



European network of legal experts in gender equality and non-discrimination

NEWS REPORT

Country:	Former Yugoslav Republic of Macedonia
Title:	Annual Report of CSOs Network highlights inefficiency of the national equality body
Date:	11 June 2015
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<u>Context</u>	
Issue at stake:	Annual report of the CSO network against discrimination
Ground of discrimination:	All grounds
Source:	CSO annual report
Field:	All Fields
Applicable law:	n/a

Content

Policy development: The Network against Discrimination, a network comprised of six CSOs working on equality and non-discrimination issues, published the 2014 annual report which provides an overview of their activities in 2014. They report that they have submitted 7 cases to the Commission for Protection against Discrimination (CPAD), 4 cases to the Ombudsperson, as well as other cases, reactions, requests etc. to other institutions. Out of these cases, the CPAD resolved 4 out of the 7 cases submitted to it, not finding discrimination in any of them, and the Ombudsperson resolved all 4 cases submitted to it. Three of these were discrimination cases, and the Ombudsperson found discrimination in all three. The fourth case is a case brought against the CPAD.

Namely, following silence from CPAD on 10 cases submitted to it in the period 2011-2013, which is in clear violation of its obligation to respond within 90 days, the Network against Discrimination filed a case to the Ombudsperson against the CPAD. Once instructed by the Ombudsperson (with a notice in which it points out to the CPAD that it is not acting in accordance with the law), the CPAD sent the Opinions on all these cases to the Network. The Network notes in its annual report that it is visible from the dates stated on the Opinions that some of them have been prepared for quite some time before being sent to the Network, which the Network points out as a sign of weak administrative capacity and negligence on part of the CPAD. They also note that due to tendency for not respecting the legal deadline of 90 days to respond to a filed case, the Network has decided to address its cases to other institutions rather than the CPAD, if they are in a position to choose. They also note that in their whole practice until today the Ombudsperson, although with a more limited mandate, seems to be a more efficient institution in resolving the cases when compared to the CPAD.

Key points of analysis: The key network of CSOs in the country – Network against Discrimination, reports on its work in 2014, including on bringing a case to the Ombudsperson against the equality body – Commission for Protection against Discrimination - for overstepping the legal deadline (90 days) for responding upon a filed

case. Upon instruction from the Ombudsperson, CPAD delivered the opinions on 10 cases submitted in period 2011-2013. They note that due to lack of efficient protection they plan to avoid submitting cases to the CPAD in the future, if they are in a position to choose otherwise.

Internet link source: [MK] Network against Discrimination Annual Report 2014. Website of the Macedonian Helsinki Committee.

http://www.mhc.org.mk/system/uploads/redactor_assets/documents/928/2014.pdf.

Last accessed: 29.05.2015.