



Minutes: Regional Parliamentary Conference

17-18 December 2019, Skopje, North Macedonia

- Event called by: ERA – LGBTI Equal Rights Association for the Western Balkans and Turkey
- Facilitators: Amarildo Fecanji, ERA, Elena Petrovska, Coalition Margins, Biljana Ginova and Jovana Jovana Jovanovska, LGBTI Support Centre
- Minutes: Amarildo Fecanji, amarildo@lgbti-era.org
- Event attended by: Ajna Jusic - CURE Foundation, Bosnia and Herzegovina, Amarildo Fecanji – ERA, Arsen Bauk - Member of Parliament SPD, Croatia, Biljana Ginova - LGBTI Support Centre / Macedonian Helsinki Committee, Dajana Bakić - Tuzla Open Centre, Bosnia and Herzegovina, Daniel Andersson - HBT Social Demokrater Sweden, Darko Pandurević - Sarajevo Open Centre, Bosnia and Herzegovina, Elena Petrovska - Coalition Margins, North Macedonia, Eleonora Bajrami, CEL Kosovo, Ewelina Edenbrink - HBT - Socialdemokrater Sweden, Jasmina Xhaferi - LGBT United Tetovo North Macedonia, Jose Santoro - PES Rainbow Rose, Jovana Jovanovska - LGBTI Support Centre / Macedonian Helsinki Committee, Liridon Sinani - CSGD Kosovo, Maja Morachanin - Member of Parliament, Democratic Renewal of Macedonia DOM, North Macedonia, Nezir Sinani - BIC Europe, Ninoslav Mladenovic - EGAL North Macedonia, Özgür Kaktur - Istanbul LGBTI+ Pride Committee, Turkey, Pedja Grbin - Member of Parliament SPD, Croatia, Simona Sardelik - National Assembly of North Macedonia, Tanja Minchevska - LGBT United Tetovo, North Macedonia
- Event co-hosted by: ERA – LGBTI Equal Rights Association for the Western Balkans and Turkey, LGBTI Support Centre and Coalition Margins. A special thank you goes our member organization LGBT United Tetovo for assisting in a few aspects of the planning and to the Working Inter-Party Working group on LGBTI Rights of the National Assembly of North Macedonia

Background:

The first regional parliamentary conference / seminar organized by ERA on 17-18 December in Skopje, North Macedonia was the first of its kind organized by the network to respond to the advocacy and capacity development needs of its member organizations in the region.

Main objectives of the conference were to:

- Strengthen dialogue between LGBTI activists and LGBTI-friendly MPs from the Western Balkans and Turkey region and Europe;
- Strengthen capacities and skills and improve information on LGBTI rights of LGBTI friendly MPs in the Western Balkans and Turkey region;
- Promote the Macedonian inter-party group as a best practice example for other Parliaments in the region;
- Discuss the role and strategies of Parliaments in protecting and advancing the rights of LGBTI persons;
- Promote political participation of LGBTI people;

The conference was organized in cooperation with ERA's member organizations in North Macedonia, Coalition Margins and LGBTI Support Centre and in coordination with the Inter Party Working Group on LGBTI Rights in the National Assembly of North Macedonia.



Plenary: Experiences of Parliamentarians in addressing and advancing LGBTI rights;

Moderator: Elena Petrovska, Coalition Margins

Speakers: Maja Morachanin, MP North Macedonia, Peđa Grbin MP Croatia, Arsen Bauk, MP Croatia, Daniel Andersson MP Swede and Jose Santoro, Secretary General, Rainbow Rose

Members of Parliament who attended the conference shared their experiences on advocating for and supporting LGBTI rights in their respective parliaments or their political career. Maja Morachanin spoke of the huge efforts that she and other MPs have made in the Assembly of North Macedonia: to promote passing of laws, conduct campaigns with participation of MPs and further raise awareness with the public and stakeholders. The first pride took place in Skopje this year which was attended by several of these MPs.

She acknowledged also that this is a long-term battle because the backlash is now present even in EU countries. "We as politicians are not happy with the results and what we have achieved and sometimes it is not easy job to do. We need to stay on our path and work together because it does not mean that if we have made the law we have to also work on implementation. It is important to continue with awareness in society. It is a long-term battle and we need all our supporters to be included in this fight. We have it in our programs as greens for human rights. So that is another issues that political parties really stand for their values. We are working also on that field with our youth and the issue of LGBTI rights is on the agenda.

Mr. Pedja Grbin, Croatian MP with the Social Democrats spoke about the efforts that him and his party made on pushing for same-sex partnership in acts and for overall legal improvements. More efforts are needed however in educating judges, making changes and improvements in education and protection from discrimination areas in which we don't do enough and are failing. In some cities, where left or center parties are in power some equality policies are in place, and when that happens we do see an increase in tolerance and acceptance.

Mr. Arsen Bauk, Croatian social-democratic MP and Minister of Public Administration (2011-2016) mentioned the efforts made in the life partnership act which was passed in Parliament in July 2014. He described the communication of that law similar to being in a minesweeper game, simple yet sensitive. He mentioned as major challenge the issue of adoption. To make the law pass, the compromise was not to grant adoption rights to couples but only for adoption of a partner's child. Other questions were not so important for the public. We had to go with this compromise, otherwise we would have faced the same challenge as Slovenia: pass a much more liberal law and then end up with a referendum. Since then we haven't had more debates about this, I hope however that at some point we will make this change. We encountered challenges later on such as a referendum in 2017 to change a constitution article which says that marriage is a union between a man and a woman.

Daniel Anderson, MP with the Swedish social-democrats acknowledged the progress made with LGBTI rights but challenges exist currently as nationalistic parties are getting stronger. If before, parties could find common ground and make important legal and social changes now with the rise of nationalism it is becoming harder. My party needs to work more with NGOs in the future. Much has happened in society in the last ten years and my party needs to change. Some parties' rhetoric is changing very fast, and some of them are pink-washing, from being homophobes now they are supporters of marriage. And still they have those homophobic positions in their parties, as things do not change overnight.

Jose Santoro from PES Rainbow Rose spoke about the situation from a Pan-European level admitting that at such level there is a lot of diversity in opinions and perspectives. A lot of efforts are put on exerting pressure towards countries which go far from the general consensus on topics such as LGBTI. Maybe such efforts are not enough but there is a base and most parties are open to dialogue. We have to work with politicians but also civil society and NGOs. This has happened in other conservative countries. In 2008 they spoke so against LGBTI rights but later on they worked with leaders, pushing and pushing and their speeches changed in 5-6 years and Spain has some of the best laws in LGBTI rights.

When asked about the inclusion of LGBTI people in political life, the MPs admitted that while visibility of the community has increased in some areas of life, like media, arts and culture, no political figure is out as such.

In Croatia, a member of government was outed and this brought up a debate whether this was the right thing to do, and this was the closest thing to outing a politician. At some point in the past it was expected that politicians would start to come out as well, but in the social and political climate of today it is quite unthinkable.

Mr. Grbin suggested for activists to address with friendly people: “we have weapons you give us ammunition”. As opposition our proposals for laws are not passed, but we can propose them and have debates. If you give me something that I find interesting, that I can use and push forward.

Mr. Daniel Anderson acknowledged that visibility and inclusion of LGBTI people has immense value and in Sweden it is done all the way from local level with outreach activities and programs by speaking to members of the community and being there for them. There are however new challenges in Sweden as people do not see what issues we are tackling now.

Dajana Bakić from TOC explained that most LGBTI people expect social democrats and liberal parties to fight for them, which in itself says a lot. When it comes to the parties it would be very important to have representatives of LGBTI people to stand there, but it is hard for politicians to be out. Political parties should create safe environments for people to come out. I have done a lot of work in my party to change statute and political program in order to include SOGIE and now I am able to raise your issues. Put LGBTI issues in internal regulations and documents. Work with members of the party as we still have a very homophobic membership. Work with youth forums and different groups.



Workshop 1: Peer support and sharing of best practices in advocacy and lobby work with Parliaments in the Western Balkans and Turkey; *Facilitators: Amarildo Fecanji and Biljana Ginova, LGBTI Support Centre*

In this workshop participants from civil society organizations shared their experiences in working and advocating with parliaments, sharing lessons learned and tips for fellow activists.

In **North Macedonia**, activists have worked with Parliament in many different ways from direct meetings for burning issues to providing expertise, resources and capacity building. This has been part of a long process in an effort to get support of parliament in passing important legislation as well as supporting the community and demands of the movement on specific issues. Concrete work has been conducted with the inter-group, especially in preparing arguments for legal changes. Efforts have been made to involve the international community to promote legal changes.

At one point, before this positive climate of cooperation, activists had to work in an unfriendly environment. They had to fight against the efforts of the previous government to change the constitution and define marriage as a union between a man and a woman. Activists held protests but also strategized by working closely with friendly MPs and politicians. They activated the international community and pressure.

Activists from **Bosnia and Herzegovina** shared same experiences and in addition they have used also the tactic of sliding LGBTI rights within other larger topics which are more

acceptable (such as gender equality or monitoring European integration progress). In addition to that organizations, such as Sarajevo Open Centre, hold regular capacity building events such as the academy for gender equality. Stakeholders from different political parties are gathered to discuss and work on different issues. And bit by bit acknowledge inclusion of LGBTI rights. Added value is creation of a network of supporting MPs and who do much more. Tuzla Open Center work also on de-centralization of the movement and engage closely with their cantonal government. They also engage with academies and other forums of political parties.

In **Kosovo**, activists have not yet engaged as much with the Parliament and political parties and more work has been done with international community as well as other government agencies. Their focus is now on the draft Civil Code of Kosovo, and they have sent recommendations to the relevant institutions to leave the marriage open between two spouses and not to add gender. They have also asked for inclusion of same-sex unions which was refused. Activists are now strategizing on how to advocate for such changes to happen as the draft will soon start being discussed in the new Parliament.

Kosovo activists did take opportunity however to engage in-directly with politicians in the elections of October 2019 considering that the event happened around Pristina Pride. They publicly asked politicians to think about the rights of LGBTI rights and to support them.

An example from **Albania** was brought to illustrate that activists and organizations should monitor the activities of Parliament even if they are not engaging with them directly. Depending on the political life of the country and the parliament this could lead equally to new risks or opportunities.

Several examples of public campaigning were brought up in the discussion. In **Albania** the campaign “Think Politically” is conducted each time before elections as a platform to monitor statements of politicians on LGBTI rights as well as to inform LGBTI people on the platforms of each political party as well as a tool to hold politicians accountable on their statements after they come to power. In **North Macedonia** activists also have asked candidates on their position about LGBTI rights and have published their positions in social media. This is very important for the parliamentary elections. Take statements from politicians and provide infographics and information. Engaging directly with parliament about holding activities there was also brought up as ERA has held its general assemblies in the Parliaments of Serbia, Kosovo and North Macedonia so far.

Activists are also recommended to engage directly with the Parliament as well as their individual MPs. In Croatia, MPs were bombed two times for their work on trans rights and same-sex marriage. They would take up to 10.000 emails with texts against their work. This is a tactic that we can also use. Do write to the MPs, explain to them in written form before asking for meetings. The best way is to identify people who are sympathetic to your cause. Talk with them and give them the instruments and tools to do what you ask of them. Find people who are sympathetic to your cause and build good relations with them. Speak to MPs who know about the subject (find people and entry points) to cooperate with them and to cultivate relations and then work with them to persuade others. If you see that they are pulling your leg, then protest and find another way to advocate.

Activists in North Macedonia, spoke of their experience of engaging with only but a few MPs who they identified as potentially friendly to the LGBTI cause and worked with them to stop constitutional changes to the definition of marriage.

To the question on when is it best to engage with MPs and fight for legal changes, MPs from Croatia advised that the best time for changing such laws is at the start of the mandate, even better before voting of government when there is still a technical government. Because when the opposition is not busy in parliament then that law can be passed. Timing is a very important part of your strategy. Even though there is not exactly a good or bad time, in the beginning of term your credibility is high and you can do much without being hurt in the polls but toward next elections you keep status quo or adopt popular laws.

The second advice, contrary to what could be a general belief was not to engage with MPs when they are holding elections. They might be making promises or statements, but it will be hard to hold them accountable on that.

MPs shared challenges also with not only passing of laws but also their implementation in terms of developing procedures and for state officials and public servants to fulfill their obligations. One MP had to write a rulebook himself for procedures. A major issue here is also the so-called conscientious objector¹ which is of course very problematic.

In Turkey, the situation is now problematic as due to the recent constitutional changes the Parliament has been stripped of several important competences which has diminished its powers. Activists, however remain determined to continue challenging the system and they are still engaging with the political factor, especially with local municipalities and during elections.



Methods of Engagement

Conclusions, lessons learned and tips from activists and MPs in the region

1. Even if you are not engaging or working with Parliament, monitor their work, sessions and developments. This process could lead to challenging problematic developments (such as anti-LGBTI laws) or using opportunities that could lead to legal and policy improvements;
2. Identify MPs who are sympathetic to your cause. Talk with them and give them the information, instruments and tools to advance your cause;
3. Create a network of supporting MPs (even better if this is a caucus or a working group). Communicate with them regularly and strategize;
4. Hold direct meetings and do make plans with them if and when cooperation will obviously benefit your cause. At the same time, do not over-rely on this cooperation. It has to produce results, be useful and not pink-washing or without outcomes; Try to

¹ a person who for reasons of conscience objects to complying with a particular requirement.

- understand their language and motivations and speak to them in ways that they understand. You need them to act, so focus on what actions they would take;
5. In case the open inclusion of LGBTI rights is very hard, work on identifying which other ways can this topic be included, for example in gender equality acts and policies, European union integration progress reports etc.);
 6. Be solidary with other struggles and movements who are also advocating with the Parliament (e.g. women, youth, minorities etc.) Such alliances could help you cause when the need arises;
 7. When cooperation with Parliament is impossible and there are no chances of support, and legal rights of the community are endangered then plan protests and other forms of public advocacy;
 8. Engage the international community (the sister parties from the rest of Europe) and other important and relevant stakeholders (European Parliament, Council of Europe, UN mechanisms and agencies etc.) as well as those at home (e.g. embassies);
 9. Work with political parties, their forums and academies and provide them with trainings, tools and resources. Advocate with them to improve internal regulations with focus on SOGIE and promote political inclusion;
 10. Advocate with and encourage political parties to be accessible to and create safe environments for LGBTI people to come out. Work with party memberships at the grass-root and fight for creating safe-spaces for LGBTI members as well as allies;
 11. Keep the community engaged and encourage them to write directly to their MPs. Hold them accountable on their statements and make demands;
 12. Strategize on timing of engagement with parliaments. Think of actions to undertake during election campaigns, (monitor statements, research programs of political parties, conduct polls, send questionnaires to politicians, engage the LGBTI community etc.);
 13. Do not engage only with big parties. Some of the best allies of the movement can be found in smaller political parties. Work and strategize with those MPs and provide them with the right tools and possibilities;
 14. Best time for change of law is only on start of mandate even before voting of government and there is technical government;
 15. Work with donors and encourage them to provide more resources on advocacy with Parliaments and political parties;



Workshop 2: Peer support on advocacy plans;

*Facilitators: Amarildo Fecanji, ERA and Biljana Ginova
LGBTI Support Centre*

On the second day of the conference participants were divided into two working groups with the aim to discuss specific advocacy plans for Kosovo and Bosnia and Herzegovina. Both groups discussed their plans to advocate for same-sex marriage (Kosovo) and same-sex partnership (Bosnia and Herzegovina) and the MPs present helped them with ideas, tools and advice on how to best achieve these goals.

Regional cooperation and role of ERA

Participants advised ERA to provide assistance in this topic by focusing primarily on the following:

- Focus on monitoring political processes in the region and keep member organizations informed. Follow situations of parliaments, their sessions, discussions on human rights and organize around that in the region.
- Give to the members feedback and information on what is going on in the region, share trends and updates; Provide some reporting and information on the political climate and behavior of political parties;
- Initiate solidarity campaigns and actions and give feedback to members;
- Conduct research on the position of political parties working on LGBTI rights as well as collect more inputs on political participation of LGBTI people.
- Provide resources, capacity development and tools on working with parliaments and political participation and inclusion.

END

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