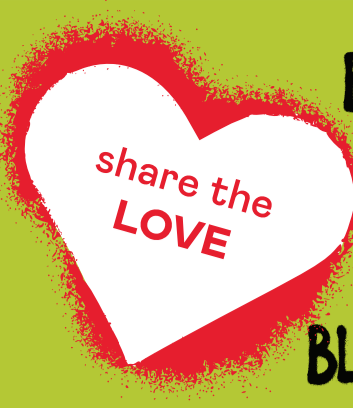


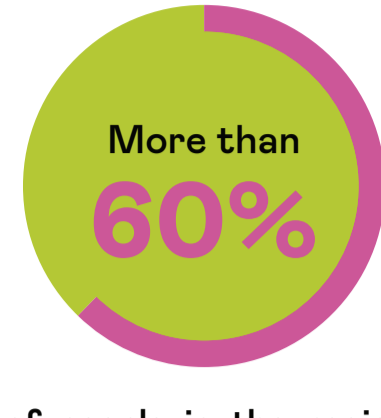
BLOCK THE HATRED AGAINST LGBTI. SHARE THE LOVE.
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HATE IN NUMBERS



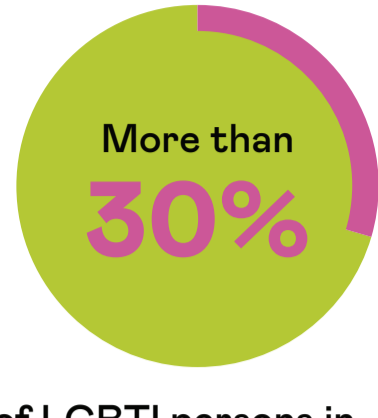
According to a [2018 World Bank Survey on the living experiences of LGBTI people in Southeast Europe](#)¹:



of people in the region deem that being LGBTI is a **sickness**.



of LGBTI persons in the region have suffered some form of **harassment**.



of LGBTI persons in the region have suffered **physical violence**.



of LGBTI persons in the region have faced **discrimination**.



of people in the region are of the opinion that LGBTI persons are **criminals**.

18 cases



In 2017, the **Helsinki Committee** in North Macedonia registered **18** cases of hate crimes committed based on a sexual orientation or a gender identity of the victim.

58 cases



In 2018, the **Coalition Margins and the LGBTI Support Centre** documented **19** cases of hate speech in media and social media, **16** cases of hate speech in public spaces, including hate-motivated threats and blackmail, and **23** cases of violent hate crimes, including physical violence, rape and robbery.

297 cases



The number of hate speech cases reported by LGBTI NGOs in 2019 amounted to **297** cases, of which **154** were connected to the activities around the Pride, while the actual number was claimed to be even higher. Documented hate crimes amounted to **66**, including physical violence (**40**), verbal and psychological violence (**16**), and domestic violence (**3**).

[Latest report by the Institute for Social Research \(ISF\) in Albania](#) showed that **twice as many** LGBTI people were targets of discrimination and exclusion compared to the rest of the population. According to the report, most of those who were targets of hate speech were targeted online, such as in comments sections on Facebook and/or Instagram.

CHALLENGES



- ◆ The (non-)recognition of hate speech and hate crimes as such, as aggravated circumstances, by the judges and prosecutors.
- ◆ Lack of skills and/or knowledge to effectively recognise the qualification of the crime as aggravated circumstance derives primarily from the weak judicial and prosecutorial system that needs to be strengthened.
- ◆ Lack of political will to consistently apply the legislation and thoroughly prosecute cases.
- ◆ Hate speech against LGBTI persons coming from political and other public figures, both in the media and on social media, with little to no convictions despite regular reporting by civil society.
- ◆ Hate speech legislation, which exists only in some parts of the Western Balkans, is not being applied effectively.

Hate speech is not free speech!

Freedom of expression includes the right to express ideas that may be regarded as critical, offensive, insulting or controversial. However, freedom of expression is not absolute and, in accordance with the jurisprudence of the European Court of Human Rights, States may sanction or even prevent all forms of expression which spread, incite, promote or justify hatred based on intolerance.

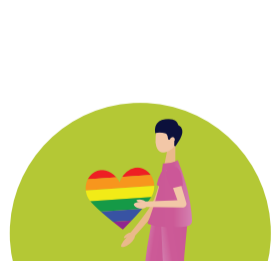
According to [ECRI's General Policy Recommendation No. 15 on combating Hate Speech](#), "hate speech" shall mean the advocacy, promotion or incitement, in any form, of the denigration, hatred or vilification of a person or group of persons, as well as any harassment, insult, negative stereotyping, stigmatisation or threat in respect of such a person or group of persons and the justification of all the preceding types of expression, on the ground of "race", colour, descent, national or ethnic origin, age, disability, language, religion or belief, sex, gender, gender identity, sexual orientation and other personal characteristics or status.

GOOD PRACTICES

In 2019, for the first time, the Prosecution in Kosovo* (ex-officio) initiated a case against an official of the Ministry of Justice, on the grounds of hate speech against LGBTI persons.



In 2019 in Montenegro, over 100 charges have been filed for discrimination, hate speech and verbal abuse online, following the monitoring of social media comments, which is a regular part of the work of LGBT Forum Progress.



In order to address systematic discrimination and hate speech against LGBTI persons, in February 2019, the Ministry of Labour and Social Policy (MLSP) in North Macedonia signed a **memorandum of co-operation with Subversive Front** to implement a 3-year project on capacity strengthening for state officials. For this purpose, and in collaboration with Subversive Front and other LGBTI NGOs, MLSP started awareness raising trainings with state officials and civil servants, in the sectors of healthcare, employment, judiciary, law enforcement, education, and the media. To date, 325 state officials from 40 state institutions and 42 local municipalities have been involved in these training sessions.

WAYS FORWARD



- ◆ Legislation and policies regulating hate speech, including on grounds of sexual and gender identity, need to be improved all over the Western Balkans.
- ◆ Authorities across the Western Balkans should continue capacity-strengthening efforts on addressing discrimination and hate speech, tailored for specific sectors, such as police, prosecution and judiciary.

*This designation is without prejudice to positions on status and is in line with UNSCR 1244 and the ICJ opinion on the Kosovo Declaration of Independence.

1. The 2018 World Bank Group Survey results of the living experiences of LGBTI people in South-eastern Europe, conducted in co-operation with Ipsos, ERA and the Williams Institute UCLA School of Law