



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

FLASH REPORT

Country:	Republic of North Macedonia
Title:	The equality body CPAD and the Ombudsperson with higher reporting rates in 2018
Date:	3 June 2019
Expert:	Biljana Kotevska
Update of flash report:	FYR Macedonia - No changes in reporting to the equality body CPAD and to the Ombudsperson (PDF 148 kB)
<u>Context</u>	
Issue at stake:	Annual reports by the two national human rights institutions with an equality and non-discrimination mandate
Grounds of discrimination:	All grounds
Field of application:	All fields
Source:	National equality body

Content

Policy development: The two national Human Rights institutes with competences on equality and protection against discrimination - the Commission for Protection against Discrimination (CPAD) and the Ombudsperson - published¹ their annual reports for 2018. This flash report focuses on the reporting rates, and the number of cases per ground and area. Overall, compared to 2017, both institutions report a rise in the number of cases received. Neither of the institutions discusses possible reasons behind the rise in reporting.

In 2018, the CPAD reports receiving 132 cases, which is a significant increase from 2017 when it received 59 cases. The reporting in 2018 per discrimination ground has been as follows: 'personal or other social status 25%; political affiliation 21.97%; health status 9.09%; sex 9.09%; belonging to a marginalized group 8.33%; ethnicity 7.58%; age 6.06%; "mental" or physical disability 3.79%; gender 3.03%; family or marital status 3.03%; religion or religious belief 2.27%; sexual orientation 2.27%, etc.'. ² The reported distribution per field is as follows: 49.24% % in employment and labour relations; 19.70% in access to goods and services; 8.33% in judiciary and administration; 6.82% in education, science and sport; 3.79% in social security; 2.27% in public information and the media; 0.76% in housing; 3.79% no field stated and 6.82% in other fields established under the law. ³

¹ The reports were submitted to the Parliament, pursuant to both NHRIs reporting obligations. The Ombudsperson also published the report on its website and held a press conference for the occasion. The CPAD's report can only be found on the Parliament's website. It is not up on the equality body's own website. The website is now back online, after being down for most of 2018, however with little functionality to it.

² The CPAD reported the distribution of cases by discrimination ground in percentages and did not provide a full list (the sentence ends with 'etc'), as can be seen from this quote.

³ Commission for Protection against Discrimination (2019), *Annual Report for 2018* [Годишен извештај за 2018 година], <https://www.sobranie.mk/materialdetails.nspx?materialId=a554ee4c-74e0-44a2-a5bb-04b4e411c353>.

In 2018, the Ombudsperson received 77 cases regarding non-discrimination and equitable representation, which represents 2.23% of the total number of cases filed (3 458 cases, which is an increase from 2017, when the number of cases was 3 224). This is the highest percentage of cases in this category since the Ombudsperson started to report them separately (that is, higher than the 70 cases or 2.17% reported in 2017, the 69 cases or 1.83% reported in 2016, or the 53 cases or 1.2% reported in 2015). Under the separate category of cases of 'persons and children with disabilities', the Ombudsperson also reports having received a higher number of cases compared to 2017 – 21 cases or 0.61% (compared to 5 cases or 0.16% in 2017, and 15 cases or 0.4% in 2016). As was the case in the previous year, the Ombudsperson did not publish detailed statistics on the grounds and fields in which the cases were filed. However, it noted a continuing trend from previous years in that employment remained the dominant field. It also reports that political affiliation is the dominant discrimination ground, followed by ethnic affiliation. Harassment reporting remained high.

Key points of analysis: As an overarching issue for both institutions, which was the case in the previous years as well, the reporting is seen by both institutions more as a formal obligation than as an opportunity to spread information and awareness about their own work. The reports continue to lack the provision of sufficient data for analysing the situation regarding discrimination in the state, beyond reporting of discrimination cases.

Internet link sources:

Ombudsperson (*Народен правобранител*) 2018 Annual Report. Official Website of the Ombudsperson. <http://ombudsman.mk/upload/Godisni%20izvestai/GI-2017/GI-2018.pdf>.

Commission for Protection Against Discrimination (*Комисија за заштита од дискриминација*) 2018 Annual Report. Official Website of the Parliament. <https://www.sobranie.mk/materialdetails.nsp?materialId=a554ee4c-74e0-44a2-a5bb-04b4e411c353>.