



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

FLASH REPORT

Country:	Republic of North Macedonia
Title:	Country left without an equality body in operation
Date:	13 September 2019
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Update of flash report:	Republic of North Macedonia - Adoption of new ADL (PDF 93 kB)
<u>Context</u>	
Issue at stake:	Transitional provisions between old and new law left the country without an equality body in operation
Grounds of discrimination:	All grounds
Field of application:	All fields
Source:	National legislation
Applicable law:	Law on Prevention and Protection against Discrimination (2010) and Law on Prevention and Protection against Discrimination (2019)

Content

Law development: According to the transitional provisions of the Law on Prevention and Protection against Discrimination adopted in May 2019 (new ADL), the existing equality body – the Commission for Protection against Discrimination – stops operating with the appointment of the members of the new Commission for Prevention and Protection against Discrimination and at the latest three months after the entry into force of the new ADL (Article 48(1)).

The new ADL entered into force on 22 May 2019. A vacancy announcement for the members of the new body was published on 11 June.¹ However, due to low interest, the Assembly was planning to re-advertise the vacancy. During the summer holidays, this did not happen and therefor no new members have been appointed. However, on 23 August, when three months had passed since the entry into force, the old CPAD stopped operating. This effectively means that the country is now without an operating equality body.

Key points of analysis: In view of the fact that the previous CPAD did not have administrative staff (and operated with the assistance of volunteers) it is highly probable that there will be no one to receive discrimination cases in the meantime. It also means that the transition from one body to the next will be additionally burdensome, since there will be effectively no one from the old body to introduce the members of the new body into the work and to complete the transfer.

¹ Parliament of the Republic of North Macedonia, Decision for publishing a vacancy add for appointment of members of the Commission for Prevention and Protection against Discrimination (11.06.2019), <https://www.sobranie.mk/content/Javen%20oglas-diskriminacija%2019/Odluka-Komisija%20za%20precuvanje%20i%20zashtita%20od%20diskriminacija.pdf>.