason for the parliamentarians’ departure was their unsuccessful battle for sexual orientation to become a part of the Law. The same conclusion was pointed by Vladimir Gjorcev, Member of Parliament: “What is it about? The main barrier is sexual orientation, that is the wish of SDSM and of part, let me repeat again, part of the NGO in Macedonia to redefine the definition of marriage”.

The Parliament debate abounded in numerous homophobic statements, “arguments” and statements that can be classified in the following groups:

1. Disputes and derogation of the sexual orientation concept: suggestions that different sexual orientations should not be adopted as a social norm, derogatory analogies, misinterpretations of sexual orientation as sodomy;
2. Manipulations regarding the notion that listing “sexual orientation” in the Law is not an EU criterion;
3. Claiming that adoption of sexual orientation as a ground for discrimination is “odd, forced and unnatural” and will bring into question the Macedonian traditional values and the “Macedonian family model”;
4. “Argumentation” that adoption of sexual orientation in the Law will lead towards legalization of homosexual marriages (with the possibility of adopting children by the partners), and redefining of marriage leads towards “decadence, auto-destruction”, incest, polygamy...
5. Excuses that religious institutions and the majority of parliamentary parties “are not prepared to standardize socially the private affinity of a small group of citizens that wants to redefine this society”. (Gjorcev)
6. Open negation of discrimination of LGBT persons in the Republic of Macedonia, claiming that such problem

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14 “the reason is that by fighting for sexual orientation to be included and become an integral part of the Law on Anti-discrimination, they were intercepted by a huge resistance from the citizens of the Republic of Macedonia. This is the only reason why they are creating this circus…” (Minutes from the Third extension of the 25th session of the Parliament of the Republic of Macedonia, held on 4 March, 2010).
15 Gjorcev suggested that sexual orientation is a private affinity and that each private affinity can’t be turned into social norm.
16 Vlatko Gjorcev pointed to the following: “If we adopt different sexual orientation as a social norm, then should we for instance, say a different gastronomic orientation or different cultural orientation as well, etc.”
17 The Member of Parliament Darko Dimitrieski stressed that “Sexual orientation is very complex, multidimensional, historic and social construction” and that “in the 18th century, for instance it was called sodomy”.
18 Because there are European laws on non-discrimination that do not mention sexual orientation;
19 The Member of Parliament Darko Dimitrieski stressed that “The universal Macedonian family model has been nurtured and praised for generations. According to it a complete man is the one who has a wife, himself and his children”.
20 “If we re-define marriage in the name of homosexual couples, then how are we going to be able to prevent a marriage between a brother and a sister, should they be of age, and of their own free will…How are we going to prevent marriage between a 55 year old man and a 30 year old daughter”. (Vladimir Gjorcev)
21 “How are we going to be able to prevent polygamy should we receive an application of three adult men and seven adult women willing to get married”. (Vladimir Gjorcev)
22 The Member of Parliament Tome Danevski claimed that “persons with homosexual orientation…are not discriminated against in education, employment and in their life”. The Member of Parliament Liljana Zaturuška quoted a letter from the Union of Women “Ezerka” from Struga: “The conversations with our memberships and citizens of Struga brought us to the conclusion that no one is discriminated”.
does not exist, derogation of the concept- marginalized group.  
7. Statements that there is no need of “sexual orientation”, because persons with different sexual orientation receive enough protection from other legal provisions;  
8. Derogation of homosexuality, proclaiming it as abnormal, unnatural, deviant and pathologic appearance;  
The common thread of all these homophobic strategies is undervaluation and derogation of different sexual orientations, disrespecting the dignity of members of sexual minorities and non-recognition of their human right to protection against discrimination on the ground of sexual orientation.  
During the Parliament debate, only one member of the Government Coalition spoke affirmatively regarding sexual orientation as a ground of discrimination. She criticised the “arguments” that such law will provide redefining of marriage, adopting children and other “scary things”. Liljana Popovska accused the biggest parties of abusing the Law for pre-election marketing and demanded that the Law not be used for daily political purposes. The member of the opposition, Jovan Manasievski also accused of “creating havoc” and “creating hysteria in the society”.

1.1.4.2. Homophobia and Transphobia in the Survey Commission on Human Rights

The debate upon the draft-Law on Prevention and Protection against Discrimination, submitted by a group of parliamentarians was once again used for homophobic campaign against the opposition and the NGO’s that supported the Law.

The representative of the ruling party, a primarius specialist in gynaecology and obstetrics embarked on “scientific” elaborations on inter-sexuality as a “pathologic condition” that should be cured, continued to talk about transvestism as a “form of mild psychological disorder”, then stigmatized transexuality as “a very difficult psychological disorder”, only to conclude that “homosexuality is a disease that should be cured”.  

23 The Member of Parliament Pance Dameski was the most explicit: “To be honest, I have never heard someone complaining of being discriminated on the ground of different sexual orientation and in my opinion there is no need for such riots, especially by SDSM and none of us should deal with the non-existing problems of certain marginalized groups”.  
24 Member of Parliament Tome Danevski quoted Article 5 of the Law on Patients’ Rights and Article 6 of the Law on Labour Relations.  
25 “It is for us to decide whether we are going to teach our children that homosexuality is normal and healthy or that only heterosexuality is given by God as something normal and natural” (Pance Dameski)  
26 “Praise God that the future of our population does not depend on homosexuals, for they shall always remain to be a marginalized group. Therefore, we cannot allow promotion of deviant pathologic occurrences that are unnatural, because everything that defies nature and God is doomed to fail, and as we know, defiance of the divine laws brought many nations and civilizations to doom and their demise from the face of Earth”. (Pance Dameski).  
27 “So, sexual orientation should absolutely be present. It is in EU documents, UN documents and we have to adjust to these documents. I absolutely believe that sexual orientation as a ground for discrimination will lead to certain disruption in the state relations, it will simply protect efficiently all the citizens that could be discriminate on this ground”. (Liljana Popovska)  
28 “It won’t imply adopting children by homosexual couples in any way. I am against it, I am against pedophiles, and all those horrifying things you just listed. Let me be clear, so I think that marriage by definition is between a man and a woman, but this Law does not refer to all that…”  
29 “Of course, there is another ground missing here, it is sexual orientation, by far not one of the crucial grounds. However, you from VMRO-DPMNE are trying to present it as a key element of the Law in accordance with your tactics of creating circus…Not many Laws attract so many present MPs from the ruling majority, when part of the opposition is not present. Why the sudden necessity of debating? Probably because the ruling majority deems that by insisting on false dilemmas that do not exist in this Law and creating hysteria in society, they will distract the citizens from the severe economic crises” (Jovan Manasievski).  
30 Member of Parliament from VMRO-DPMNE, d-r Ginev stated that, “there is no need for proposing a new draft-law unless the opposition SDSM and its NGO’s have an intention to legalize homosexuality, homosexual marriages as well as adopting children by homosexual couples”. (Notes from the 20th session of the Query Commission of the Parliament of the Republic of Macedonia, held on 16 March 2010)  
31 D-r Ginev attempted to present his individual views as scientific to the members of the Commission and the invited representatives from the NGO’s: “Let me explain discrimination from a scientific view”, “this is science, not demagogy”.  
32 “Transsexuality is severe psychological disorder, upon which the diseased demands a surgical change of the sex” (d-r Ginev).  
33 “I have given this explanation these unwanted forms of intersexuality with a sexual orientation towards the same sex in order to introduce you to homosexuality as a disease that needs to be cured, not legalized with the possibility of marriage, or adopting children by...
After he made “homosexuality” a pathological condition, placing it together with “transexuality”, “transvestism” and “intersexuality”, d-r Ginev explained why the parliament group VRMO-DPMNE will not accept the proposed Law by the Social Democratic Union and the rest of the opposition.

While d-r Ginev spread homophobia, the coordinator of the parliament party VMRO-DPMNE, Silvana Boneva explained to the media that the parliamentary majority in cooperation with the NGO MCIC submitted 11 amendments to the draft-Law, stressing that sexual orientation shall not be provided in the amendments.

D-r Ginev refused to withdraw his homophobic statements during the parliamentary session, at which dominated the attitude that the draft-Law that included sexual orientation as a ground for discrimination “is not acceptable and cannot be forwarded on further, i.e. second reading”.

The EU representative expressed dissatisfaction over d-r Ginev’s homophobic statements, upon which the Vice-president for Euro Integrations in the Government partly disassociated himself from. Some of the pro-Governmental media continued with the homophobic campaign, manipulating with EU representative’s dissatisfaction and Vice-president’s statement.

### 1.1.5. The International and Domestic Reactions and Appeals In Vain

#### 1.1.5.1. The Lost Letter of Fulle

A week before the voting took place in Parliament, the Commissar for Enlargement, Stefan Fulle sent a letter to the Government, warning that the inclusion of sexual orientation in the Law in an obligation emanating from EU directives. The media reported that the Commissar’s letter refutes the argument that such law would open the door to homosexual marriages: “This Law does not concern the Law on Family”.

However, the letter did not reach all the members of parliament, but only the members of VMRO-DPMNE, who,
according to the coordinator of the parliament group had different opinion.44

1.1.5.2. The Lost Letter of the EU Members of Parliament

On 10.02.2010 the EP adopted a resolution, according to which sexual orientation is one of the priority grounds for equality,45 and expressed regret on the Government’s proposal from 28.01.2010 “not to include sexual orientation as a ground for discrimination”.”46

On 30.03.2010 a group of Members of EP addressed an open letter of appeal to the Macedonian MP’s: “Do not vote for an incomplete Law on Anti-discrimination”. In the letter, the EU MP’s express concern “from the fact that the present draft-Law on Anti-discrimination is not in line with the acquis communautaire” and because of the “failure to include sexual orientation as a ground for discrimination that is strictly forbidden”. They advised their colleagues-MP’s to use the “current parliamentary process for amendment of the Law on Anti-Discrimination, with the purpose of satisfying the accession criteria”.

However, not even this letter reached all the MP’s, because allegedly it was not sent to the Parliament President in “hard copy”.47

1.1.5.3. Appeal of the Coalition and Other NGO’s

The Coalition, together with representatives of the Foundation Open Society Institute Macedonia (FOSIM), Macedonian Helsinki Committee and CIVIL, on 23 March organized a press conference indicating that the Law on Anti-discrimination does not follow EU criteria.

FOSIM’s representative indicated that the proposer accepted amendments that do not contribute to a better Law on Anti-discrimination, particularly the part that lists the circumstances not regarded as discrimination, where the family is defined as “a community of different sex, i.e. a man and a woman”. This is quite contrary to the Family Law, where family is defined as a living community of parents and children and other relatives, provided they all live in a joint household”.

The Coalition condemned the manner in which the parliament debate was led, abounding in homophobic speeches.48

1.1.6. The Parliamentary Debate on the Government’s draft-Law

On the Second Parliamentary Session, during which the Law was adopted, there were not any explicit homophobic statements as before. The MP’s who voted for the Law, tried to justify their attitude on voting for a Law, criticized to be un-European. Although the Government’s proposal contained many remarks, VMRO-DPMNE’s coordinator, Silvana Boneva indicated that, “the only remark is that the Law does not provide explicitly sexual orientation as a ground for discrimination, however it is not excluded since other types of discrimination include sexual orientation”. According to her, “the Law is solid and, I repeat, is a European Law, a Law which we should all be proud of”.

44 According to Silvana Boneva, “Although in the letter, Fulle explicitly demands that the Law on Anti-discrimination contains the sexual orientation as a ground for discrimination, most of the MP’s believe that in the existing legislation this is already done, although sexual orientation is not listed as such”.” (“Parliament in Total Chaos with Letters from Brussels”, Nova Makedonija, 16.04.2010.).
45 EP stressed the importance of “the development of an anti-discrimination strategy (guaranteeing the equality of all people regardless of their ethnic origin, gender, age, religion, sexual orientation or disability).”
47 “the administration of the EP is well aware how an official letter should be delivered- in “hard copy”; Veljanovski’s cabinet justifies.” (“Parliament in Total chaos with the Letters from Brussels”, Nova Makedonija, 16.04.2010.).
48 The Coalition’s coordinator stated that the debate on the Law is used as a direct assault on the civil sector, its de-legitimization and direct stigmatization of civil activities.
DOM’s representative, Liljana Popovska expressed regret that her amendment was not adopted “to include sexual orientation as a ground for discrimination, since it is provided in all European directives’. Still, the representative voted for the Law, “because sexual orientation is not excluded as a ground of anti-discrimination”, encouraging other MP’s to vote for the Law that has “a solid basis”.

The MP, Vladimir Gjorcev indicated that “Poland has a law that does not contain sexual orientation, yet Poland is a member of the EU” and Lithuania, “where the Constitution defines the marriage as an exclusive community of a man and a woman”. Gjorcev stressed that “the Law being adopted today is supported by the MOC (Macedonian Orthodox Church), the Islamic religious community, the Catholic Church, the Evangelistic-Methodist Church and numerous NGO’s.”

62 MP’s voted for the draft-Law (11 of whom belonged to the communities that are minority in the Republic of Macedonia). There were no votes against or reserved.

1.1.7. Condemnation and Criticism from EU
One week after the Law was adopted, the EC Commissar Fulle stated that “in order to comply to the EC demands, the recently adopted Law on Anti-discrimination shall have to be amended to include the prohibition of discrimination on the grounds of sexual orientation.”

The 2010 Progress Report stressed few problems regarding the Law, the omission of sexual orientation, the monitoring and protection mechanisms, (non)quality of the dialogue regarding the Law, on the Committee independence, etc. EC directed special concern regarding the „stigmatisation and incidents of discrimination against the Lesbian, Gay, Bisexual and Transgender (LGBT) community” and the necessity of the Government „to raise awareness about the need for respect and tolerance of diversity.”

1.1.8. Homophobic Reaction of the Authorities
After the Report was released, some of the journalists demanded statements from the officials regarding the remarks on the Law. The MLSP representatives, who elaborated the draft-Law, issued a homophobic statement regarding the remarks. When asked, “Once again we received a remark on disrespecting the rights of homosexuals”, the MLSP representative responded: “This is a question regarding the reality in which we live and the stands of a nation. It is evident that this cannot be accepted as a normal occurrence.”

The Coalition’s Coordinator publicly reacted against the homophobic attitude of MLSP, reminding him that MLSP is the institution “that should protect from discrimination and implement the Law on Protection against

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49 “I will insist in future that it be included in the Law and I am certain that sooner or later we will include this segment in the Law, although such as it is, it presents a solid ground for me to vote on and we can all vote for”. (Liljana Popovska)
50 “MCIC is behind this, as well as 80 other NGO’s, and all those who declared that 90% of the remarks were adopted. The only part not adopted is the one referring to sexual orientation.” (Gjorcev, Shorthand notes of the Second Continuation of the 100th Session of the Parliament of RM, held on 8 April 2010).
52 “However the law omits ‘sexual orientation’ as a ground for discrimination and it is not fully aligned with the acquis.”
53 “Moreover, the law does not endow the envisaged monitoring and protection mechanism with sufficient administrative capacity.”
54 “The dialogue quality on the Law was low. The debates in Parliament were divisive and remarks from civil society and the international community were not considered.”
55 “Also, the nature and competences of the equality body do not meet the Paris principles and the Law is not fully aligned with the acquis. The Commission for Protection against Discrimination is comprised of only 7 members and does not have a secretary. Independent performance of the tasks by the Commission should be guaranteed.”
57 Spiro Ristovski, Vice-Minister of Labour: “We do not accept homosexuality as a normal occurrence,” Dnevnik 16.11.2010.
1.1.9. **Selection of Commission for Protection against Discrimination**

The selection of members of the Commission for Protection against Discrimination was also rather controversial. According to the Law, the candidates were required to “have a degree from higher education and have experience in the field of human rights and social sciences”. However, the Commission for Selection and Appointments proposed to the Parliament seven candidates, most of which did not have major experience in the field of human rights. Allegedly, the Commission for Selection and Appointments attempted to create a “cohesive body”, driven strictly by the principle to create a team, not a “gathering of individuals that have no team capabilities during their work,” hence the Commission members did not intend “to propose individuals, which have proved their conflict nature in the society in the past 10 years to be members of such a crucial body!”

The explanations clearly exposes that the proposers of the “team” were not driven by the legal, rather by subjective criteria during the selection of the 38 applicants. The majority of the proposed candidates, later on selected by the Parliament, do not have any work experience in the battle against discrimination. For instance, most of the candidates with academic titles in the field of anti-discrimination, or eminent experts on anti-discrimination were not proposed. However, for that matter, they selected a candidate that had written “piano demonstrator” under work experience, and “loyalty towards the superiors” under social characteristics.

1.1.10. **Coalition’s Opinions and Recommendations**

The Coalition would like to remind that the Republic of Macedonia during the Universal Periodic Review in front of the UN Human Rights Council in 2009, confirmed that discrimination on the grounds of sexual orientation is explicitly quoted in the draft-Law on Protection against Discrimination. It is when the Republic of Macedonia accepted all the recommendations from the numerous countries, which alerted to the fact that sexual orientation should be explicitly quoted as a ground for discrimination, except for the recommendations for the right to same-sex partners. We would like to remind that the Republic of Macedonia is one of the signatory countries of the UN Declaration on Sexual Orientation and Gender Identity, which reaffirms the principle of non-discrimination on the ground of sexual orientation or gender identity.

Also, the Coalition would like to remind that on the 11 February 2010, the Law on Public Health was adopted, which contained a provision appointing that the institute and public health centres shall work in accordance with the principle for “performing interventions that shall not discriminate individuals on the grounds of race, sex or different national and social background or property, religious belief, sexual orientation or a special needs person...” (Article 16) What remains puzzling is: Why the MP’s that voted for sexual orientation in the Law on Public Health, led a campaign against quoting sexual orientation in the Law on Prevention and Protection against Discrimination?

The Coalition shall prepare and recommend draft-amendments to the Law on Prevention and Protection against Discrimination, bearing in mind the EU directives and the UN Human Rights Council’s recommendations.

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59 “…the proposed Commission includes three professors, a final-year student, the best student of a generation, a Dean of the Faculty of Law. There are two employees with high ranks from the Ministry of Labour and Social Politics with a working experience over 20 years related directly to social protection, while one of the employees also works in the field of gender policy” (Ilija Dimovski, President of the Commission on Selection and Appointment)
61 „Discrimination based on sexual orientation and gender was explicitly prohibited under the draft law. The recommendation on the rights of same-sex partners was not at this stage acceptable for the country.” (Report of the Human Rights Council on its twelfth session, 25 February 2010).
1.2. Change to the Definition of Marriage and Family

1.2.1. Redefining Family
At the end of 2009, the ruling party VMRO-DPMNE announced a campaign against homosexual marriages for the purpose of preserving the “traditional family values”, “the Government’s efforts for a family with many children and introduction of religious classes in the education.” The Coalition reacted publicly at the manipulative speech and the continuous practice of spreading homophobia by the ruling party.

The Parliament accepted an amendment that redefined the family as a “community of opposite sexes, i.e. a man and a woman”, after the homophobic debate regarding the Law on Prevention and Protection against Discrimination.

The Coalition shall submit an initiative to the Constitutional Court for annulling this discriminatory provision, bearing in mind that such redefinition is excluding and incompatible with the definition in the Family Law where family is defined as “a living community of parents and children and other relatives, should they live in joint household”.

1.2.2. Homophobic Initiatives for Constitutional Amendments
At the meeting before the holidays on 29.12.2010, the religious leaders informed the President of the state about their joint initiative for constitutional changes in which “marriage as an institution shall be affirmed and constitutionally defined as a community of a man and a woman.” A written statement was released from the meeting, which stressed that “Marriage, as a community of a man and a woman that form a family, is faced with challenges regarding its redefinition, and opposed to the divine, i.e. laws of nature.”

The President of the state emphasized the “necessity of an honest civil dialogue on all matters in the society,” upon which the present agreed that “all members in the dialogue should take into consideration the dignity of individuals with different opinion.”

The “honest dialogue” regarding the necessity of constitutional amendments was initiated with severe homophobic campaign by representatives of MOC during the Christmas holidays. On the Ceremonial Christmas Liturgy, the Archbishop Stefan stated that “a marriage between individuals from same sex is unnatural” and that “society and the state should provide for the homosexuals.” The Archbishop also offered “evolutionist’s” arguments against homosexual marriages: “Imagine if God created two men and two women, and if two male and two female monkeys became a human being, history would have ended immediately.” Afterwards, his cabinet disassociated from the Darwinist Theory of Evolution, however not from the discriminatory stands. In the name of MOC-OA’s synod, the bishop Peter led an even more severe homophobic campaign, preaching that same sex

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62 On 20.12.2009, at the 12th Annual Conference of the VMRO-DPMNE’s Union of Women, the President of the Union, Kosana Nikolic Mazenva stated: “Subtle, between the lines, they insist on promotion on homosexual marriages, but we recommend that marriage must remain a community between a man and a woman. We must not allow our children to be adopted by homosexual couples. Children without parents should be adopted by a husband and a wife, a man and a woman, a mother and a father.” (VMRO-DPMNE’s Union of Women Celebrated its 12th Anniversary, 20.12.2009, http://www.a1.com.mk/vesti/default.aspx?VestID=117748)
67 “Archbishop Stefan with New Arguments against Gay Marriages”, Sitel Сител, 08.11.2011.
68 Allegedly, Archbishop Stefan referred to the Darwinist Theory of Evolution as an example that science as well does not support homosexual marriages: “The Archbishop simply referred that neither religion nor science allows integration of one with the same. He gave an example from religion, and another from the Darwinist Theory. Of course, he does not support this Theory, because he is a church official and at the head of MOC-OA” (“Reactions on the Latest Statements of the Church Leaders”, 11.01.2011, www.voanews.com).
marriages shall lead us towards “the apocalypse”\(^{69}\) and that “homosexuality is an unnatural act.”\(^{70}\)

The Coalition appeals that all homophobic campaigns directed against the dignity and human rights of the Macedonian citizens with different sexual orientation stop.

The Coalition shall take all legal measures in order to legally sanction the discriminatory and hate speech for constitutional amendments, covered under the “honest dialogue”.

The Coalition appeals to the President of the Republic of Macedonia publicly to condemn the hate speech that violates the “dignity of individuals with different opinion” and prove himself as a President of all citizens in the Republic of Macedonia, regardless of their sexual orientation.

1.3. Framework for Comprehensive Sexuality Education

Representative of the Coalition participated in the working group that prepared the framework for comprehensive sexuality education, elaborated in a consultation process led by Health Education and Research association (HERA), in which representatives from many state and scientific institutions and civil society organizations participated.

The framework contains the main reasons for the necessity of introducing sexuality education, the goals and effects of such education, seen as an investment for the health of adolescents. Also, it refers to fields and subjects that should be encompassed, being the main directions for creating syllabus for successful comprehensive sexuality education that shall provide quality information, develop skills, but also views and values regarding sexuality and sexual difference.

The Coalition congratulates the successful debate on the framework and readiness of some state institutions to face the challenge of introducing comprehensive sexuality education.

The Coalition joins the recommendations of the working group to the competent ministries “to prepare information on the necessity for the introduction of sexuality education and to present it to the Government of the Republic of Macedonia”.

The Coalition hopes that the Education Development Bureau shall soon create a working group, which in accordance to the directions, shall prepare syllabus for comprehensive sexuality education.

\(^{69}\) “Should you allow a marriage of a man to man, a woman to woman, such liberty, then allow marriage to sheep, cows, with all the animals”, remarked the bishop Petar regarding homosexual marriages.

\(^ {70}\) “Homosexuality is not a natural act, it is contrary to what God created, a community between a man and a woman. It is against the christian faith, but other religions in Macedonia as well. Do we have to ruin the dignity of the state and the nation for a few people”, asked the bishop Petar during the meeting with the journalists before Christmas. ("Bishop Petar: If You Allow Man with Man, then Allow Man with Sheep," Vest, 6-7.01.2011, www.vest.com.mk).
2. **Cases Represented by the Coalition**

2.1. **Multiple Violation of Human Rights of a Person Living with HIV**

On 27.08.2010, N.N. was taken into custody in the Police Station, and from there escorted to the Penitentiary Skopje, to serve imprisonment. In the Penitentiary, N.N. asked for a health service (methadone therapy) and a doctor. The first meeting with a doctor was provided three days later, hence N.N. did not receive methadone therapy, or anti-retroviral therapy (ART).

N.N. was not provided with confidentiality during the meeting with the doctor. An officer from the penitentiary was present for the whole time and refused to leave even when asked by N.N., with the intention to inform the doctor of his HIV positive status and of the ART from the Clinics for Infective Diseases. Soon after he gave the confidential information, N.N. became aware that all the inmates know about his HIV positive status. All the penitentiary officers began to wear masks and gloves, while the rest of the prisoners began to avoid him. During the transport to the Penitentiary Idrizovo, he was taken over by officials who also wore masks and gloves. Upon entrance in the prison, the guards asked the officials from the Penitentiary Skopje what the problem is, to which they answered by moving their heads towards the damaged party that “he has AIDS.”

The news on N.N.’s positive HIV status soon spread in the Penitentiary Idrizovo, where he was the victim of insults and provocations by the other inmates. The news soon reached the media. A daily newspaper published the news on the front page: “AIDS Panic in Idrizovo” (Vest, 13.12.2010). The article treats N.N. as “AIDS diseased”, and his HIV positive status is treated as a “grave infectious disease”. The article reveals two controversial statements of “d-r Trenevski from the prison ambulance. “71 Even more controversial is the statement allegedly given by the Minister of Justice, Mihajlo Manevski, that “the most important thing is not to endanger with the disease the others in the Prison,” and that it will be prevented with the building of “special pavilions” in the new prison.

After the article was published in the newspaper, the Coalition submitted requests to the Basic Court Skopje I Skopje, Basic Prosecution Office in Skopje, Directorate for execution of sanctions and the Ombudsperson in order these institutions to investigate the case and to identify human rights violation against HIV positive prisoner. The Coalition representatives reminded the Ombudsperson and demanded that all the necessary measurements be undertaken in order to prevent further violations of N.N.’s rights, stressing that the person is exposed to direct discrimination, to great risk of violence and further inhuman treatment in prison. After the Ombudsman’s visit, N.N. received a decision for temporary ceasing the imprisonment. After his release on 24.09.2010, N.N. perceived that his neighbours are also informed on his health condition, upon which he was exposed to social pressures and unpleasant remarks, so he decided to move out from his house. After his employer and colleagues found out about his health status, he lost not only his home, but also his job.

HERA, a Coalition member, reacted to the article “AIDS Panic in Idrizovo”, appealing “to all the media, the relevant actors in the creation of the public awareness to refrain from sensational titles and articles whose contents create general panic and additional stigma towards people living with HIV and other marginalized groups vulnerable to HIV...”72

With the help of the Coalition, N.N. submitted a request for determination of violation of the right to protection of personal information to the Directorate for Personal Data Protection, referring to number of domestic and international laws. The Directorate previously decided that the newspaper article does not violate the person’s right to privacy.73 The Basic Court Skopje I Skopje, the Basic Prosecution Office in Skopje and the Directorate for execution of sanctions did not found violation in the reported case.

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71 In the first statement, the doctor pointed that N.N. will not be placed with other persons because of the risk of contagion: “The HIV positive prisoner will not be placed together with the other inmates in the enclosed part, in order to avoid the risk of contagion”. In another statement, the doctor pointed to the risk of contagion: “He is dangerous in cases when, as a drug addict, he takes heroin intravenously. AIDS is transmitted through blood. The convict is on methadone therapy, he is alerted daily on the importance on taking tablets and that he should attempt to take drugs with a needle, he might infect other people, which is a criminal offence”.


73 The Direction was asked to carry out an inspection in the prison with the purpose to determine the condition with the medical information, i.e., their gathering, recording, organization, maintenance, use and disclosure of personal, i.e. medical information on the persons who are imprisoned. The Direction asked for additional facts on the case.
Bearing in mind that there are serious indications on the flagrant violation of a number of human rights as a result of the violation of the right to confidentiality to medical information, the Coalition demands from the Ombudsperson to undertake precise measures for protection of N.N.’s rights and to prepare recommendations for all state institutions in order to prevent further violation of the rights of People living with HIV (PLWHIV), who fear numerous violations of their rights should their health status be revealed.

2.2. Case – Arbitrary Taking and Holding DNA

In February 2010 some of the patients on methadone therapy in the hospital in Kisela Voda reported to the Coalition that after taking the therapy, the police intercepted them in front of the hospital and took a smear from heur mouth for a DNA analysis. HOPS-Healthy Options Project Skopje, a Coalition member, reported 4 individual cases on taking sample for DNA analysis from persons detained in the nearest police station on different locations in Skopje, where the police took a sample for DNA analysis in one of the barracks of the Ministry of Interior (MOI).

On 26.03.2010 the Coalition sent a petition to the Ombudsperson in order to investigate the case in front of the hospital in Kisela Voda, referring that in the Republic of Macedonia there is no legal ground for gathering this type of personal information by the police, processing of such information and holding it. On 26.05.2010, the Ombudsperson stopped the procedure, referring to the reply of the Sector for Internal Control and Professional Standards at MOI, that “the service competent for taking DNA samples did not take action on the day cited in the petition, i.e. 17.02.2010, nor is there any evidence contrary to this”.

The Coalition sent an Initiative for Inspection Surveillance over MOI, the controller of such information, referring to the circumstances of illegal obtaining DNA sample in Kisela Voda (without court order or consent from the damaged individuals). The Directorate for Personal data Protection arrived at the decision that the police did not violate the right of privacy of the persons from which the DNA sample was retained.

The Coalition submitted petition to the Ombudsperson for four individual cases, with a request for investigation of violation of the right to privacy to the Directorate for Personal Data Protection, as well as two requests for investigation of the legitimacy of the police’s actions to the Investigative Judge in the Basic Court Skopje 1 Skopje. In one of the answers, the Ombudsperson pointed that the DNA retention is not a matter of argument. The Directorate for Personal Data Protection concluded that there are no real circumstances for instigating a procedure about determining violation of the right to privacy since the police actions during the taking of DNA sample is justified on the grounds of determining the identity.

The Coalition indicated that according to the European Court of Human Rights, taking and holding of DNA samples must be in accordance with the law, involving clear and specifically prescribed rules on the extent and application of the measurements, as well as other protective measurements and guaranties in order to prevent abuse and arbitrariness.

The Coalition indicated that in accordance with the European Court of Human Rights, holding of suspects’ DNA, who are not convicted is an interference in the right of respect of private life and cannot be deemed as necessary in a democratic society.

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74 Discriminatory and inhuman treatment in prison, psychological violence, sensational violation of the right to privacy by the media, social exclusion from the environment, lost of job position etc.

75 Unsatisfied with the conclusion, the damaged instigated an administrative dispute to the Administrative Court of the Republic of Macedonia. The procedures in the Basic Court are still ongoing. Although an request for urgency was submitted to the Basic Court Skopje 1, Skopje for acceleration of the investigation procedure on the legitimacy of the police action, still, the competent Investigative Judge did not arrive at a decision until the end of 2010. The court was asked to schedule a public session in order to state orally the facts and proves. Hearing has not been scheduled for any of the procedures.

76 B. CASE OF S. AND MARPER v. THE UNITED KINGDOM.

77 B. CASE OF S. AND MARPER v. THE UNITED KINGDOM. “In the conclusion, the Court determined that the non-systematic and arbitrary holding of fingerprints, cell samples and DNA profiles of a person who is suspected, yet not convicted, as in the case of the abovementioned, does not accomplish balance between the rivalling public and private interests and that in this aspect, the state broke the rules. Accordingly, retention of the mentioned information presents intrusion of the right to privacy of an individual and this retention is unnecessary in a democratic society.”
The Coalition demands from the Ombudsperson and the Directorate for Personal Data Protection to investigate cases, in order to determine whether the procedure of taking and holding DNA samples was enforced in accordance with the rule of law, and whether the same is necessary in a democratic society, in accordance with the decisions of the European Court of Human Rights.

2.3. Case – Covering Expenses for Sex Change

Bearing in mind that in the Republic of Macedonia there are is a legal vacuum to perform gender reassignment surgery, the Coalition instigated a procedure for receiving compensation to the Health Fond in order for them to cover the expenses of the treatment in a foreign country. After labouring for few months, the Coalition provided a written opinion from the Psychiatric Clinic in Skopje, submitted a request to the regional office of the Health Fond for covering the expenses of treatment abroad, which cannot be performed in the Republic of Macedonia. However, the regional office has postponed answering, requesting from the patient to provide an opinion that there is no possibility for the sex change surgery to take place in the Republic of Macedonia with a referral for treatment abroad.

The Coalition appeals to the competent institutions either to create conditions for gender reassignment procedures in the Republic of Macedonia, or to remove the administrative barriers that prevent covering the expenses on gender reassignment treatment abroad. Furthermore, the Coalition will monitor the future procedure on sex change in the documents of personal identification.

2.4. Police Raid in a Methadone Therapy Centre

On 01.04.2010 officials from the Sector for Interior raided the methadone centre in Strumica and the doctor allowed them access to confidential information on the patients without warrant. Around ten patients noticed the MOI inspectors entering the doctor’s office. A patient found out that the inspectors are seeking access to the methadone and report books and saw the nurses taking the books in the doctor’s office and delivering them to the inspectors. Another patient entered the office and saw the medical files opened in front of the inspectors.

That very same day the Coalition was warned and it submitted a request for determining the legitimacy of the police actions to the MOI’s Sector for Internal Control and Police Standards. Also, it submitted a request to the Directorate for Personal Data Protection for determining the manner in which the police gathered the personal information. The Coalition submitted a petition to the Ombudsperson and two requests for protection of patients’ rights on local-self government and State level.

The Sector for Internal Control responded that there are no violations regarding the police procedure. The Director of the Directorate for Personal Data Protection arrived to the decision that the hospital and police in Strumica did not violate the right to privacy. Against the decision of the Directorate for Personal Data Protection the impaired persons submitted action in front of the Administrative Court. There is also an action submitted against the Hospital and the Police Station Strumica in front of the Basic Court Strumica.

Bearing in mind that the police actions in the health institutions violated the patients’ human rights and decreased the patients’ trust in the health system, the Coalition demands that the Ministry of Health to sanction health workers which conduct against the procedures prescribed by law violating the confidentiality.

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78 In accordance with the procedure on access of information of public nature the Ministry on Health, the Surgery Clinic and Urology Clinic were asked to issue information whether it is possible to perform such surgery in the Republic of Macedonia and whether it was ever done. Until today there is no clear answer from any of the institutions.
79 The same patient was a witness to a similar police raid in the methadone centre in 2009. She noticed that the police took the methadone book in order to copy it outside the hospital.
80 According to the competent authorities, in the Strumica Police Station and Strumica General Hospital, authorized officials inspected the medical documentation because of a justified suspicion that there are certain amounts of sol. Methadone. The inspection was done without a court order by three authorized officials.
81 An administrative dispute was instigated against this decision to the Administrative Court of RM and the court was asked to schedule a public session in order to state orally the facts and proves.
and personal security of the patients. The Coalition also protests on the arbitrary searches and seizures performed by the police officials without legal ground. Therefore the Coalition urges all competent bodies for protection of human rights, especially the patient’s rights to seriously investigate this case in order to prevent future violations that directly influence the health of individuals.

2.5. Case “Doctor’s Neglect”

On 03.08.2010 A1 TV broadcasted the article “Gravely Ill Drug Addict Refused to be Admitted in All Hospitals”. The article presented a 32 year old man from Skopje, complaining that he had not received medical care for 20 days, but instead was resent from a hospital to hospital without any explanations, although on the 12 July he received diagnosis that his leg must be emergently amputated.

During the entire period, the patient was not hospitalized; his health care was considerably worsened and suffered excruciating pains.

Once the article was broadcasted in the media, the patient was hospitalized in the General City Hospital, where the doctors performed an immediate surgery on him. On account of the postponed and substandard health services, the damaged lost the entire leg. As a result of doctor’s negligence, the possibility for carrying prosthesis is impossible now.

The article claimed that the patient was not hospitalized immediately because he was asked to provide a confirmation that he is not HIV positive and does not have Hepatitis C.

The Coalition underlines that health workers have obligation to protect themselves appropriately from HIV infection and that a health worker must not refuse offering health service to a patient by demanding a confirmation on the HIV status or other STD.

The Coalition anxiously expects the results from the announced investigation of the Ministry of Health and what measures will the Ministry undertake against all the individuals that violated the patient’s rights.

Bearing in mind the refusal of providing appropriate and timely medical care, the Coalition represents the patient in the court procedure for determining violation of the right to treatment and in the request for damage compensation from the health institutions.

2.6. Court Cases Referring to the Police Action “Street Prostitution”

After the event on 20.11.2008, seven sex workers faced criminal court procedure under Article 205 from the Criminal Code- Transference of Infectious Diseases. The accused sex workers received free legal representation, with support from HOPS. During the first-instance procedure, all of the accused sex workers were found guilty and were sentenced to alternative measure- probation punishment- the punishment of three months imprisonment shall not be executed should the guilty refrain from performing the same or similar criminal act in a period of two years. The defendants submitted appeals to the Court of Appeals in Skopje, because they were displeased with the decision. In December, 2010, the Court of Appeals confirmed the first-instance court criminal decision. The convicted sex workers appealed to the European court of Human Rights.

The legal representatives (lawyers supported by HOPS) of 14 sex workers are leading a civil lawsuit against the Republic of Macedonia on account of determination of violation of the right to privacy and the right to be free from torture, inhuman and degrading treatent or punishment. The lawsuit requires compensation for intangible damage for suffered physical and mental distress.

In another court case, three sex workers are suing five media for compensation on the ground of violation of the right to privacy, i.e. unauthorized filming and issuing the photographs and video materials without protecting their identity (filmed as arrested persons and as patients taken to compulsory testing in the Clinic for Infective
Diseases). In this case the hearing is scheduled for January, 2011.

Bearing in mind that the court procedures in which the sex workers have the role of complainants are unnecessarily prolonged, as opposed to the court procedures in which they are accused, the Coalition demands that the Ombudsperson undertake legal measures against the prolongation of the procedures.

With respect to the opinion that the “Ombudsperson can and should present his own opinions and attitudes regarding the quality of the court decisions”, the Coalition appeals to the Ombudsperson to present his opinion and attitude regarding the quality of the court decisions which has convicted seven sex workers for deliberate transference of infective diseases.

2.7. Lawsuit for Defamation Slander and Offence on Account of Homophobia and Discrimination Criticism

A criminal lawsuit was submitted against the columnist and human rights activist Irena Cvetkovic for defamation and insult by the authors of the book “Pedagogy” for third year students of secondary school. In her columns, published in Dnevnik and the web portal Okno, she criticized the authors for their homophobic and discriminatory attitudes in the textbook. Namely, the complainant Jelica (Eli) Makazlieva, MA, is the author of the part in the “Pedagogy” where homophobia and lesbianism are treated as “negative occurrences in the sex life” (placed in the same field as rape and prostitution). She had diagnosed the “participants in such deviant, unnatural and, as one would say, abnormal sex life” as “persons with psychological disorder and difficulties”. The author is suing for defamation and insult, among other, because the columnist criticized publically that “Such attitudes are openly discriminatory preached to young generations”. The authors are suing because the columnist wrote: “This textbook should be banned from use. The authors should be forbidden to write new textbooks, teach at school and their university degrees should be inspected...”

The columnist is also sued on the ground that she invoked the Coalition’s attitudes. The complainants indicate that “The accused skilfully camouflages the ‘old idea’or ‘intention’, of course in vain, and comes forth with ‘arguments’ in the following manner... (what follows is a quotation from the Coalition’s attitudes in which they call for withdrawal of the controversial textbook on the ground of homophobia, hate speech and encouragement of negative prejudices and social exclusion of homosexuals).

Bearing in mind that the columnist is being sued for the attitudes publically represented by the Coalition, the Coalition decided to provide free legal assistance.

The Coalition hopes that the lawsuit shall be expressly dismissed by the court, since this is a direct attack at the human rights activist who publically criticized for discrimination, homophobia and elementary unprofessionalism and amateurism on the part of the textbook’s authors, who expressed non-scientific and anti-pedagogical attitudes on homosexuality, typical for the XIX century.

2.8. Case “Homophobic Textbooks”

On November, 2010, for the third time in six months, the Coalition submitted a request to the Minister of Education, to the National Commission on Textbooks and the Bureau of Education for immediate withdrawal of all homophobic textbooks. The request was supported by 28 NGO’s and 37 intellectuals (including university/academic professors).

One of the key points in the request is “the Ministry should implement systematic revision of the entire educational program and thus correct and prevent further possibilities for homophobia and any other kind of hate speech and

85 The demand included the following textbooks: Kostova Marija, Pedagogy for Third Year Gymnasium Education, Skopje, Prosvetno Delo 2004; Psychiatry, Skopje, Prosvetno Delo:2004; Temkov Kiril, Ethics for Second Year Gymnasium Education:2004; Medical Psychiatry, Skopje, Prosvetno Delo:2004; Skaric Olga, Development Psychiatry, Skopje, Faculty of Philosophy: 2004
discrimination in the educational system”.

The National Commission on Textbooks gave us positive signals for the revision of textbooks and informed us that the written response is to follow soon.

The Coalition will form an expert group, which will analyze the textbooks in question and prepare specific recommendations for alterations to the Ministry of Education.
3. Media Events and Other Cases

3.1 Fan’s Violence Motivated by Homophobic Speech

At the beginning of November, 2010, a huge homophobic graffiti that called for violence: “Let’s destroy the gay parade on 04.11” appeared in the Skopje municipality Aerodrom. Similar calls appeared on the social network Facebook: “Thursday is the day when we destroy the gay parade. Sports Centre Boris Trajkovski, 8.00 p.m. Rabotnicki-MZT Skopje.”

Before and after the match, there were violent incidents and broken chairs in the sports centre. After the basketball match, MOI registered “few violations of the public peace and order by the fans from the two fan groups, accompanied with violent and indecent behaviour, throwing objects and pyrotechnical materials”. MIO detained 15 persons and announced “charges on the ground of the Law on Prevention of Violence and Indecent Behaviour during Sports Events”. The same announcement also stated that “criminal charges shall be instigated for the criminal act “severe body injury” against one of the suspected fans of the Basketball Club MZT Skopje, who after the verbal abuse with the fans of the BC Rabotnicki, “inflicted knife injuries in the region of the bust” after a verbal dispute.

Bearing in mind that the homophobic and hate speech often encourages violence, the Coalition demands that the MOI undertake all the legal measures to fight the homophobic and hate speech before and during sports matches.

The Coalition demands that the MOI find and punish all the persons that participated in the “violation of the public peace and order”, as well as the graffiti writers who called “Let’s destroy the gay parade on 04.11”.

Furthermore, we demand that the implementation of the Law on Prevention of Violence and Indecent Behaviour during Sports Matches to be consistently followed in order to prevent and punish all public indecent behaviour that calls for discrimination on the ground of sexual orientation or gender identity.

3.2. Discrimination Award

The President of the Republic of Macedonia, Gjorgje Ivanov awarded a Gratitude Plaque for Special Services in the fight against discrimination to the daily newspaper Vecer, from one of the founders of the Union “Macedonia without Discrimination”. The Plaque was awarded during the photo exhibition on the subject “Macedonia without Discrimination”, organized in partnership with the Centre for Human Rights and Conflict Resolution, the Macedonian Centre for International Cooperation and the Ministry of Labour and Social Politics.

After President Ivanov and Ivona Taleska journalist from national TV station Sitel presented “Macedonia without Discrimination” organizations, Vecer announced that “The award goes to Vecer’s chief editor, Dragan Pavlovic Latas and the assistant editor Ivona Taleska”. According to the NGO Polio Plus, “Vecer generously offered free newspaper space for Vulcan Plus, in which during the period of two years, they published the opinions, dilemmas and thoughts on discrimination of people with a handicap”. The Coalition reacted publicly on this, asking the question why the man who did not admit the violence and discrimination on one of the most marginalized groups

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86 This is how a blogger described the fan's march: "Millions of white-blue hearts march to Boris Trajkovski in order to destroy the red-white of the ass, i.e. the city" http://klizaci.blog.mk/2010/11/10/derbi/
87 After the violations of the public peace and order, regarding the yesterday basketball incident so far we have detained few persons, participants in the incidents", 05.11.2010, www.mvr.gov.mk.
88 In fact, it is the legal obligation of the MOI, bearing in mind that the Law on Prevention of Violence and Indecent Behaviour during Sports Matches punishes not only for “singing songs or challenging hatred speech that encourages violence on the grounds of race, national and religious affinity or on other grounds”, but also for “calling to and participating in fights or assaults on sports men, viewers, officials, guards, organizers of the match and other participants in the sports matches”.
89 As some of the media noticed, “Apart from the ethnic war on the stands, the fans shouted offences on sexual ground. Aerodrom was painted with mottos-destroy the gay parade in Skopje, the support motto of the MZT fans offending the Rabotnicki supporters. In Kumanovo, the fans offended the guests by calling them Boki 13 or the pron actor Karlo Bos. In Tetovo, Tose and the traditional song Macedonian girl were ridiculed (Vreme, "Fights and Pornography at the Macedonian sports fields", 05.11.2010)
90 “Macedonia without discrimination: Vecer awarded with a Grand Prix Award", (Vecer 31.10.2009)
in Macedonia was awarded with a plaque for contribution against discrimination.

Furthermore, the Coalition demanded that the involved organizations apologize publicly to the citizens who felt as victims of discrimination or found themselves hurt by Vecer’s hate speech.

The chief editor immediately confirmed our stands that the newspaper has discriminatory rhetoric. Vecer published a gay-porn photo on the first page, with the subtitle “Finally: Milcin from Soros and two more of his contemporaries” and the text “They shall go to court for defamation. They protect fagots and attack the others!” (Vecer, 31.10.2009).

In the text, the editor Dragan Pavlovic Latas not only attacked the “defenders of fagots”91 rather once again he proved why he was proclaimed the most homophobic person in the state few years ago by the NGO MASSO.92

Not even after such explicit contribution to the “fight against discrimination” the organization that awarded the plaque to Vecer did not apologized, nor did the Union “Macedonia without Discrimination” apologized and distanced itself from the plaque.

3.3 Sensational Account of the World Day for Fight Against HIV/AIDS

On 30.11.2010, Utrinski Vesnik published an article with sensational title: “Aids is Spreading among Homosexuals”. The newspaper Vreme also published information “that half of the newly diseased are homosexuals”.93 The host of the TV show Medical, on Chanel 5, also encouraged negative atmosphere towards homosexuals, relating them to HIV/AIDS. The newspaper Spic published the title “Campaign against AIDS and Gruevski” without distancing itself from the political abuse of the students’ campaign for prevention of HIV/AIDS.94

The Coalition sent a reaction to the media regarding the sensational, stereotypic and stigmatizing report of the HIV/AIDS condition in Macedonia. Although during the previous years in Macedonia, the dominant infection of HIV was heterosexual intercourse, the media did not relate the connection of HIV/AIDS with heterosexuals then.

In the reaction, the Coalition indicated that “Man who have sex with man cannot and must not be equalled with homosexuals because in the first case this is a sexual behaviour and act, while in the second it is self-identification and self-defined sexual identity”.

Also, once again it was indicated that “there are no risky citizen’s categories, rather solely risky behaviour”.

The Coalition welcomes the non-sensational approach of most of the media that provided the voice of the relevant state and civil actors to be heard, as well as the voice of people living with HIV, who made public appeals.

The Coalition protests against the sensational and discriminatory approach in the media reporting and appeals against the abuse of HIV/AIDS prevention campaigns for political or political party goals.

The Coalition appeals that campaigns for prevention of HIV/AIDS not be abused for party-politician ideas.

91 “According to the defenders of fagots, Slavco Dimitrov, Zarko Trajanovski and Vladimir Milcin, there remained just one argument-homophobia, and that we don’t have understanding for the fagots habits” (D.P. L.)
92 “According to the chief editor of Vecer, the fagots are the most intolerant sort of all. Everyone that disagrees with them have phobias or are intolerant etc. Fagots are fagots, but we on the other hand, and contrary to them make children, living according to the laws of nature. I beg the fagots to be tolerant and understand that I have the right to an attitude as well- not to like fagots,” stated the chief editor of Vecer- Latas. (Vecer)
93 The article “Another 12 infected with AIDS” (Vreme, Noj 2124, 30.11.2010) quotes the following statement from Zarko Karajovski from the Institute for Public Health: “During the last three years heterosexual intercourse is still the main reason for infection with the virus, but sex between two men as a possible way of infection is increasing. The number of cases from year to year grows for 30%.”
94 The article reports that certain students distributed “flayers with the writing Stop Aids on one side and Stop Spreading Gruevski and the Family on the other side”. (Spic, 02.12.2010).
3.4. Appeal of the Persons Living with AIDS

On 1 December, 2010 the group “Stronger Together” indicated to the key problems faced by people living with HIV and sent few demands to the media. The group “Stronger Together” expresses concern on the not established integrated state system on providing antiretroviral therapy, on the violation of the Law on Protection of Patient’s Rights (refusal of health services, discriminatory treatment and the quarantine treatment of HIV virus, forced and mandatory HIV testing), on the absence of social help, on the stigma and discrimination in the media and other spheres of life.

The group publicly demanded:

- System of continuous, regular and timely delivery of the antiretroviral therapy!
- Full implementation and respect of the Law on Protection of Patients rights!
- Including HIV status as a ground for receiving social help or some other kind of social protection within the frameworks of the by-laws and protocols!
- Full acceptance and application of the principle of voluntary and confident HIV testing, in accordance with the national protocols of the Ministry of Health!
- Implementation of public campaign by the State for decreasing the stigma and discrimination of HIV carriers!

The Coalition joins the demands of the group “Stronger Together” and their appeal that when making decisions the necessities of the people living with HIV be taken into consideration, meaning greater inclusion on their part.

The Coalition welcomes the statement of the Minister of Health, who indicated that Macedonia will cover the costs for the antiretroviral treatment from 2011 and that the procedures for supplying the medications for 2011 has began. The Coalition hopes that the initiated procedures will end on schedule and that besides the demand for continuous and regular antiretroviral therapy, the Ministry of Health will fulfil the other urgent demands of the group “Stronger Together”.

3.5. “Horizon” Research

On 22.11.2010, the president of the NGO “Horizon” released the results of the survey which allegedly included 12,000 homosexuals! One of the survey’s goals was to discover the “agents and factors for the homosexuality in such great number in Macedonia...” so the promotional report indicated that “there are around 200,000 homosexuals in Macedonia”.

The Coalition’s Coordinator pointed the faults of the research in a statement: “This research is false, founded on incorrect epistemological presumptions, it is highly problematic from methodological aspect, it’s political goal is not justified and arouses stereotypes of homosexuals”.

The sensationalist and stereotypical approach of the research promoters caused a drumfire of reactions. Some journalists seemed to compete in the “negative presentation of homosexuals”. Still, the comment “White Plague and Homosexuality” deserves a special review for being illustrative for numerous radical forms of homophobia in our society and in media.

In the subtitle, the author of the comment indicates of being frightened (from the information that 200,000 citizen

95 The demands were anonymous, because of grounded fear to reveal the members of the group’s personality to the media: “Today, on December 1, 2010, the World Day for Fight against AIDS, the media cannot make an interview with us, the persons living with AIDS, because of our grounded fear to reveal our identity. This is why we selected this manner of informing the public about our attitudes regarding our community’s necessities.”
97 The poll gave occasion for negative stereotypes of homosexuality, its explicit relation to promiscuity, prostitution and poverty.
of RM are homosexuals), depressed (“because the white plague in great part is in fact homosexuality”) and angry (because “the huge number appeals for the rights of homosexuals).

Instead of the research, the author offers the answer of the question “Where did so many homosexuals come from”: “The activists for homosexuality forget that many of them were sexually harassed as children and abused, thus accidently becoming what they are”.

After relating homosexuality to paedophilia, the author reveals “The roots of such progressive spread of homosexuality in democracy”. According to her, the crucial culprit is the “Psychiatrist’s Association of USA in 1973, when without full presence, they voted that homosexuality is not a disease, but a normal occurrence and that homosexuals with birth have a homosexuality “chip” in their heads, that the neurosurgeons rebutted, but no one listened”. The negative consequence of the illegal act when the “American psychiatrists without quorum legalized homosexuality” is that “is some of those persons, drawn to it since childhood wishes to seek treatment, cannot provide a doctor”. This is why, in the comment, the author appeals to the president of the NGO Horizon, “first to adopt a law that will enable anyone who wishes to receive the right to treatment from homosexuality, as well as adopt a much stricter law against paedophiles from both sexes”. To top it all, the author supports her arguments that homosexuality should be treated by the fact that the UN “refused to accept a document according to which homosexuality is a natural occurrence”.

A brief editorial comment contains numerous negative and pathologic representation of homosexuality: a consequence of paedophilia and the cause of ‘the white plaque’ (the fall of the birth rate); the illegal ‘legalization’ by the psychiatrists, the main reason that ‘the illness’ is forbidden to be treated, even though UN does not accept homosexuality as a “natural occurrence”.

The Coalition sternly protests against the attempts to define homosexuality as a pathological occurrence and against the attempts to ‘scientifically’ justify homophobia. Once again we remind you of the Journalists’ Codex, according to which “A journalist shall not consciously create or use information that threatens human rights and freedoms, or use hate speech and shall not encourage violence and discrimination on any ground (national, religious, racial, social, language, sex, sexual orientation, political beliefs...)”.

3.6. Homophobia and Transphobia in the Political Life

a) Transphobic attack of the Ministry’s former spokes person

On July 1, 2010 Vecer released private photos of the former spokesperson of the Ministry of Health, who appeared at an opposition rally the previous night. The photos from a New Year’s party were used to discredit the former spokesperson as a man who “liked to dress as a woman”. Also, there was a photo of the opposition’s leader and a mayor from the opposition with a journalist in a “women’s clothes” during a Carnival in Strumica.

The Coalition, joined by the Centre for Media Development, on 5 July publicly reacted for the release of the private photos, under which there was a text whose main purpose was to discredit the political opponent of the ruling party and the president of the opposition, SDSM. The Coalition sent an appeal to all the political parties “to stop manipulating with the intolerance in society and stereotypes through their discriminatory political campaigns” and called the media to boycott all political campaigns that rely on discriminatory rhetoric and strategies.

However, in couple of weeks, the ruling party continued with the transphobic campaign. At a party press-conference it described the former spokesperson as a “man who likes to dress in women’s clothes or blankets” and asked “do other members of the Social Democratic Union also like dressing in blankets, following the example of their colleague?”

99 The journalist probably referred to the news on the “elimination” of ‘sexual orientation’ from the Resolution from 12.11.2010 on ‘extrajudicial disputes or arbitrary executions’.
100 “The release of the photos stigmatizes persons with different life styles and makes a malicious attempt to politically discredit a person by relating this person to the negative stereotypes on people with non-heterosexual orientation”.
101 “VMRO-DPMNE: Do SDSM Care to Caress in Blankets?”, http://www.a1.com.mk/vesti/default.aspx?VestID=126185. In a written reply, SDSM replied: “As opposed to the colleagues from VMRO DPMNE, SDMS has an open and clear attitude towards homosexuality, and does not hide behind marriages and establishment of families.”
b) Homophobic Attacks and Allusions among Politicians

In 2010 there was a significant raise in the homophobic attacks and allusions in the political and media discourse. Some politicians attempted to manipulate with homophobic allusions: "The one thing they didn’t say is that I am gay, or the founder of VMRO." The media published certain “files” in which DUI’s Leader is presented as “a person with homosexual and paedophilic affinities”.

One of the politicians from the opposition called the Prime Minister on a TV duel in which the two leaders will answer the many questions, even those on the “homosexual affinities of the Government…” The ruling party replied with the following statement: “We have noticed that the subject of homosexuality became dearer to Ljube since the return from Hague”.

The President of the National Council on Euro-Integrations also employed homophobic allusions in her column: “the greatest resentment towards homosexuals is apparent in the latent homosexuals; “… the latent homosexuals from the region unite quickly.”

Although many politicians were victims of homophobic attacks (regardless of their political orientation), they did not manage to unite in the fight against homophobia.

The Coalition urges all politicians to end the homophobic and transphobic attacks and allusions, regardless whether they be position or opposition. The Coalition demands that all the politicians should stop with the homophobic and transphobic campaigns and unite in a joint campaign against homophobia and transphobia.

3.7. Case “Homophobic Festival”

At the beginning of July, the public was presented with homophobic material (posters and website) that announced the 6th annual international MOTO Festival in Skopje, organized by the Association “Night Wolves”. Namely, the poster explicitly warned that presence at the festival is forbidden for: “Alcohol, Drugs, Weapons, Animals, 666 and Fagots”. On the 17 June, the Coalition held a press conference regarding the encouragement and spread of hate speech of the announcement. 109 participants at the press stressed that the ban is an example that illustrates discrimination, in particular on people with non-heterosexual orientation.

The Coalition for Sexual and Health Rights submitted a petition to the Ombudsperson who instigated an initiative for re-examination of the procedure to the City of Skopje as one of the Festival sponsors. In the press announcement, the City of Skopje announced that it did not support the statements of the festival organizers and the promotional materials prepared by the motor-festival without participation from the City. After the promotional posters were released, the City of Skopje reacted immediately to the manifestation organizer, demanding that the indicated examples of discrimination be removed.

The other festival sponsors also detached themselves from the promotional material.

However, although the organizer publically crossed the word ‘fagots’ and apologized for the misunderstanding, it is obvious from the organizer’s website that the association is open to discrimination on the grounds of sexual orientation and health status: “We have always declared openly our principles, regarding people who cannot be NIGHT WOLVES as well. The list is short: junkies, drug dealers, homosexuals, a man believing in evil and Satan. They cannot follow our way.”

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103 Boskovski threatened to publish a list of homosexuals: “I have a list of the ministers homosexuals in the Government, and I am prepared to release it in another occasion”. („Бидете мажи, признајте дека сте педери!”, Vest, http://www.vest.com.mk/?ItemID=A646EA2030B2424FA5866D89493AA203A
106 Representative of the Festival organization, Lenin Jovanovski stated: “I feel sorry that the poster was misunderstood. The part mentioning fagots does not refer to sexual orientation at all, rather it refers to individuals with such quality” (“Night Wolves” erased “fagots” from the poster, Utrinski Vesnik, 18 June, 2010).
The Coalition demands that the City of Skopje end all business contacts with the discriminatory association “Night Wolfs”.

The Coalition appeals once again to the City of Skopje not to support culture manifestations that encourage discrimination and hate speech towards marginalized groups, rather manifestations that encourage tolerance and acceptance of differences.

The Coalition publicly invites the City of Skopje to support the culture manifestation for promotion of the right to non-discrimination on the ground of sexual orientation to be suggested to the City Council by the Coalition.

3.8. Sensational Approach Towards Sex Workers

On 10.06.2010, the front page of the daily newspaper Vest published a sensational title “The Whores Dropped Their Prices”. Although the article, with the subtitle “The Economic Crises in Macedonia Hits the Oldest Craft” uses expressions such as sex workers and prostitutes, the editor’s intention to exploit the subject is apparent, mostly by using stigmatizing, discriminatory and offensive terminology.

The Coalition sent a letter to Vest, indicating that the use of such terminology is in contrast to the Ethic Codex of the Journalists Association of RM, but the provisions of the European Journalists Associations as well.

The Coalition appeals to the Editorial Desk of Vest to stop with the use of stigmatizing and discriminatory terminology and join them in the mutual fight against discrimination towards members of marginalized groups.

3.9. Marking the International Day against Homophobia

On May 17, in the Park of the Woman, opposite the Parliament of the Republic of Macedonia, the venue where the discriminatory Law on Anti-discrimination was adopted, the Coalition held an open-air press conference to announce the winners of the “plaques” for special contribution in the fight against homophobia.

A Plaque for Special Contribution in the development of gay porn aesthetics was awarded to Dragan Pavlovic Latas; Vlatko Gjorcev was proclaimed for the most eminent student in the law on the ‘erotic union’; Kosana Nikolic Mazneva received a plaque for special contribution in the development of the feminist movement and thought in Macedonia and doctor Jovan Ginev received a Plaque for Special Contribution to the return of the 19th century principles in Psychiatry.

At the end of the press conference, 100 balloons in the colours of the rainbow were released to the Skopje sky as a symbol to celebrate the freedom, differences and equality.

3.10. Marking the International Day for Fight against Violence on Sex Workers

This year, just like the year before, HOPS, STAR-STAR and the Coalition marked the International Day for Fight against Violence on Sex Workers, 17 December with numerous activities and press release.

3.11. International award for HOPS

HOPS- Health Options Project Skopje was awarded with the 2010 International Award for Action on HIV/AIDS and Human Rights. The award, which recognizes outstanding individuals and organizations that protect the rights and dignity of people living with or affected by HIV/AIDS, was presented in Vienna on July 20, 2010, at the XVIII
International AIDS Conference. During the ceremony, “the huge contribution of HOPS in the search for justice for sex workers\textsuperscript{108} and the improvement of their access to health, social and legal services”, was stressed.

\textsuperscript{108} Richard Elliot, Executive Director of the Canadian HIV/AIDS Legal Network (www.aidslaw.ca) indicated that “Sex workers face violation of their human rights daily, including discriminatory refusal of health services, arbitrary detention by the police, harassment, and sexual and physical violence”.