

MONTHLY OVERVIEW ON HUMAN RIGHTS

JANUARY

20
25

MONTHLY OVERVIEW ON HUMAN RIGHTS

This publication was funded by the European Union. Its contents are the sole responsibility of the Helsinki Committee for Human Rights Skopje and do not necessarily reflect the views of the European Union.



Funded by
the European Union



Фундаменталните човекови права
на прво место: Активен придонес
за владеење на правото



Содржината на овој продукт е единствена одговорност на Хелсиншкиот комитет за човекови права и на никаков начин не може да се смета дека ги одразува гледиштата на Европската Унија.

CONTENTS

01

Introduction

02

Hate speech

03

Hate crimes

04

**Gender-based
violence and
domestic violence**

05

Closed institutions

06

Free legal aid

INTRODUCTION

Several events in the field of human rights took place in January 2025: the Platform of Civil Society Organizations for the Fight Against Corruption reacted strongly to MP Bojan Stojanoski's attempts to associate this platform with political influences. With compelling arguments against the amendments to the Law on Public Procurement, supported by the State Commission for the Prevention of Corruption and the EU, the Platform requested that Parliament condemn Stojanoski's actions

Impunity, present for decades, has once again led to tragedy. In January 2025, 22-year-old Frosina Kulakova lost her life. The perpetrator, who had multiple serious offenses, continued to drive without a license, highlighting significant institutional failures.

Citizens are confronted with legal uncertainty and a lack of trust in the system. The state must implement urgent measures to combat corruption and guarantee justice and security.

THE SITUATION WITH HATE SPEECH IN THE REPUBLIC OF NORTH MACEDONIA, MONTHLY REPORT - JANUARY 2025

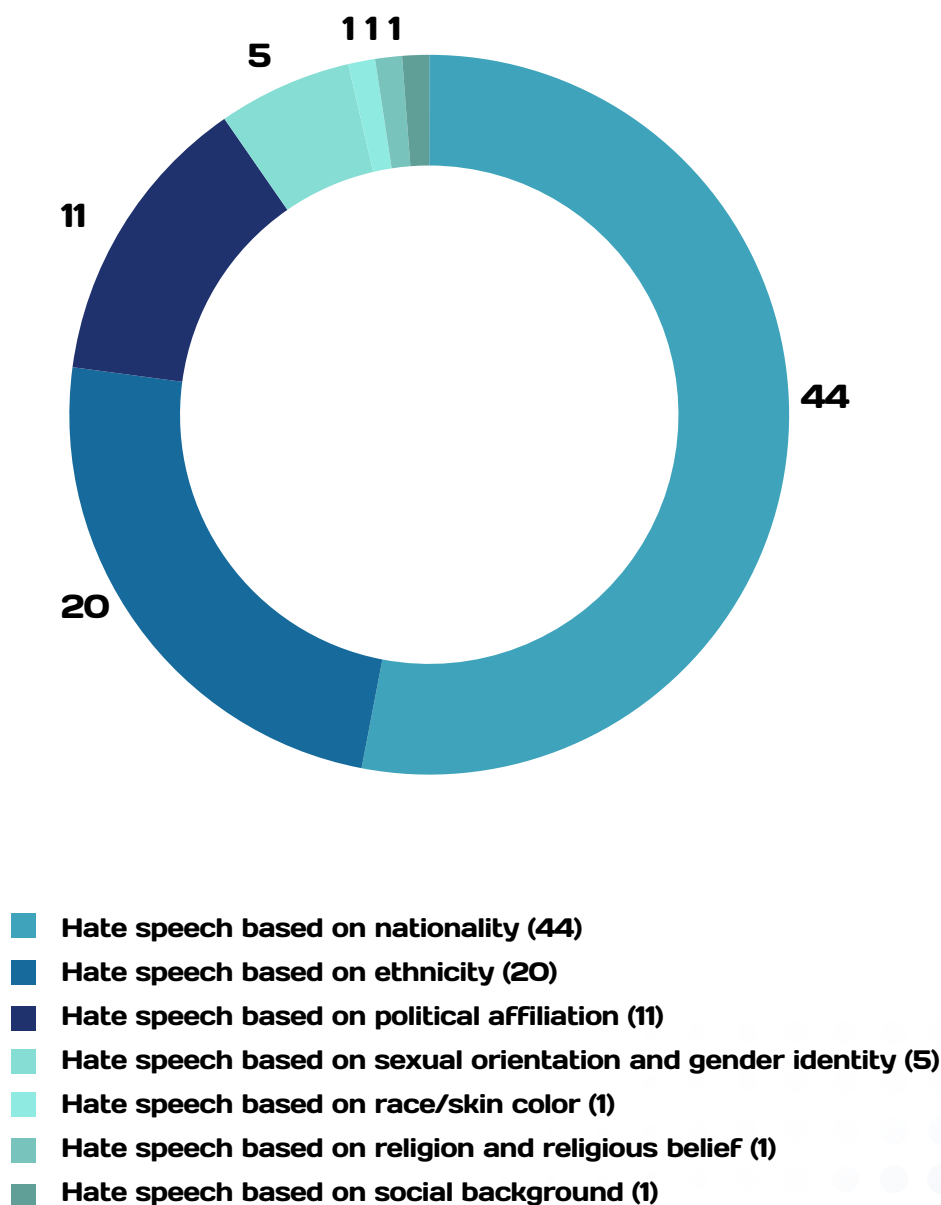
In January, the web platform www.govornaomraza.mk registered 69 cases involving elements of hate speech, discrimination, and harassment across various grounds.

This month, there were 44 cases (53%) of hate speech based on nationality, 20 cases (24%) based on ethnicity, 11 cases (13%) based on political affiliation, and 5 cases (6%) based on sexual orientation and gender identity.

January continues the trend of having the highest number of registered complaints based on national and ethnic affiliation between the two largest ethnic communities in the country. Once again, social media posts featuring maps with territorial claims over the Western Balkans have been reported.

Furthermore, negative remarks and hate speech related to nationality were also triggered by the commemoration of Mara Buneva's death anniversary, which was marked by various provocations deemed controversial in Macedonian-Bulgarian relations.

GRAPHIC REPRESENTATION OF THE SITUATION ON HATE SPEECH - JANUARY 2025



***69 original cases of hate speech were registered on the platform - in some cases, more than one protective characteristic was registered.**

THE SITUATION WITH HATE SPEECH IN THE REPUBLIC OF NORTH MACEDONIA, MONTHLY REPORT - JANUARY 2025

CONCLUSIONS AND RECOMMENDATIONS

Conclusion:

Hate speech and harassment aimed at national and ethnic affiliations rank highest among the recorded cases.

Recommendation:

Formulating state policies to foster coexistence and integration of ethnic and national communities in North Macedonia.

THE SITUATION WITH HATE SPEECH IN THE REPUBLIC OF NORTH MACEDONIA, MONTHLY REPORT - JANUARY 2025

In January 2025, the Helsinki Committee for Human Rights recorded seven potential incidents with a biased motive. For the most part, based on other indicators (location, method of commission, involvement of minors and high school students, etc.), there is a reasonable belief that these incidents were motivated by the victim's ethnicity, that is, by the perpetrator's prejudice against it. Specifically, there are six potential incidents related to ethnicity and one incident based on gender. Depending on the type of violence, these incidents involve acts of violence resulting in bodily and serious bodily injuries. In three of the cases, minors are involved either as victims or perpetrators.

Potential incidents are included in the report because they pertain to situations where other indicators suggest that these incidents were biased. These bias indicators include victim and witness perceptions, on-site commentary, ethnic disparities between the victim and perpetrator, patterns or frequencies of previous incidents, the nature of the violence, the absence of alternative motives, and the location and time.

Specifically, potential incidents are included in this report based on information received about the location (for example, ethnically mixed neighborhoods or schools, bus routes used by members of different ethnic communities, and places where hate crimes have occurred in the past), the type (for example, a large group of minors attacking one or more victims without provocation, group fights, or attacks on buses or at bus stops), the timing (for example, after previous fights as a form of revenge, after school, or during or after a sports match), and the property that was damaged during the incident (for example, places of religious ceremonies).

THE SITUATION WITH HATE SPEECH IN THE REPUBLIC OF NORTH MACEDONIA, MONTHLY REPORT - JANUARY 2025

CONCLUSIONS AND RECOMMENDATIONS

Conclusions:

In January 2025, seven potential bias-motivated incidents were recorded; six were motivated by ethnicity, while one was based on gender.

Minors are involved in nearly half of the incidents, and the violence takes place in public areas.

Recommendations:

Improving the identification of bias motives in hate incidents.

Prevention and education to reduce violence, especially among young people.

THE SITUATION WITH GENDER BASE VIOLENCE AND DOMESTIC VIOLENCE IN NORTH MACEDONIA, MONTHLY REPORT - JANUARY 2025

In January 2025, the Helsinki Committee for Human Rights received a report concerning a decision by the Center for Social Work that led to a significant increase in the visitation frequency of a minor child with the non-custodial parent. Initially, the child had been placed with one parent for care and upbringing. However, the new ruling essentially established a model of alternating custody, where the child would spend one week living with one parent, followed by a week with the other parent.

This decision raises questions about whether the procedure adequately assessed how frequent changes in the environment will affect the stability and emotional development of the child. For very young children, stability and continuity in daily habits and relationships are crucial for healthy development. Therefore, such decisions must be based on a detailed assessment by experts who consider not only the parent's right to contact but also the child's need for security and predictability in daily life. Additionally, it is important to ensure that all relevant factors have been taken into account in the process, including the potential psychological and emotional consequences of frequent changes in the environment.

Decisions regarding parental care should result from an individualized analysis of each specific case, focusing primarily on what is best for the child rather than on an equal distribution of time between parents as a one-size-fits-all solution. The decision has been appealed to the Ministry of Social Policy, Demography and Youth.

During this period, a total of 15 cases of paralegal assistance related to domestic and gender-based violence, legal issues, and disrupted family relationships were recorded, provided by the paralegals of the Helsinki Committee for Human Rights in the seven regions of the country. Several women were victims of physical and psychological violence by their partners, leaving some without financial resources and support, and forcing them to seek legal and social assistance. In one instance, a victim of violence faced pressure from her ex-husband and his partner, who attempted to dissuade her from pursuing legal action. There were also situations in which women sought divorce due to violence or family pressures, as well as cases where one parent refused to consent to a minor child's travel.

THE SITUATION WITH GENDER BASE VIOLENCE AND DOMESTIC VIOLENCE IN NORTH MACEDONIA, MONTHLY REPORT - JANUARY 2025

CONCLUSIONS AND RECOMMENDATIONS

Conclusions:

Decisions regarding parental care must be based on a thorough professional assessment, which considers the child's stability and emotional development, rather than solely on the parents' right to maintain contact. Instances of domestic and gender-based violence highlight the need for improved legal and social support for victims, particularly regarding their financial independence and protection from threats and pressures.

Recommendations:

Social work centers should adopt an individualized approach when making decisions regarding parental care, based on expert assessments of the child's well-being and best interests.

Mechanisms for protecting victims of domestic violence must be enhanced, including improved access to free legal aid and support for economic empowerment.

SITUATION WITH CLOSED INSTITUTIONS IN NORTH MACEDONIA, MONTHLY REPORT - JANUARY 2025

General overview of activities:

In January 2025, the Helsinki Committee provided free legal assistance to convicted individuals in four cases.

- **Two cases: Conditional release with protective supervision.**
- **One case: Health protection due to inadequate provision of medical care in a penal institution.**
- **One case: Submitting a request to state authorities to create an environment that minimizes risks and supports the resocialization of convicted individuals.**

Brief overview of legal services provided

- **Held meetings with clients and their families regarding specific legal issues related to convicted individuals.**
- **Reviewed legislation and provided legal advice on conditional release with protective supervision.**
- **Submitted requests for free access to information to the appropriate institutions.**
- **Provided legal information and advice to clients.**
- **Provided legal advice for resocialization and for minimizing risk factors for convicted individuals.**

SITUATION WITH CLOSED INSTITUTIONS IN NORTH MACEDONIA, MONTHLY REPORT - JANUARY 2025

CONCLUSIONS AND RECOMMENDATIONS

Conclusions and recommendations

- **Encouraging the greater use of conditional release measures with protective supervision through improved collaboration between judicial authorities and the probation service.**
- **Ensuring an adequate number of medical personnel, access to quality health care, and availability of medications and therapy.**
- **Developing the process of resocializing convicted individuals, focusing on support and mitigating risk factors.**

FREE LEGAL AID, MONTHLY REPORT – JANUARY 2025 STATISTICAL DATA

FLA - Free legal aid	28	
SLA - Secondary legal aid	1	
Total	29	
	Number	Percentages
Gender		
Men	16	55
Women	13	45
Ethnicity		
Macedonians	23	79
Albanians	4	14
Roma	2	7
Turks	/	/
Serbs	/	/
Geographic regions		
Skopje Region	18	62.5
Vardar Region	/	/
Polog Region	2	7
Pelagonia Region	3	10
Southwest Region	2	7
Northeast Region	1	3.5
Eastern Region	3	10
Southeast Region	/	/

FREE LEGAL AID, MONTHLY REPORT – JANUARY 2025 STATISTICAL DATA

Legal areas	Number	Percentages
Property law	6	20.5
Social protection and insurance	2	7
Child protection	/	/
Pension and disability insurance	/	/
Health insurance and protection	1	3.5
Labor relations	4	14
Gender-based and domestic violence	5	17
Status issues	1	3.5
Protection of human rights	7	24
Others	3	10.5

CASE STUDY - STALLED PROCEDURES FOR APPROVING SECONDARY LEGAL AID

The Helsinki Committee for Human Rights has submitted two requests to the Ministry of Justice for approval of secondary legal aid concerning a property law issue for two applicants, a man and a woman from Skopje. The first request for approval of SLA was submitted in the first half of July 2024, while the second request was submitted in early January 2025. These two requests are still pending resolution, meaning there is no final decision on whether they have been approved or rejected. As a result, the applicants are without the intended judicial protection of their human rights, despite fully meeting the material and financial criteria for SLA approval according to the Law on Free Legal Aid.

Specifically, the delay in approving the SLA in the first case is due to significant human resource challenges faced by the Department for FLA at the Ministry of Justice. The situation in the City of Skopje is particularly concerning, given the lack of equipment in the regional departments and the fact that there is currently only one authorized official to handle the requests. This is exactly why the Helsinki Committee has contacted the Ministry of Justice for urgent action, given that over eight months have passed since the request for approval of secondary legal aid was submitted and more than three months have passed since the objection was filed following the adopted decision to reject the request.

CASE STUDY - STALLED PROCEDURES FOR APPROVING SECONDARY LEGAL AID

Regarding the second case, the delay in the approval process for the *SLA* arises from issues the Ministry of Justice is facing in obtaining documentation ex officio from the *Agency for Real Estate Cadastre*. Specifically, the *AREC* has not submitted data regarding the real estate of the applicants for an extended period. According to legal provisions, it is required to provide this data to the regional departments of the Ministry of Justice in a timely manner.

However, the agency has been requesting for a long time that applications be submitted electronically (via the "e-cat counter" application), but the Ministry of Justice has neither technically enabled this tool nor trained the employees in the regional departments to submit and receive documents electronically.

Throughout this period, applicants have been left at the mercy of the Department for Free Legal Aid at the Ministry of Justice, which has long been struggling with human and technical shortcomings. This issue has been repeatedly raised by associations and legal clinics during joint meetings of the National Coordination Body, yet no significant steps have been taken to address the ongoing problems within the free legal aid system.

CASE STUDY - STALLED PROCEDURES FOR APPROVING SECONDARY LEGAL AID

CONCLUSIONS AND RECOMMENDATIONS

Conclusion:

The prolonged failure to resolve the requests for approval of secondary legal aid (SLA) for the two applicants from Skopje points to systemic issues in the operation of the free legal aid mechanism.

Recommendations:

Increasing Human Resources - The Ministry of Justice should recruit more staff in the regional offices in Skopje to expedite the processing of requests for free legal aid.