

# ANNUAL BULLETIN

on hate crime

IN 2022

Crime motivated by intolerance, i.e. prejudice toward a certain group in society is described as hate crime. In order for this type of crime to exist, two key elements have to be fulfilled: the crime must be criminalized under criminal law and the criminal act must be motivated by a prejudice. The OSCE Mission to Skopje supports the Helsinki Committee for Human Rights in registering and mapping hate crimes. This annual bulletin provides an overview of all registered incidents during the year 2022.

## INCIDENTS

Total number of incidents in 2022

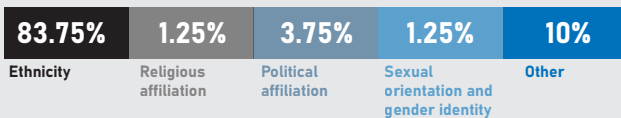
160

### TYPE OF INCIDENT



\*The total number of incidents does not necessarily coincide with the type of incidents and/or the percent regarding victims' characteristics, because several incidents may include various violations and may have happened on more than one ground.

### VICTIM'S CHARACTERISTICS



Total number of incidents in 2022: 160



## REACTIONS

4

Total number of reactions in 2022

### TYPE OF REACTION – CONDEMNATION



### FROM JANUARY 2022

26 : 134

Incidents with clear bias indicators

Potential incidents\*

\*Incidents with unclear bias indicators, but the Helsinki Committee was not able to confirm the bias motivation in those.

### INSTITUTIONAL RESPONSE

Found perpetrators .....	7
Criminal charges .....	11
Misdemeanor charges .....	0
Ongoing trials .....	2

### INCIDENTS' LOCATION

Skopje and its surrounding municipalities 118  
Tetovo 10  
Bitola 6  
Gostivar 5  
Ohrid 5  
Kumanovo 4  
Gevgelija 3  
Prilep 3  
Radovish 2  
Kocani 1  
Struga 1  
Shtip 1  
Strumica 1



### INCIDENTS

On 08.08.2022, in the center of Strumica, an LGBTI+ activist was physically attacked while holding a public event with several volunteers for the promotion of their organization. An older male started to verbally threaten and insult him, after which, he physically attacked him causing him bodily injuries. The volunteers left the place due to fear that they too will be assaulted. With a judgment based on confession, on 28 November 2022, the Basic Court in Strumica declared the defendant guilty of hate crime for the violence he committed against the victim earlier this year in Strumica. The Court concluded that by physically attacking and imposing bodily harm on the LGBTI activist in the city center biased by the victim's sexual orientation, the perpetrator committed the criminal offense "Bodily Injury" according to Article 130 para (3) of the Criminal Code in relation to the paragraphs (2) and (1) of the same Article.

On 28.09.2022, a 17-year-old boy from v. Aračinovo reported that he had been physically assaulted by another underage boy on a bus in Singelić, who tried to attack him with a sharp object.

On 13.11.2022, police officers from the Intervention Police Unit at SIA Skopje arrested L.B. (18), B.M. (19), V.H. (19), and two other minors, because they physically assaulted four other minors in the bus no.57 at a bus stop in Chair.

# CONCLUSIONS

- The number of registered potential hate crimes and hate-motivated incidents in 2022 increased by 34% compared to 2020, and 49% compared to 2021;
- Incidents occurring on grounds of ethnicity are yet the most represented with 83,75 % of the overall number of registered incidents;
- Young people are still the most involved in hate-motivated incidents, both as perpetrators and victims, representing 46% of the overall number of registered incidents;
- Besides the fact that some steps towards increasing the protection of the rights of the LGBTI community are taken, they are still at more risk of hate-motivated harm, particularly during and after the annual Pride parade. However, a shift in society is noticeable, considering that LGBTI people are largely encouraged to contact civil society organizations that offer free legal aid and to ask for protection from the relevant institutions. The court decision to sentence a perpetrator for hate crime on the grounds of sexual orientation is a significant starting point for change;
- Bias-motivated crimes are still not properly registered or investigated by the police and prosecutor's offices; The competent authorities do not have an adequate database on the registered and investigated bias-motivated crimes. Although, the Ministry of Interior complies and publishes some statistical data in its annual reports, it seems that no clear distinction is made between hate speech and hate crime. In addition, there is lack of information regarding the actions taken after submitting the criminal charges by the Ministry of the Interior to the Public Prosecutor's Office.
- Very few efforts have been made to introduce preventive measures, including education about human rights and raising public awareness, especially among high school students and young people, bearing in mind that the majority of victims and a significant number of perpetrators are juveniles or young adult people;
- Instead of being communicated by the police to the prosecution and later to the courts, the bias motive, as a key element in hate crime cases, is often "lost" throughout the process;
- Given the fact that the phenomenon of hate crime is not treated as a distinct issue, the state lacks comprehensive protection and support services for victims. However, a significant improvement was made with the adoption of the new Law on the Payment of Monetary Compensation to Victims of Violent Crimes, in November 2022.

## RECOMMENDATIONS

- Ensure prompt and effective investigation and prosecution of hate crimes by ensuring that bias motives are taken into consideration throughout criminal proceedings;
- Take appropriate measures to facilitate the reporting of hate crimes by victims, including measures to build trust in the police and other state institutions;
- Collect and publish comprehensive and comparable data on hate crimes, as far as possible including the number of such incidents reported by the public and registered by law enforcement authorities; the number of convictions; the bias motives behind these crimes; and the sentences handed down;
- Establish and maintain cooperation between public authorities and civil society organizations on various aspects of hate crime work, such as training, victim support, and increasing reporting;
- This cooperation should be based on exchanging data and information; working together to uncover the dark figure of hate crime; cooperating on the development of instructions, guidance, or training on recording HC, including exchanging expertise to develop, refine and revise bias indicators;
- Ensure that victims of hate crime are supported and protected;
- Improve communication and coordination across public authorities and institutions on hate crime issues;
- Carry out national crime surveys that include measures on hate crime as a key source of information about the prevalence of hate crime in the country;
- Promote training for relevant practitioners coming into contact with victims of hate crime, thereby enabling them to efficiently assist these victims; and
- Enhance preventative measures, inter alia by reflecting remembrance in human rights education, history curricula, and relevant training, taking steps to educate the public especially minors and young people on the values of cultural diversity and inclusion, and aiming for all sectors of society to have a role in combating such intolerance.