

REPORT

NATIONAL ROUND TABLE

„Reducing Inequalities & Exclusion, and Combating Homophobia & Transphobia Experienced by LGBTI People“

Skopje, UNDP Country Office, 21 June, 2016

The national roundtable was held on 21 June, 2016 in Skopje as part of the planned activities in the regional project “Being LGBTI in Eastern Europe.” The event was organized by UNDP in close collaboration with civil society organizations and USAID Country Office. The national roundtable brought together for the first time representatives of LGBTI and human rights organizations, representatives of other civil society organizations, UN agencies, USAID, as well as representatives of different national institutions that work in this area.

The aim of the round table was to present the project “Being LGBT in Eastern Europe” and establish initial linkages between national decision makers, LGBTI and human rights based civil society organizations, their allies and other stakeholders. There were a total of 19 participants attending the national round table representing most of the LGBTI and LGBTI related organizations as well as two institutions that address questions in this area.

The roundtable was an open session for discussion due to the participatory methodology of the event and it tried to create a space for LGBTI organizations and individuals to voice their concerns and needs, share experience and propose potential solutions. There are very few LGBTI organizations in the country and they try to establish cooperation as much as possible, however cooperation with national institutions is something that is clearly missing and needs to be worked on. The roundtable managed to bring representatives from the Commission for protection from discrimination and the Ombudsman Office, however a last minute cancelation of the State Advisor for Non-Discrimination and Human Rights from the Ministry of Labor and Social Policy left the roundtable without actual representation from the government side.

Nonetheless it was a very positive event, which brought together a large number of stakeholders in this area. The event was opened jointly by the UN Resident Coordinator and UNDP Resident Representative and USAID Mission Director who were active in the discussions that followed.



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A brief overview of the key points participants addressed is presented next.

Ms. Louisa Vinton, UN Resident Coordinator and UNDP Resident Representative opened the roundtable talking about the Universal Declaration of Human Rights, the founding document of the UN, which says that “All human beings are born free and equal in dignity and rights. Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind.” These principles provide a rock-solid foundation for affirming the rights of LGBTI people. As our Secretary General Ban Ki-moon says, “It is not called the *partial* declaration of human rights. It is not the *sometimes* declaration of human rights. It is the *Universal* Declaration, guaranteeing all human beings their basic human rights, without exception.” This fundamental equality trumps any discrimination, however deeply it might be steeped in a country’s culture or traditions. And the force of international law makes it every state’s duty to protect the human rights of each and every individual, regardless of the views of the majority.

Hate speech is pervasive in the media and in public discourse. Worse, the LGBTI community has experienced a series of violent physical assaults. In every case, the perpetrators have gone unpunished, and – with only a few laudable exceptions – the country’s leaders have failed to speak out to condemn these abuses. This pattern has been criticized repeatedly by the Geneva-based UN mechanisms that monitor the state’s compliance with international human rights conventions and treaties. Again and again, these bodies have urged the country to fight stereotypes and hate speech; and to put a firm halt to all violence and intimidation; and to expand the provisions of anti-discrimination legislation. In a glaring omission, particularly in a European context, the national anti-discrimination law fails to forbid discrimination on the basis of sexual orientation and gender identity. But even correcting this legal gap is unlikely to improve the situation without a concerted effort on the part of all actors to change attitudes and to protect rights in everyday reality as well as the letter of the law.

The Being LGBTI project is designed to address this disconnect. UNDP aims to work with all the organizations and institutions represented here today to generate a comprehensive analysis of the experience of LGBTI people and to support civil society organizations in holding state institutions accountable for protecting the human rights of all people, without exception. At UNDP, we’re very proud to support this effort and to draw on the path-breaking work already done in this area by USAID. Ms. Vinton closed the speech emphasizing hope that this is just the beginning of a long-term partnership to work on LGBTI rights.

Mr. James Stein, Mission Director USAID, started his address explaining that USAID’s position on the rights of LGBTI persons is aligned with that of the U.N. He spoke about USAID’s vision about a world in which the human rights of LGBTI persons are respected and they are able to live with dignity, free from discrimination, persecution, and violence. In this world, the legal



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rights of LGBT persons are upheld; they are able to participate fully in democratic decision making in their households, communities and countries; they have equal access to sustainable livelihoods, economic assets and resources; and they are not barred from accessing the basic education, health and other services that are enjoyed by their fellow citizens and that are essential for personal well-being and growth. In this world, LGBTI persons and their allies can come together to advocate for the equal treatment for all persons, regardless of sexual orientation, gender identity or gender expression.

“I suspect that all of you have a similar vision” stated Mr. Stein. “Though the challenges and obstacles before us might still feel insurmountable, and there’s no doubt a lot of work needs to be done, with the help of global leaders and local activists, we get closer to achieving that vision every day”.

He also spoke about how religious intolerance, violence, familial rejection, chronic unemployment, fear, and isolation remain major problems for LGBT people living in the Balkans. While homosexuality was legalized in countries throughout the region after the fall of the Soviet Union, anti-discrimination laws have been passed and implemented unevenly from country-to-country and provide a tenuous patchwork of protections for LGBT people in areas of housing, employment, family life, and education. Anti-gay propaganda laws have become a tool of conservative governments seeking to limit burgeoning LGBTI movements and the public’s access to information about sexuality and gender and comprehensive sexuality education.

Legislation alone is not enough to combat the persistent prejudice and homophobia that governs the hearts and minds of so many. Police and other local authorities often play an ambivalent role in assuring access to freedom of assembly in the region, sometimes protecting LGBTI activists, and at other times refusing to issue permits for LGBT marches or failing to restrain violent anti-LGBTI demonstrators.

USAID believes the inclusion, protection, and empowerment of LGBT persons is critical because drawing on the full contributions of the entire population leads to more effective, comprehensive, and sustainable development results. USAID seeks to improve the lives of LGBTI citizens around the world by becoming more inclusive in our development efforts and by ensuring that LGBTI persons have access to and reap the benefits of our programming. In so doing, they are instrumental in the transformation of their own societies, with the end result that each and every citizen is recognized and equally valued.

Mr. John Macauley and Mr. Ninoslav Mladenovic both introduced the regional project “Being LGBTI in Eastern Europe, explaining how the project is aimed at strengthening data and

evidence base on human rights violation in relation to the LGBTI population, increase awareness of stakeholders on human rights of LGBTI persons and support cooperation between central/local governments and civil society organizations.

They mentioned the planned activities from the project and focusing on the country reports and their importance, the online platform supported by ERA, as well as the regional dialogue that will happen in one of the four participating countries. It was emphasized how this project is just the initial phase, and that with successful completion of this phase and potential funding, a second phase would focus on advocacy work and civil society organizations as central focus and leaders in this process.

Mr. Amarildo Fecanji, Co-executive Director from ERA spoke about the new partnership between ERA and UNDP. He also gave an overview of the organization he represents, pointing out that ERA is a newly established LGBTI Equal Rights Association for Western Balkans and Turkey. ERA aims is to support LGBTI movements in the region. Mr. Fecanji spoke about the role of ERA as a partner in the project, about the work they have done in the capacity assessment with CSOs. He also addressed the alarming situation with LGBTI rights and movements in the region, and what they are trying to do within the project.

Ms. Dragana Drndarevska from HERA gave a brief overview of the work of their organization explaining their focus on improvement of human rights of all people in the field of sexual and reproductive health grounded on the principles of gender equality and social justice. Ms. Drndarevska spoke about HERA's LGBT project and the work they do in this area. HERA is currently implementing the project "Addressing anti-discrimination and LGBTI rights at Local-Government level". The project aims at improvement of anti-discrimination institutional capacities and mechanisms at local level, including for discrimination based on sexual orientation and gender equality. The project also aims at raising public awareness on stigma and discrimination through active participation of the local-self-government units. HERA operates two youth friendly clinics "I want to know" which provide free sexual and reproductive health services for LGBTI people. HERA also runs the First Family Centre that provides psycho-social support to women and children - survivors of domestic violence including LGBTI people victims of domestic violence.

Ms. Irena Cvetkovic from the Coalition Sexual and Health Rights of Marginalized Communities briefly presented the history of the organization and immediately emphasized their strong commitment to promoting policies, laws and practices that will provide fair and equal treatment of the LGBTI community. The Coalition works on promotion of the health of marginalized communities (LGBTI, people living with HIV, drug users and sex workers) by increasing the access to quality health, social and legal services. The organization has been involved in many advocacy attempts aimed at creating and promoting laws, policies and practices that prevent discrimination and abuse of marginalized communities and focuses on



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promoting and creative supportive environment, where equality, freedom and diversity is respected.

Ms. Simona Atanasova comes from a small CSO called Together Stronger which is the first and only form of self-organization of the community of people living with HIV in our country. The goal of the organization is to act for provision of mutual support, as well as to improve the quality of life for people with HIV in the Republic of Macedonia. It was established in 2010 upon initiative of some affected individuals with strong support from HERA and the Daily Centre for treatment, care and support at the Clinic for Infectious Diseases and Febrile Conditions in Skopje, after a need arose for mutual support, but also for active inclusion of people with HIV in solving existing problems within the health care system, problems in provision of antiretroviral therapy and tests for monitoring of the infection, as well as problems with social issues such as stigma and discrimination. Plans for actions of Together Stronger for the foreseeable future include advocacy before all relevant institutions for fast and quality solution of therapy problems related to finding a sustainable way for timely supply of medication, procurement of all required tests for monitoring of the infection and improved health care, as well as communication with the media and raising awareness about people living with HIV.

Mr. Antonio Mihajlov, from Subversive front gave a brief overview of the vision and mission of the organization, stating the important work on promoting a more critical, unconventional, non-patriarchal approach towards the identification to any existing category in the area of gender and sexuality, and in that regard also the work on recognition, introduction and promotion of the rights and status of people with differences that do not identify with the dominant heteronormative categories in the country.

Subversive Front sees the world as a place that offers enough space for the individual to a freer and more critical approach to gender, sexuality, and to any identification with a particular category and norm, as opposed to previous uncritical, blind reliance on existing traditional norms. The CSO stands for the right not to identify with the existing norms in the area of gender and sexuality, which are pretty limiting. “We see the world as a place where all people regardless of their differences would enjoy all existing rights and freedoms and would have equal status in the society, and thus the possibility of organised political struggle if their rights, freedoms and choices are violated” says Antonio.

Subversive Front works in five different strategic areas: advocacy for LGBTI, research and policies for LGBTI, training and education on LGBTI, provision of free aid services for LGBTI, and fundraising for LGBTI projects and initiatives. The organization is also a full member of ILGA Europe and ILGA World as well as one of the founders and full members of ERA - LGBTI Equal Rights Association for Western Balkans and Turkey. Speaking about their work, Antonio spoke about the first ever survey conducted in the country and in the region on SOGI-based



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bullying among youth, and the effects homophobic and transphobic bullying, discrimination and harassment have on the mental health of young LGBTI people and their general well-being. In 2015, the organization helped the conducting of the first ever public opinion poll on LGBTI in the country, which reached the target number of respondents by double, and produced very relevant findings on issues such as SOGI-based discrimination and violence, as well as LGBTI voting habits, political parties and LGBTI, the work of the LGBTI CSOs, and so on.

Subversive Front has a central role (together with Sarajevo Open Center - Bosnia and Herzegovina and Labris - Serbia) in the information-sharing and the advocacy-sharing network of all LGBTI and human rights organisations in the Western Balkans and also serves as an information point on LGBTI for ILGA Europe and the European Commission on producing the Annual Report for the country on its EU integration process.

Mr. Zoran Jordanov from EGAL (Equality for gays and lesbians) spoke about the early start of the organization as far back as 2003 and its focus on gay and lesbian related issues focusing on health related LGBT issues. The CSO has 3 sectors: LGBT Health, LGBT Culture and Resurge and anti-homophobia sector. The mission of the organization is to improve sexual health and quality of life of the LGBT population, as well as overcoming homophobia in the society, through their work on sexual and psycho-social health of LGBT people and their family. The organization has been organizing the Dzunica (Rainbow) Film Festival and stays as a key actor among the LGBTI organizations in the country. A lot of the work still stays focused on free HIV testing as well as support through the Gay Info Line which provides information about HIV/AIDS and STDs.

Ms. Iva Mihajlovska and Mr. Marijan Ponjavikj, were representing the Ombudsman Office and they spoke about their direct work with most of the LGBTI organizations. They reinforced their views about LGBTI rights being looked at as human rights and how they try to process claims submitted by individuals and organizations in this area. Both the representatives of the Ombudsman office and the participants present at the roundtable spoke about a great cooperation and high level of openness of the institution in fighting the battles against discrimination of LGBTI people. Ms. Mihajlovska spoke about the regular reports the Ombudsman makes about their view on the law for non-discrimination and how even though the law doesn't clearly list sexual orientation as one of the basis for discrimination, they find ways to work around this obstacle and find mechanisms of protection from this type of discrimination.

Mr. Bekim Kadriu is a member of the Commission for protection from discrimination and he briefly spoke about the work that the Commission does and how they have processed claims in favour of LGBTI organizations. Mr. Kadriu reinforced the same view as Ms. Mihajlovska in terms of bridging the issue with the lack of direct mentioning of sexual orientation in the law from protection of discrimination, and how the Commission reviews received complaints and



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decides on its merit for discrimination. The role of the commission and its decisions are public, however they don't bring many benefits or any legal remedies, but rather verify the existence of discrimination and ask the perpetrator to rectify their behaviour.

At this point in the roundtable, the discussion mainly focused on the fact that these two institutions have open cooperation with LGBTI organizations and the fact of the matter is that both institutions work as much as they can in this area. However, in terms of involvement of government institutions there isn't any and the political structures show no interest in working in this area. According to the views of the participants representing the LGBTI organizations, there has been no interest nor inclination by the government to rectify the situation at all, as government officials still refuse to directly name "sexual orientation" as one of the possible forms of discrimination in the law, even though there have been many clear directions given in the Universal Periodic Review as well as EU progress reports.

Participants at the roundtable expressed great interest for the project, however asked for larger inclusion of government counterparts, as without them at the table, it would be a lot more difficult to see progress in the way the government treats LGBTI rights as human rights.

Recommendations from participants at the round table

- Capacity building of national and local institutions is crucial to better understand and better respond to needs of LGBTI people
- Continued capacity building of LGBTI organizations to better respond to the needs of the LGBTI population in the country
- Delivery of sensitization workshops for central and municipal public officials in order to properly understand and address claims and needs by the LGBTI population
- International organizations to provide more direct support and funding to LGBTI organizations and the LGBTI community in the country
- Ensure a multi-layer approach is developed by relevant stakeholders: change in legislation, larger inclusion of CSOs in policy planning processes; establish cooperation mechanisms between national/local institutions and LGBTI organizations



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Next steps

- Continued communication with the Ministry of Labor and Social Policy (MLSP) for larger involvement in the project
- Defining the joint entry points between MLSP and UNDP in terms of the Country Report
- Open dialogue and additional meetings between all relevant stakeholders to guide the work of the Data and Report Consultant