

# Human Rights of LGBTIQ+ in North Macedonia

Submission by Coalition Margins and TransForma  
for the UPR 4th Cycle - 14 February 2024



TransForma


# Context: The rise of the anti-gender movement

Orchestrated movement with the Macedonian Orthodox Church at its core;

Opposes LGR, gender equality, and inclusive education, fostering intolerance and stigma through hate speech, disinformation, and false interpretations of draft laws;

Concerning trend of verbal harassment and hate speech against LGBTIQ+ human rights defenders;

Peak of 258 comments in one instance inciting violence against transgender activist.




# Issue 1: Discriminatory Content in the Textbooks

In the 3rd UPR cycle, Canada recommended that North Macedonia remove discriminatory references to gender and gender identity in high school and university textbooks. The same recommendation came from the CESCR report in 2018.

The former Ministry of Education's initiative to propose a new law on educational textbooks faced obstacles from anti-gender groups and a lack of political will, resulting in no substantial progress.

Our lawyer is litigating a discrimination case against the author and the Faculty of Psychology for publishing a textbook with misogynistic, homophobic, and transphobic content since 2020. During this time, the textbook remains in use.



# Therefore, we recommend that North Macedonia:

*Take immediate action* to remove discriminatory references from high school and university textbooks.

*Enhance* oversight and accountability mechanisms for religious institutions to ensure their public actions comply with international norms.

*Ensure* effective response by public prosecutors and law enforcement to criminal complaints involving SOGI-based hate speech and hate crimes.



## Issue 2: Lack of administrative procedure for legal gender recognition (LGR)

In the previous cycle, Spain emphasized the importance of the decision of the national court to allow LGR of a few people and Uruguay recommended to the state to redouble its efforts to fight against discrimination based on gender identity.

European Court for Human Rights judgement against North Macedonia (No. 29683/16 § 44, ECHR 1999-II.), the Court obliges the State to adopt a 'quick, transparent, and accessible' administrative procedure for legal gender recognition.

Draft law withdrawn due to pressure from the anti-gender movement.



# Therefore, we recommend that North Macedonia:


*Adopt and implement* a quick, transparent, accessible administrative procedure for LGR based on self-determination.

*Implement* mandatory training programs for state officials to ensure an ethical treatment of transgender people.



# Issue 3: Delayed adoption of the Gender Equality Law

North Macedonia received over ten recommendations on promoting and advancing gender equality, including:

- Consolidate its efforts towards gender equality (Namibia 3rd cycle)
  - Adopt further measures to ensure gender equality in the society, including through the accession to and effective implementation of relevant international and regional treaties (Viet Nam 2nd cycle)
  - Continue promoting gender equality in order to explicitly prohibit all forms of discrimination (Armenia 3rd and 2nd cycle)
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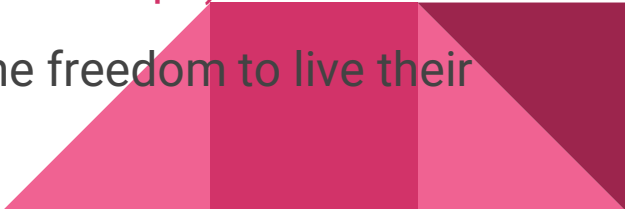
# Issue 3: Delayed adoption of the Gender Equality Law

Failure to adopt the Gender Equality Law based on UN and EU standards;  
Concerning reverse trend of erasing gender equality from local policies that undermines the decades-long struggle to recognize and implement gender equality in the country;

Disproportionately affecting transgender and gender non-conforming individuals;

Alarming levels of societal non-acceptance, with 81% expressing intolerance towards having an LGBTI person as a neighbour and 61% feeling shame if a close family member were identified as gay or lesbian (highest in Europe).

Only 24% agree that gay men and lesbians should have the freedom to live their lives as they wish.





# Therefore, we recommend that North Macedonia:

*Adopt* Gender Equality Law following the UN and EU standards and allocate adequate funds for its implementation.

*Encourage* municipalities to adopt and implement programs that explicitly promote gender equality and inclusion in line with international obligations and standards.



# Thank you!

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