

Frnet National contribution to the Fundamental Rights Report 2023

North Macedonia

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Policy and legal highlights 2022

Franet country study: policy and legal highlights 2022	
Issues in the fundamental rights institutional landscape	Resignation of the president of the equality body: The president of the equality body resigned , leaving the seven-seat body with five members only, as one position has been vacant for more than a year already.
EU Charter of Fundamental Rights	No developments in 2022.
Equality and non-discrimination	Legal gender recognition procedure: Proposed legislative amendments to the national Law on Matricular Registration Records failed . Policy framework: National Strategy on Equality and Non-discrimination 2022-2026 adopted , but without incorporating the previously announced National Action Plan on the Rights of LGBTI Persons.
Racism, xenophobia & Roma Equality and Inclusion	New strategic documents adopted: National Strategy on Equality and Non-discrimination 2022-2026 , Roma Inclusion Strategy 2022-2030 , and National Action Plan for the Protection, Promotion and Fulfilment of the Human Rights of Roma Women and Girls 2022-2024 adopted.
Asylum & migration	Agreement on cooperation in border management with the EU signed: In October 2022, the European Union and North Macedonia signed an agreement on operational cooperation in border management with the European Border and Coast Guard Agency (Frontex). No temporary protection of Ukrainian refugees: Refugees from Ukraine are not entitled to international protection in North Macedonia and face difficulties in accessing social services and the labor market.
Data protection and digital society	No significant developments.
Rights of the child	New strategic documents adopted: The National Strategy for prevention and justice for children for the period September 2022 - June 2027 was adopted.
Access to justice, including victims of crime	New and improved legal framework on victims compensation: The Law on Payment of Monetary Compensation to Victims of Crime by Violence was adopted.
Convention on the Rights of Persons with Disability	Long term strategic planning on disability launched: The government launched a process for the preparation of a seven year National Disability Strategy 2023-2030 .

1 Equality and non-discrimination

1.1 Legal and policy developments or measures relevant to fostering equality and combating discrimination focussing on LGBTIQ people and combating discrimination on the grounds of socio-economic status, health status and physical appearance

There have been three main developments in 2022 regarding combating discrimination focusing on LGBTIQ people and on the grounds of socio-economic status, health status and physical appearance. One is a legislative development, one is a policy development, and one is an institutional development.

The key legislative development in 2022 of relevance for combating discrimination focusing on LGBTIQ people and on the grounds of socio-economic status, health status and physical appearance was the failed legislative proposal amendments to the national Law on Matricular Registration Records (Legal Gender Recognition Amendments, LGRA). Had it been accepted it would have provided a process for legal gender recognition,¹ as required by the European Court of Human Rights judgment in the case of X vs. North Macedonia (Application no. 29683/16, 17.01.2019). As reported in the 2022 Fundamental Rights Report on North Macedonia, the amendments proposed by the Ministry of Justice to the Parliament in April 2021 provided a process for legal gender recognition which will require two main things: for the person not to be married, and for the person to give a statement certified in front of a competent notary that they are not requesting the change in order to avoid a judicial process or serving a sentence. However, the adoption was continuously delayed under a number of pretexts, including the local elections.² After the new government came to power in the beginning of 2022, they withdrew the LGRA from Parliament. The official explanation provided by high government officials to the media was that the proposal needs to be reworked due to new legal practice, yet there was no such new legal practice. The response from the Ministry of Justice provided to the media stated that the law was withdrawn so that it can be aligned with other laws that were adopted in the meantime and

¹ Assembly of the Republic of North Macedonia (Собрание на Република Северна Македонија), [Draft law for amendments and additions to the Law on Matricular Registration Records](#) (Предлог на закон за изменување и дополнување на Законот за матичната евиденција), *Official website of the Assembly of the Republic of North Macedonia*

² [Speech to the Parliamentary Assembly of the Council of Europe by Nikola Dimitrov, Deputy Prime Minister for European Affairs](#), 30 September 2021, Official Website of the Council of Europe.

which have to do with digitalisation and interoperability of the matricular system.³ The proposal was, in fact, withdrawn due to the spread of fake news as to what exactly the proposal will entail. The most commonly heard arguments against the LGRA were that the amendments would be used by criminals to avoid criminal punishment⁴ or that they are a backdoor for introducing same-sex marriages.⁵ Such arguments were heard even from MPs who had access to the text of the proposed amendments which clearly state that only unmarried people can request legal gender recognition and that they need to file a notary statement that they are not undergoing the legal gender recognition process in order to avoid the judicial process or serving a prison sentence, as was repeatedly stated and clarified by civil society organisations (CSOs), including the National Network against Homophobia and Transphobia which published a reaction and held a protest in front of the Parliament.⁶ The spread of fake news can be attributed to the actions of entities that are linked to the anti-gender movement which has been on the rise in North Macedonia.⁷

The policy development regarding the above grounds, was the adoption of the National Strategy on Equality and Non-discrimination 2022-2026 (NES). The strategy applies to all discrimination grounds protected under the Law on Prevention and Protection against Discrimination (ADL), thus also to sexual orientation, gender identity, gender, sex, health status, social status, economic status, property status, personal or other societal status, and belonging to a marginalised group. This strategy follows the National Strategy on Equality and Non-discrimination 2016-2020. The vision of the strategy is the "realisation of human rights and establishing of the equal opportunities and non-discrimination for all citizens of the Republic of North Macedonia in all areas of social life, including

³ 360 Stepeni, [The Government Withdrew the Legislative Amendments for Sex Change in Order to Align Them with Other Provisions](#) (Владата ги повлече законските измени за промена на пол за да ги доусогласи со други одредби), 22nd March 2022

⁴ TV21, [Sex Change in Front of the MPs – Mitrovski: With Such Proposal, There Will be Misuses](#) (Промената на полот пред пратениците – Митровски: Со вака предложен закон, ќе има злоупотреби),

⁵ Expres.mk, [Rexhepi: Sex Change with a Notary Statement is Just a Backdoor for Same-sex Marriages](#) (Реџеџи: Промена на полот само со изјава на нотар е параван за истополови бракови), 21st March 2022

⁶ Macedonian Helsinki Committee, [Our Supporters in the Parliament Were Silence in Front of Their Colleagues -Reaction of the National Network against Homophobia and Transphobia After the Withdrawl of the Law on Matricular Records](#) (Нашите поддржувачи во собранието замолкнаа пред своите колеги – Реакција на Националната мрежа против хомофобија и трансфобија по повлекувањето на Законот за матична евиденција)

⁷ On the rise of the anti-gender movement in North Macedonia, see: '[Legal environment and space of civil society organisations in supporting fundamental rights and the rule of law - North Macedonia](#) January 2022'.

the principle of intersectionality and the gender-transformative approach”⁸. The mission of the strategy is “effective prevention and protection against discrimination through respecting the principle of equality and the protection against discrimination of all persons or groups of persons, on the basis of their personal characteristic, and in particular the socially vulnerable girls (ethnic communities, women and girls, LGBTI persons, persons with disabilities, old persons, children, refugees, persons with a lower social status, internally displaced persons, and other vulnerable groups, members of the religious communities and every person that has been treated differently without a justification and a legitimate aim).”⁹

The general strategic aim of the NES is, “effective implementation of activities on the prevention and protection against discrimination aimed at raising the degree of realisation of human rights, equality and non-discrimination”. The NES has the following general strategic aims: (1) Advancing the legal framework on equality and non-discrimination; (2) Strengthening capacities, advancement of the work and coordination of the institutional mechanisms on prevention and protection against discrimination and promotion of equal opportunities; and (3) Raising awareness for recognising the different forms of discrimination and promoting the concept of non-discrimination and equal opportunities. The next step in the implementation of the NES is the drafting of an action plan. Although initially announced that The much awaited National Action Plan on the Rights of LGBTI persons initially planned to be a stand-alone action plan, will be annexed to the NES.¹⁰ Latest information from the Ministry of Labour and Social Policy indicate that the Ministry will add a strategic aim for LGBTI persons and incorporate the abovementioned NAP in the NES.¹¹ This move will be quite unfortunate since it will decrease the visibility of LGBTI persons and the importance that was to be attached to this plan with the point being that it would have been the first such special policy adopted by North Macedonia.

The NES foresees the establishment of a National Coordinative Body as a means by which the implementation of the NES, which is to be coordinated by the Ministry of Labour and Social Policy, can be enacted. However, the NES does not state anything more specific as to its composition, such as how the members will be selected, when/how often it should meet, and so on. The funding of the NES activities is vaguely formulated, and includes only a reference to the state budget and international donors. The decision for establishing the body was adopted in

⁸ North Macedonia, Ministry of Labour and Social Policy (Министерство за труд и социјална политика) [National Strategy on Equality and Non-discrimination 2022-2026](#) (Национална стратегија за еднаквост и недискриминација 2022-2026), p.22, Official website of the Ministry of labour and social policy

⁹ North Macedonia, Ministry of Labour and Social Policy (Министерство за труд и социјална политика) [National Strategy on Equality and Non-discrimination 2022-2026](#) (Национална стратегија за еднаквост и недискриминација 2022-2026), p.22, Official website of the Ministry of labour and social policy

¹⁰ On the NAP on LGBTIQ persons, see the 2022 Fundamental Rights Report on North Macedonia.

¹¹ Information shared by the MoLSP at the bilateral screening with the EU in December 2022.

October 2022,¹² but by the time of writing of this report, the body had not held a founding session.

The third development is the institutional one. Namely, on 02 November 2022 the president of the Commission for Prevention and Protection against Discrimination (CPPD) resigned due to personal reasons.¹³ In the resignation letter, the former president underlined the difficult position in which the CPPD is in, and the lack of human resources which lead to burnout of the commissioners and the employees.¹⁴ This resignation left the seven-seat body with five members only, as one seat was emptied already in February 2021. The Parliament organised a hearing in July 2021 for filling the empty spot, but it never elected the seventh member. The impact of these empty seats should not be taken lightly, as the CPPD has been facing an increasing number of cases. The lack of diligence electing a replacement member in 2021 leaves little hope that any of the now empty two seats will be promptly filled. While the law makes it clear that the next move should be the publishing of a vacancy add to fill out the emptied seats, there is no clearly stated deadline for doing so.¹⁵ The Government adopted the 2023 budget, and once again awarded the CPPD less funds than the equality body requested. Namely, the CPPD requested MKD 45 000 000 (about EUR 73 000), but it was provided with about half of that – MKD 21 626 000 (about EUR 35 000).¹⁶ This seriously hinders the independence of the body and disables it to exercise its wide list of competences.

In addition to the above, it is important to mention that the implementation of the relevant general equality and non-discrimination legislation – Law on Prevention and Protection against Discrimination (ADL), which entered into force in October 2020, continued. The ADL protects against the following areas of discrimination, of relevance for this report: sexual orientation, gender identity, gender, sex, health status, social status, economic status, property status, personal or other societal status, and belonging to a marginalised group.¹⁷

1.2 Findings and methodology of research, studies, or surveys on experiences of discrimination against

¹² Information shared by a MoLSP representative during a conference organised by a CSO (15.12.2022).

¹³ Commission for Prevention and protection against discrimination, "[CPPD with new president](#) (КЦЗД со нов претседател)", *Official website of the Commission for Prevention and protection against discrimination*.

¹⁴ The letter also mentioned 'disturbed inter-personal relationships inside the CPPD' but did not provide further detail. Source: Assembly of the Republic of North Macedonia (Собрание на Република Северна Македонија), [Mandate termination for Kire Vasilev as member of the Commission on Prevention and Protection against Discrimination](#) (Констатација за престанок на мандат на Кире Василев од функцијата член на Комисијата за спречување и заштита од дискриминација) (01.11.2022), *Official Website of the Assembly*

¹⁵ Article 20 (4) of the [Law on Prevention and Protection against Discrimination](#) (Закон за спречување и заштита од дискриминација), Official Gazette of the Republic of North Macedonia No. 258/2020.

¹⁶ North Macedonia, Ministry of Finance (Министерство за финансии), [Proposal for a Budget of Republic of North Macedonia for 2023](#) (Предлог Буџет на Република Северна Македонија за 2023 година). At the time of writing of this report, a final discussion on the budget was to take place in the Parliament. Any amendments that might be adopted during that discussion are not reflected in this text.

¹⁷ Article 3 of the Law on Prevention and Protection against Discrimination (Закон за спречување и заштита од дискриминација), Official Gazette of the Republic of North Macedonia No. 258/2020

LGBTIQ people and on the grounds of socio-economic status, health status and physical appearance

The public survey 'Experiences with Prejudice, Social distance and Equality in North Macedonia' was published in September 2022.¹⁸ The survey was conducted by phone on a representative sample of 1000 respondents in the period 24 June until 5 July 2022, and a margin of error +/- 3%. The data is published as a summary report. The original dataset has not been published.

The survey focused on four topics. The first topic is experience with stereotypes and prejudice. 53.5% of respondents expressed 'negative feelings' towards LGB persons, and 46.3% towards trans persons. Negative feelings towards immigrants and asylum seekers were expressed by 21.6% and 17.5% respectively. The least negative feelings were expressed towards persons with disabilities and towards Christians – below 3% for both, followed by women, elderly persons and persons with mental disability – below 4%. Please note that the term used in the survey is not 'persons with mental disability' but 'disturbed mental condition'. While having separated data is welcome, the report does not state why mental disability is considered separately from the other forms of disability. The reference to disability in the report is 'persons with special needs'.

Asked who is perceived as being capable and friendly, LGB persons (capable 35.6%, friendly 36.2%), Roma (capable 32.7%, friendly 29.3%), and persons with disabilities (capable 26.8%, friendly 18.2%). Asked who receives special treatment in society, Albanians were perceived to receive special treatment by 53.5% of the respondents, whereas the same was said about LGB persons by only 18.1%, whereas the most disagreement with the 'receive a special treatment' statement were expressed by respondents in relation to Roma (53%), followed by persons with disabilities (50.7%) and LBT persons (48.6%). Respondents reported that they felt most prejudice towards their gender (20.3 %), ethnicity (16 %), political affiliation 14.6%) and age (14.6%), followed by religion (9.9%), disability (7.9%), and sexual orientation (4.8%).

The second topic was social distance. The respondents have a positive attitude and even preference for befriending and maintaining friendships across ethnic and religious lines but are not open to close relatives entering into marriage with someone from a different ethnicity or religion. This is particularly pronounced among Albanians – 85% of Albanians consider it better to enter into marriage with a person from their religion, whereas this is the case with 63.4 % of Macedonians and 16% of Roma. In this sense, Macedonians feel most distant from Roma (32.2%), whereas Albanians towards Roma and Serbs (6.9%) and Macedonians (15%) and Turks (34.6%) (the lower the percentage the higher the distance). Respondents would feel most uncomfortable if their boss was lesbian or gay (41.3%), compared to persons with disabilities (10.9%), or a woman (4.8%).

The third topic was basic values. 74.6% of respondents chose equality, 74.5% justice and protecting the weaker, 70.6% national security, 68.6 % understanding

¹⁸ Aleksandra Savovska and Fanija Ivanovska, [Experiences with Prejudice, Social distance and Equality in North Macedonia](#) (Ставови и искуство со предрасуди, социјална дистанца и еднаквост во Северна Македонија), Macedonian centre for international cooperation, 2022.

diversity, 66% observance of rules, and 64.1% tradition. Equality was mostly chosen by Roma (96%), followed by Macedonians (78.3%) and Albanians (62.2%), whereas understanding diversity by Roma (96%), Macedonians (71.8%), and Albanians (56.1%). Asked if there should be equality for all groups, 56.4% responded with 'fully agree', and 17.2% with 'somewhat agree'.

The fourth and final topic focused on motivation for control of prejudice. Disapproval by the 'surroundings' has discouraged 66.8% of the respondents from acting on their prejudice, whereas attaching personal value to prejudice-free treatment stopped 75.6% of the respondents. The report interprets this to mean that personal reasons trump external reasons, and that social interactions are dictated by certain 'check and balance' mechanisms such as 'political correctness' which the report finds to be a strong stopper for expressing prejudice, albeit without stating what political correctness actually is.¹⁹

Another research published in 2022 looked at the everyday life, emotional life, and relationships of, among other things, LGB persons, taking particular interest in the impact which discrimination has had in shaping their experiences. The data collection for this qualitative research endeavour was conducted between July and September 2021. The data was collected via semi-structured interviews with 20 persons coming from three groups: LGB persons, Roma, and workers in textile factories. The research found that LGB persons have experienced oppression in many forms, including psychological oppression (stereotyping, stigmatisation, dehumanising and degrading treatment, verbal violence), physical oppression (physical violence, hate crime). The research also found that LGB persons have also been "excluded, mocked and humiliated on the grounds of their social status (i.e. class discrimination), thus suffering intersectional oppression". The study found that LGB persons have suffered rejection from institutions and from their families, and they often find support from friends, and CSO support services, but have the least trust in courts.²⁰

¹⁹ Aleksandra Savovska and Fanija Ivanovska, [Experiences with Prejudice, Social distance and Equality in North Macedonia](#) (Ставови и искуство со предрасуди, социјална дистанца и еднаквост во Северна Македонија), Macedonian center for international cooperation, 2022.

²⁰ Ana Blazheva and Slavco Dimitrov, Every day and Emotional Life of Injustice: Discrimination, Health, and Relations (Секојдневниот и емоционалниот живот на неправдата: Дискриминација, здравје и релации), *Network against Discrimination*, 2021

2 Racism, xenophobia and related intolerance

2.1 Data, research findings, studies, or surveys on experiences of ethnic discrimination, racism and hate crime

A study on hate crime and hate speech was commissioned by the Council of Europe Horizontal Facility II project with the aim to 'analyse the current situation regarding hate speech and hate crime in the country; review current efforts to collate and analyse data on hate speech and hate crime; and make recommendations on how to improve data collection.'²¹ The publication is focused on the hate speech and hate crime data collection regulation and practices. The analysis mostly focuses on hate speech, not hate crime. The reason for this, as provided in the report, is 'because the OSCE Mission to Skopje has established expertise in this area and has a developed workplan involving a series of workshops with national partners using ODIHR's INFAHCT methodology' (page 6). However, it is not clear how or why this reason is relevant or connected to this research.

The methodology consisted of an open-ended questionnaire with key stakeholders, an open-ended interview with key stakeholders, and desk research. The following stakeholders were asked to fill out a questionnaire: police authorities (responded to the questionnaire), Public Prosecutor's Office (did not respond), Commission for Prevention and Protection Against Discrimination (did not respond), Courts (one court responded), The Network For Protection Against Discrimination (responded), Helsinki Committee For Human Rights (responded) and 'representatives from the media' (did not respond). The report does not state who falls under 'representatives from the media'. Further, the report states that interviews were held with the OSCE Mission to Skopje, the Helsinki Committee for Human Rights, and the Network For Protection Against Discrimination, and that the Ministry of the Interior and the Public Prosecutor's Office were not available for an interview. The report does not mention inviting or interviewing judges. It is not clear how the decision was made as to who to approach with a questionnaire and who with an interview, especially since, according to the report, both the questionnaire and the interviews seem to have been used with the exact same aim which in the report is stated to have been 'insight into the relevant legislative that regulate hate crime and hate speech, in the competence of the institutions for collecting, systematizing and presenting the data as well as in the flow of this data from the moment of reporting the potential criminal act to the police authorities to its final court resolution'.²²

The report found that: 'the national framework for recording and monitoring hate crimes is underdeveloped. In terms of hate speech, both the legal framework and data collection system are underdeveloped. ... Several important steps have been taken, for example, the Ministry of the Interior introduced a direct reporting

²¹ Bojana Netkova and Joanna Perry, 2022 [Data collection analysis on hate speech and hate crime](#), Council of Europe office in Skopje, p. 5.

²² Bojana Netkova and Joanna Perry, 2022 [Data collection analysis on hate speech and hate crime](#), Council of Europe office in Skopje

mechanism, 'Red Button', however, official data remains patchy, and a recent hate crime victimisation survey suggests that most incidents of hate crime are not reaching the attention of law enforcement or not being effectively recorded.²³

A public survey 'Experiences with Prejudice, Social distance and Equality in North Macedonia', published in September 2022, finds that prejudice on grounds of ethnicity are the second most experienced ones (16% of respondents having experienced such prejudice), topped only by gender (with 20%), and followed by political affiliation (14.6%) and age (14.6%), followed by religion (9.9%), disability (7.9%), and sexual orientation (4.8%).²⁴ For more about this survey, please see section 1.2 of this report.

The 2021 Human Rights Report published by the Macedonian Helsinki Committee in June 2022 provides information on the situation with regard to hate speech and hate crime in 2021. This report provides the data collected from reporting on the website www.govornaomraza.mk where persons can report hate speech, including hate speech on social media. Hate speech on the grounds of ethnicity was the most prevalent, with 34% of the cases, followed by sexual orientation and gender identity with 33% of the cases, and a fifth of the cases on the grounds of political affiliation. The report links the spikes in hate speech on social media to major social and political developments at a national level, for example the 2021 proposal by one political party for including ethnic affiliation as mandatory data in ID cards (hate speech on grounds of ethnicity) or Pride month and the Pride parade (hate speech on grounds of sexual orientation and gender identity). As opposed to hate speech, in 2021 there was a drop in hate crimes by 20% compared to 2020. Hate crime on the grounds of ethnicity was the second most prevalent form (36.25% of all cases) and was topped by hate crimes on the grounds of political affiliation (47.5%). The political affiliation hate crime was linked to the election cycles, with all cases occurring in October 2021 when local elections took place. The manifestation of hate crime is usually in the form of destruction of property (46.25%), causing hatred or intolerance (21.25%), violence (16.25%), endangering safety (12.5%), robbery (6.25%), and 5% of cases involve bodily harm, serious threats, or destruction of symbols.²⁵

²³ Bojana Netkova and Joanna Perry, 2022 Data collection analysis on hate speech and hate crime, Council of Europe office in Skopje,

²⁴ Aleksandra Savovska and Fanija Ivanovska, [Experiences with Prejudice, Social distance and Equality in North Macedonia](#) (Ставови и искуство со предрасуди, социјална дистанца и еднаквост во Северна Македонија), Macedonian center for international cooperation, 2022.

²⁵ Macedonian Helsinki Committee, [Annual report for 2021](#) (Годишен извештај за 2021 година). *Official website of the Macedonian Helsinki Committee, 2022, p.43-50.*

2.2 Legal and policy developments or measures relating to the application of the Framework Decision on Racism and Xenophobia and the Racial Equality Directive

Developments related to the application of the Framework Decision on Racism and Xenophobia, with a focus on hate speech and hate crime, have largely been focusing on the Roma. These are described in the next chapter. (For more details, see Chapter 3).

Another policy development of relevance was mentioned under 1.1. – the adoption of the National Strategy on Equality and Non-discrimination 2022-2026 (NES). As mentioned above, this strategy applies to all discrimination grounds protected under the Law on Prevention and Protection against Discrimination (ADL), thus also to race and colour of skin, as well as other grounds that can serve as proxy for race and are of relevance for Racism and Xenophobia, namely ethnicity, religion, personal or other societal status, citizenship, and belonging to a marginalised group.²⁶ This means that all activities undertaken in the strategy pertain also to these grounds.

There are several activities formulated specifically for ethnicity. These are: monitoring of the implementation of the principle of just and equitable representation of Roma and all other minority ethnic groups in employment (note: such monitoring has been conducted by the Ombudsperson since 2009); sensitising education staff in primary and high school on discrimination, especially in multi-ethnic communities; trainings for pupils for recognising discrimination especially in multi-ethnic communities; undertaking preventive measures regarding hate speech on, inter alia, grounds of ethnicity; organising a participative forum with members of the ethnicity communities (note: such forums have been organised for many years now), raise awareness among the (ethnic) communities on the possibilities for choosing to study mother tongue in schools; organise cultural manifestations for the ethnic communities (note: such manifestations have been organised for many years now); raise public awareness for recognising discrimination of asylum seekers; strengthen competences of public officials for border controls and implementing the principle of non-discrimination and prevention of racial profiling.

The NES is an additional strategy at the national level which pertains to ethnicity. In addition to the NES, there are also the Strategy "One Society for All",²⁷ the Strategy for Inclusion of Roma 2022-2030,²⁸ and the National Action Plan on the Protection, Promotion and Fulfilment of the Human Rights of Roma Women and

²⁶ North Macedonia, Ministry of Labour and Social Policy (Министерство за труд и социјална политика) [National Strategy on Equality and Non-discrimination 2022-2026](#) (Национална стратегија за еднаквост и недискриминација 2022-2026), *Official website of the Ministry of labour and social policy*

²⁷ North Macedonia, Government (Влада на Република Северна Македонија), [Strategy for Development of the 'One Society For All' Concept and Interculturalism 2019-2022](#), *Official Website of the Government*

²⁸ North Macedonia, Ministry of Labour and Social Policy (Министерство за труд и социјална политика), [Strategy for Inclusion of Roma 2022-2030](#), *Official Website of the Ministry of Labour and Social Policy*

Girls for 2022-2024.²⁹ However, the NES merely names these documents, and does not converse with them. The NES also does not reflect at all on the Gender Equality Strategy (GES), thus limits its potential to observe intersectionality as a principle. Overall, this prevents concerted and well-coordinated national efforts, encourages partialisation and possibly duplication of implementation efforts. In the larger picture, this may affect the effectiveness of the use of resources and funds, both of which are chronically lacking.

²⁹ North Macedonia, Ministry of Labour and Social Policy (Министерство за труд и социјална политика), [National Action Plan on the Protection, Promotion and Fulfilment of the Human Rights of Roma Women and Girls for 2022-2024](#), *Official Website of the Ministry of Labour and Social Policy*

3 Roma equality and inclusion

3.1 Policy developments in regards to the implementation of national action plans

Development regarding the implementation of the action plans	
Has the Member State adopted one or several action plan(s) for the implementation of the strategy (separately from the strategic framework? If yes, please provide a hyperlink	<p>Yes/No/Other (please specify)</p> <p>At the 14th session of the Government held on February 15 2022, the 2022-2030 ROMA INCLUSION STRATEGY was adopted.</p> <p>At the 34th session held on March 29 2022, the Government reviewed and accepted the National Action Plan for the Protection, Promotion and Fulfilment of the Human Rights of Roma Women and Girls 2022-2024, on the proposal of the Ministry of Labour and Social Policy.</p>
How were Roma and Traveller civil society organizations consulted for the development of the action plan (please check with the competent national authorities and the most significant Roma organizations)?	<p>The Action plans for the implementation of the 2022-2030 Roma inclusion strategy are under preparation.</p> <p>Roma women organisations and activists participated at different workshops organised by the Ministry for Labour and Social Affairs, moderated by the Council of Europe who supported the preparation of the Action Plan for Roma Women and Girls 2022-204. Organisations and activists expressed the priorities and proposed relevant activities. The draft of the Action Plan, prepared by an expert based on the discussions, was presented during a public debate where participants had the opportunity to suggest some modifications before the Action Plan was finalised.</p>
Was the Equality Body and the NHRI and the Ombuds institution in your country consulted in the development of the action plan (please check with	The Ombuds institution and Commission for Prevention and Protection from Discrimination were invited to the public debate to offer their comments about the Draft-Action Plan.

the competent national authority, the Equality body, NHRI and Ombuds institution)?	
Does the national strategic framework and the action plan foresee a regular monitoring and review? If yes, who will conduct this.	<p>Yes/No/Other (please specify)</p> <p>According to the Roma Inclusion Strategy 2022-2030, the mechanism for monitoring the implementation of activities is based on periodic/quarterly reports that are submitted to the National Coordinating Body at the Ministry of Labour and Social Policy, by the relevant ministries. Also, within the framework of the Roma Integration 2020 project, once a year the Government submits a report on the implementation of the goals and measures foreseen by the Strategy. The evaluation is to be conducted by engagement of an independent entity in order to ensure the independence, transparency, and impartiality of the results and recommendations.</p> <p>The Ministry of Labour and Social Policy will establish a body for coordination, monitoring and evaluation of the National Action Plan for Roma Women and Girls. It will include three representatives from the Ministry of Labour and Social Policy, one representative each from the Ministry of Justice, the Ministry of Education and Science and the Employment Agency, one representative each from the Ombudsman and the Commission for Prevention and Protection from Discrimination, as well as three CSO representatives. The body will meet at regular quarterly meetings during the entire period of implementation of the plan.</p>
Implications of the war in Ukraine on the situation of Roma	
Have Roma from Ukraine entered your country?	Yes/ No
If Roma from Ukraine entered your country how was this communicated in the media?	Yes/No
Is there any evidence (articles, reports, analyses) of the impact of the economic implications of the war	Yes/ No

(inflation, food or energy prices etc.) on Roma? If yes, provide reference	
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3.2 Legal and policy developments or measures directly or indirectly addressing Roma/Travellers equality and inclusion

Aside from the adoption of the Strategy 2020-2030, the Government reviewed and adopted the legal non-binding working definition of anti-Gypsyism/discrimination against the Roma at a session held in February 2022.³⁰ The Ministry of Transport and Communications published a public call for municipalities to submit requests for the use of funds from the 2022 budget to support the implementation of the Roma strategy.³¹ For the academic year 2022/2023, the Ministry of Education and Science published a call for 40 Roma educational mediators in 29 municipalities in the country, in order to help improve awareness of the opportunities and access to schools of the Roma ethnic community.³² In relation to the long-term challenge for Roma women from the Municipality Shuto Orizari and their access to healthcare in the field of gynaecological services, a new gynaecologist has been selected by the Ministry of Health who is expected to begin work at the end of September 2022 in the

³⁰ Government of the Republic of North Macedonia (Влада на Република Северна Македонија), "[10 session of the Government \(10 седница на Влада\)](#)", *Official website of the Government of North Macedonia*, 01 February 2022.

³¹ North Macedonia, Ministry of Transport and Communications (Министерство за транспорт и врски), "Public Call for applications for the use of funds from the budget of the Ministry of Transport and Communications for the year 2022 to support the implementation of the Roma decade and Strategy ([Јавен повик за поднесување на барања за користење на средства од буџетот на Министерството за транспорт и врски за 2022 година за поддршка на имплементацијата на декадата и стратегијата за Роми](#))", *Official website of the Ministry of Transport and Communications*, 17 February 2022.

³² North Macedonia, Ministry of Education and Science (Министерство за образование и наука), "[Call for hiring educational mediators to support Roma](#) (Повик за ангажирање образовни медијатори за поддршка на Роми)", *Official website of the Ministry of Education and Science*, 02 September 2020.

outpatient clinic.³³ A nurse will be employed through a project of the Romalitiko Institute for Research and Policy Analysis.³⁴ Regarding the activation in the labour market, from the targeted measures of the operational plan, a total of 5.798.789 MKD (95,000) euros were approved for 17 applications of Roma who received a grant for self-employment.³⁵ The Ministry of Culture allocated 0.2% of its budget for the Annual Contests for Financing Projects of National Interest in Certain Areas and Cultural Activities for 2022, for projects related to Roma.³⁶ According to the Roma advisor to the Prime Minister this represents an increase of 11% compared to the allocated amount in 2021.³⁷

Social housing is implemented through the Program for the Construction, Sale and Maintenance of Residential Space Owned by the Republic of North Macedonia. Roma families have benefited from the public announcements for social apartments in 2022. Three Roma applicants each received a social apartment in Strumica, 19 in Berovo and 6 in Gostivar, of which two were women.³⁸ A call for social housing in the municipality of Probishtip is ongoing.³⁹

³³ Phone consultation with representative from Initiative for the rights of Roma women from Shuto Orizari (16.09.2022).

³⁴ "Romalitiko" Institute for Research and Policy Analysis, "[Nurse Recruitment Call](#) (Повик за вработување на медицинска сестра)", Website of CSO Romalitico.

³⁵ E-mail communication with Advisor to the Prime Minister on Roma (13.09.2022).

³⁶ North Macedonia, Ministry of Culture (Министерство за култура), "[Annual contests for financing projects of national interest in certain areas and cultural activities for 2022](#) (Резултати од Годишните конкурси за финансирање проекти од национален интерес по одделни области и активности од културата за 2022 година)", *Official website of the Ministry of Culture*, 16 February 2022.

³⁷ E-mail communication with Advisor to the Prime Minister on Roma (13.09.2022).

³⁸ E-mail communication with Advisor to the Prime Minister on Roma (13.09.2022).

³⁹ North Macedonia, Ministry of Transport and Communications (Министерство за транспорт и врски), "[Public advertisement for the allocations of social apartments in Gostivar](#) (Јавен оглас за распределба на социјални станови во Гостивар)", *Official website of the Ministry of Transport and Communications*, 04 April 2022; Ministry of Transport and Communications

Projects from the area of housing have taken place throughout the country this year by local-self-governments based on the decision on the allocation of funds for the implementation of communal infrastructure projects in places inhabited mostly by the Roma population, in the amount of 20.000.000 MKD (327,525 euros).⁴⁰ Out of the total submitted requests from 16 municipalities, the projects of 11 municipalities were approved.⁴¹ In addition, significant housing support has also been provided for renovation, legalisation of properties as well as urban development of Roma settlements in the municipalities of Vinica and Shuto Orizari thanks to ongoing EU funded projects.⁴²

The results of the 2021 census announced by the State Statistical Office⁴³ on March 30 2022, were met with discontent by Roma civil society organisations and movements. The Roma civil movement, Avaja, reacted by declaring that they considered the results invalid. According to their monitoring activities, during the enumeration in the field, a series of pressures were

(Министерство за транспорт и врски), "[Public advertisement for the allocations of social apartments in Probishtip](#) (Јавен оглас за распределба на социјални станови во Пробиштип), *Official website of the Ministry of Transport and Communications*, 15 August 2022.

⁴⁰ Government of the Republic of North Macedonia (Влада на Република Северна Македонија), "[63rd session of the Government](#) (63 седница на Влада)", *Official website of the Government of North Macedonia*, 20 July 2022.

⁴¹ E-mail communication with advisor to the Prime Minister on Roma (13.09.2022).

⁴² E-mail communication with advisor to the Prime Minister on Roma (13.09.2022).

⁴³ State Statistical Office (Државен завод за статистика), "[Census of the population, households and apartments in the Republic of North Macedonia, 2021 - first set of data](#) (Попис на населението, домаќинствата и становите во Република Северна Македонија, 2021 - прв сет на податоци)", *Official website of the State Statistical Office*, 30 March 2022.

observed in places where Roma live in environments with a dominant population from other ethnic communities adding that the percentage of 2.53% or 46,367 Roma resident population is not even 50% of the number of Roma living in the state.⁴⁴

The results of the 2021 census have also been contested in regard to their impact for the implementation of the principle of equitable representation of non-majority communities in the administration. Roma movements have reacted strongly to the already existing under-representation of the Roma in the administration and have called for the Ministry of Information Society and Administration to make changes in their methodology to address this problem.⁴⁵

The Basic Criminal Court Skopje on 30 May 2022, in a repeated trial, passed a verdict declaring the accused, an uniformed police officer employed at the Sector for Internal Affairs in Bitola, guilty and sentenced him to one year in prison for the crime of harassment in the performance of the service against a Roma citizen.⁴⁶ The judgment is still not final.

The Commission for Prevention and protection against discrimination (CPPD) determined discrimination of Roma after complaints submitted by the European Roma Rights Centre (ERRC), allowing the public institutions six months to implement

⁴⁴ Емагазин (Емагазин), "[Avaja's reaction: Roma do not recognize the results of the census](#) (Реакција на Аваја: Ромите не ги признаваат резултатит од Пописот)", 30 March 2022

⁴⁵ Civil movement Avaja, "[AVAJA's reaction: Employment abuse in institutions continues, Roma demand changes in methodology](#) (Реакција на АВАЈА: Злоупотребата за вработување во институциите продолжува, Ромите бараат промени во методологијата)", Avaja.

⁴⁶ Macedonian Young Lawyers Association, "[Announcement Sentenced to prison for a police officer due to mistreatment in the performance of his duties 27.06.2022](#) (Соопштение Изречена затворска казна за полицаец поради малтретирање во вршење на службата 27.06.2022)", *Official Website of the Macedonian Young Lawyers Association*.

the decisions, which concern: reducing segregation of Romani children in a primary school in Bitola⁴⁷, ensuring access to clean water and legalisation of homes belonging to Romani families in Kavadarci⁴⁸, and ensuring equal access to water for Roma in the municipality of Prilep.⁴⁹ In addition, the ERRC filed a lawsuit against the Municipality of Kavadarci based on the Commissions' decision regarding discrimination of Roma.⁵⁰ On 4th November 2022, the Commission informed the public that the municipality of Kavadarci acted upon Commission's recommendations, in such a way that a portable water tank was installed in the so-called "Tenece" neighborhood, with the aim, if any of the residents are not connected to the water supply network, to have clean drinking.⁵¹

At the 21st session, held on November 2, 2022, the members of the CPPD unanimously elected Ismail Kamberi, who is Roma, as the new president.⁵²

⁴⁷ European Roma Rights Centre, "[Equality body in North Macedonia orders primary school to end segregation of Roma](#)", 19 August 2022.

⁴⁸ E-mail communication with European Roma Rights Centre (15 September 2022); Commissions decision with archive number 08-120/3 from 19 April 2022 (not available on CPPD website).

⁴⁹ European Roma Rights Centre, "[Authorities ordered to provide water for Romani communities in Prilep, North Macedonia](#)", 25 August 2022.

⁵⁰ E-mail communication with European Roma Rights Centre (15 September 2022).

⁵¹ Commission for Prevention and protection against discrimination, "[Municipality of Kavadarci acted upon Commission's recommendation](#) (Општина Кавадарци постапи по препораките од КСЗД)", *Official website of the Commission for Prevention and protection against discrimination*.

⁵² Commission for Prevention and protection against discrimination, "[CPPD with new president](#) (КСЗД со нов претседател)", *Official website of the Commission for Prevention and protection against discrimination*.

4 Asylum, borders, visas, migration and integration

4.1 National legal framework on criminalisation of 'humanitarian assistance' and domestic transposition of sanctions

EUMS	Implementation of Article 3 of Directive 2002/90/EC	
	How has your EUMS implemented Article 3 of Directive 2002/90/EU	Hyperlinked legal provision in EN and national language Helping a foreigner during illegal stay (Article 212 of Law on foreigners) (1) Whoever, with the intention of obtaining an illegal property for themselves or for another, helps a foreigner to stay in the Republic of North Macedonia contrary to the provisions of this law, will be punished for the crime of helping a foreigner during illegal stay with a prison sentence of at least three years. (2) The attempt to commit the crime from paragraph (1) of this article is punishable. (3) If the criminal act referred to in paragraph (1) of this article is committed by a legal entity, it will be punished with a fine and a temporary ban on the performance of a separate activity or a permanent ban on the performance of a separate activity will be imposed. (4) The means of transport used to commit the crime shall be confiscated.

		<p><u>Помагање на странец при незаконит престој (Член 212 од Закон за странци)</u></p> <p><u>(1) Тој што со намера за себе или за друг да прибави противправна имотна корист ќе му помогне на странец да престојува во Република Северна Македонија спротивно на одредбите од овој закон ќе се казни за кривично дело помагање на странец при незаконит престој со казна затвор најмалку три години.</u></p> <p><u>(2) Обидот за кривичното дело од ставот (1) на овој член е казнив.</u></p> <p><u>(3) Ако кривичното дело од ставот (1) на овој член го стори правно лице, ќе се казни со парична казна и ќе му се изрече и привремена забрана за вршење одделна дејност или трајна забрана за вршење одделна дејност.</u></p> <p><u>(4) Превозните средства употребени за извршување на делото се одземаат.</u></p> <p><u>Smuggling of migrants (Article 418-b of Criminal Code)</u></p> <p><u>(1) They who by force or with a serious threat to attack life or body, by kidnapping, fraud, out of favouritism, by abusing their official position or by taking advantage of the weakness of another, illegally transports migrants across the state border, as well as their making, procuring or possessing false travel documents for such purpose, shall be punished with imprisonment for at least four years.</u></p> <p><u>(2) Whoever recruits, transports, transfers, buys, sells, shelters or accepts migrants, shall be punished with imprisonment from one to five years.</u></p>
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		<p><u>(3) If during the performance of the acts from paragraphs 1 and 2, the life or health of a migrant is threatened, or the migrant is treated in a particularly humiliating or cruel way, or is prevented from using the rights that belong to them according to international law, the offender will be punished with imprisonment for at least five years.</u></p> <p><u>(4) If the crime from paragraphs 1 and 2 was committed on a minor, the offender will be punished with imprisonment for at least eight years.</u></p> <p><u>(5) If the offense referred to in paragraphs (1), (2), (3) and (4) of this article is committed by an official in the performance of their duties, they shall be punished with imprisonment for at least five years.</u></p> <p><u>(6) Objects and means of transportation used for the commission of the crime shall be confiscated, in accordance with Article 100-a of this Code.</u></p> <p><u>Криумчарење на мигранти(Член 418-б од Кривичен Законик)</u></p> <p><u>(1) Тој што со сила или со сериозна закана дека ќе нападне врз животот или телото, со грабнување, измама, од користољубие, со злоупотреба на својата службена положба или со искористување на немоќта на друг илегално пренесува мигранти преку државната граница, како и тој што прави, набавува или поседува лажна патна исправи со таква цел, ќе се казни со затвор најмалку четири години.</u></p> <p><u>(2) Тој што врбува, превезува, пренесува, купува, продава, засолнува или прифаќа мигранти, ќе се казни со затвор од една до пет години.</u></p> <p><u>(3) Ако при вршењето на делата од ставовите 1 и 2 е загрозен животот или здравјето на мигрант, или со мигрантот се постапува особено понижувачки или сурово, или се спречува тој да ги користи правата што му припаѓаат според меѓународното право, сторителот ќе се казни со затвор најмалку пет години.</u></p>
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		<p><u>(4) Ако делото од ставовите 1 и 2 е сторено со малолетно лице, сторителот ќе се казни со затвор најмалку осум години.</u></p> <p><u>(5) Ако делото од ставовите (1), (2), (3) и (4) на овој член го стори службено лице во вршењето на службата, ќе се казни со затвор најмалку пет години.</u></p> <p><u>(6) Предметите и превозните средства употребени за извршување на делото се одземаат, согласно членот 100-а од овој законик.</u></p> <p><u>Organising a group and encouraging the commission of human trafficking, trafficking of minors, and smuggling of migrants (Article 418-c of Criminal Code)</u></p> <p><u>(1) Whoever organises a group, gang or other association for the commission of criminal acts from articles 418-a, 418-b, 418-d and 418-e shall be punished with imprisonment for at least eight years.</u></p> <p><u>(2) Whoever becomes a member of a group, gang or other association from paragraph 1 or otherwise helps the group, gang or association, will be punished with imprisonment for at least one year.</u></p> <p><u>(3) A member of the group from paragraph 1 who discovers the group before committing a crime in its composition or for it, will be released from punishment.</u></p> <p><u>(4) Whoever invites, incites or supports the commission of the criminal acts from articles 418-a, 418-b, 418-d and 418-d shall be punished with imprisonment from one to ten years.</u></p>
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		<p><u>Организирање на група и поттикнување на извршување на делата трговија со луѓе трговија со малолетно лице и криумчарење на мигранти(Член 418-в од Кривичен Законик)</u></p> <p><u>(1) Тој што организира група, банда или друго здружение за вршење на кривични дела од членовите 418-а, 418-б, 418-г и 418-д ќе се казни со затворнајмалку осум години.</u></p> <p><u>(2) Тој што ќе стане припадник на група, банда или друго здружение од став 1 или на друг начин ја помага групата, бандата или здружението, ќе се казни со затвор најмалку една година.</u></p> <p><u>(3) Припадник на групата од став 1 кој ќе ја открие групата пред да стори кривично дело во нејзиниот состав или за неа, ќе се ослободи од казна.</u></p> <p><u>(4) Тој што повикува, поттикнува или поддржува извршување на кривичните дела од членовите 418-а, 418-б, 418-г и 418-д ќе се казни со затвород една до десет години.</u></p>
Cases [incident numbers] of criminalisation of humanitarian assistance		
	<p>Number of cases recorded by the police in 2022.</p>	<p>Number and details of cases (if available)</p> <ul style="list-style-type: none"> - There are no recorded cases related to Article 212 on Law on Foreigners (according to data from the Ministry of Interior obtained by free access to information of public character, for the period from 01 January - 31 July 2022). - 43 criminal offences related to Article 418 b of Criminal Code against 64 suspects (according to data from the Ministry of Interior obtained by

		<p>free access to information of public character for the period from 01 January - 31 July 2022).</p> <ul style="list-style-type: none"> - No registered cases related to Article 418 c of Criminal Code (according to data from the Ministry of Interior obtained by free access to information of public character, for the period from 01 January - 31 July 2022).
	Number of investigations initiated in 2022.	<p>Number and details of cases (if available)</p> <ul style="list-style-type: none"> - There are no recorded cases related to Article 212 on Law on Foreigners (according to data from the Ministry of Interior obtained by free access to information of public character for the period from 01 January – 31 July 2022). - 27 indictment were submitted by the Public Prosecution Office for Fighting Organised Crime and Corruption to the Criminal Court for Criminal Offences related to Article 418 of the Criminal Code; (according to data from the Public Prosecution Office for Fighting Organised Crime and Corruption obtained by free access to information of public character, for the period from 01 January - 31 July 2022). - There were no indictments submitted by the Public Prosecution Office for Fighting Organised Crime and Corruption to the Criminal Court for Criminal Offences related to Article 418 б of Criminal Code (according to data from the Public Prosecution Office for Fighting Organised Crime and Corruption obtained by free access to information of public character, for the period from 01 January – 31 July 2022).
	Number of court decisions taken in 2022.	Number and type of court decisions, information if decision is final.

		<ul style="list-style-type: none"> - There are no recorded cases related to Article 212 on Law on Foreigners. - There are 46 final court verdicts related to Article 418 b of Criminal Code (according to data from the Criminal Court obtained by free access to information of public character, for the period from 01 January – 31 July 2022). - There are three final court verdicts related to Article 418 c of Criminal Code (according to data from the Criminal Court obtained by free access to information of public character, for the period from 01 January – 31 July 2022). <p>Type of penalties imposed according to Article 1 2002/946/JHA: Council framework Decision of 28 November 2002 on the strengthening of the penal framework to prevent the facilitation of unauthorised entry, transit and residence.</p> <ul style="list-style-type: none"> - These types of penalties are prescribed by the Law on Foreigners, chapter 12 which refers to criminal offenses (Article 211 and 212) and misdemeanour provisions (Article 213-219). <p>Describe in max three to four sentences the key court decisions in 2022 and add hyperlink(s) to the decision (if available).</p> <ul style="list-style-type: none"> - There are no recorded cases related to Article 212 on the Law on Foreigners which refers to criminalisation of humanitarian assistance.
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4.2 Use of the large-scale IT Systems in the area of asylum, migration and border control

The Republic of North Macedonia has established only national systems for migration management as visa information systems⁵³, a database that collects fingerprints of asylum seekers and irregular migrants, and a system for Integrated Border Management (IBM system).⁵⁴ The IBM system should be used for exchanging information between state authorities that have competence in border management, but it is still not functional. As the Republic of North Macedonia is still not a member of the EU it is not part of EURODAC and the Schengen Information System. So, there is still no use of large-scale IT systems in the area of asylum, migration and border control.

The databases used by the department for border affairs and migrations, the Public Security Bureau at the Ministry of the Interior comply with the Law on the Protection of Personal Data. A Law on the protection of natural persons in relation to the processing of personal data for the purposes of prevention, investigation, detection or prosecution of crimes or for the execution of criminal sanctions is in the process of drafting.⁵⁵

⁵³ National Visa Information System (N-VIS) Establishment(Article 48-57).

⁵⁴ North Macedonia, Ministry of Interior (Министерство за внатрешни работи) [Integrated Border Management System](#), *Official website of the Ministry of the interior* The Strategy for integrated border management (2022-2025) foresees measures and activities for the improvements of the IBM system that will further align the process with the EU acquis and European standards.

⁵⁵ North Macedonia, Ministry of Interior (Министерство за внатрешни работи), Response to a request for free access to information (Решение за одговор на барање за слободен пристап до информации), 21 November 2022

5 Information society, privacy and data protection

5.1 Initiatives in the use of artificial intelligence in both private and public sectors

Actor	Type	Description	Are Human Rights issues mentioned? (yes/no)	Reference
Faculty of Electrical Engineering and Information Technologies	Research	<p>Faculty of Electrical Engineering and Information Technologies is part of the consortium that leads the EU-funded WideHealth. This project official kick-off was in March 2021 and it aims to conduct research on pervasive eHealth and establish a sustainable network of research and dissemination across Europe. WideHealth will focus on data-driven healthcare, human factors in pervasive health and federated machine learning. The consortium includes partners from North Macedonia, Slovenia, Portugal, Italy and Germany. Ultimately, WideHealth will enable a new generation of researchers in these countries to develop and adapt novel eHealth technologies, exploitable in the longer run in their different healthcare contexts.</p> <p>As one of the objectives of the project is federated machine learning, ways to</p>	No	<p>Wide Health Project web page www.widehealth.eu Facial EMG sensing for monitoring affect using a wearable device Scientific Reports (nature.com) IS2022 Volume-H-TEMP.pdf (ijs.si) IS2022 Volume-H-TEMP.pdf (ijs.si) IS2022 Volume-H-TEMP.pdf (ijs.si) Sensors Free Full-Text Breathing Rate Estimation from Head-Worn Photoplethysmography Sensor Data Using Machine Learning (mdpi.com) Paper Title (use style: paper title) (etai.org.mk)</p>

		train AI models without anyone seeing or processing personal data is to be introduced. This will lead to offering new methods of unlocking information to feed new AI applications in the electronic health system.		
Fund for Innovations and Technology Development	Strategy development	<p>As a result of the global digitalization trends, in September 2021 the Fund for Innovations and Technology Development initiated establishment of a working group for creation of the first National Strategy for Artificial Intelligence. The main goal is to create a document that will set the grounds for realization of ideas, projects, education and use of equipment by the startups and other companies working in the field of innovation.</p> <p>The working group had only one meeting. The group is existing but the members have not been invited to other meetings or activities in 2022.</p>	No	<p>The Fund for Innovation and Technological Development is a leading government institution for supporting startups and innovative companies in the Republic of North Macedonia.</p> <p>Национална AI стратегија – Фитр (fitr.mk)</p>
Government of the Republic of North Macedonia	Strategy development	In November 2021, the Vice Prime Minister announced the creation of the Digital Assistant based on AI that will provide services to the citizens in Macedonian, Albanian and English. The duration of the implementation is	No	Започнува креирањето на првиот AI дигитален асистент за државна помош во регионот Влада на Република Северна Македонија (vlada.mk)

		<p>expected to be 24 months. Primarily, the Digital Assistant was created to connect foreign investors with the Agency for Foreign Investments and Export Promotion and the Directorate for Technological Industrial Development Zones as it was awarded by the Fund for Innovation and Technological Development. However, at the Macedonia 2025 Summit, the Government announced that the Digital Assistant tool would also be used by all ministries.</p>		<p>Summit 2021 - Macedonia2025</p>
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5.2 Legal and policy initiatives on data protection and private life

The Ministry of Justice established a working group⁵⁶ for drafting a Law on the Protection of Natural Persons with regard to the processing of personal data by competent authorities for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, and on the free movement of such data. The Agency for Personal Data Protection has contributed to the draft so ensuring its compliance with the Law on Personal Data Protection. A draft of this legislation was published for consultation in June 2022.⁵⁷

⁵⁶ North Macedonia, Ministry of Justice (Министерство за правда), 2022, [Notification for the start of preparation of a new law](#) (Известување за почеток на изработка на нов закон), *Official website of the Ministry of Justice*.

⁵⁷ North Macedonia, Ministry of Justice (Министерство за правда), 2022 [Draft Law on the protection of natural persons with regard to the processing of personal data by competent authorities for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, and on the free movement of such data](#) (Предлог Закон за заштита на физичките лица во врска со обработката на личните податоци заради цели на спречување, истрага, откривање или гонење на кривични дела или за извршување на кривични санкции); *Website of the unified national register of regulation*.

The Agency for Personal Data Protection adopted a decision on defining standard contractual clauses for transfer of personal data in other countries.⁵⁸ From January 2022 all legal entities, both, private companies and governmental and public institutions are obliged to implement the standard contractual clauses when transferring personal data to other countries.

In February 2022, the Agency for Personal Data Protection adopted a methodology on the harmonisation of the sectoral legislation with the Law on Personal Data Protection.⁵⁹ This methodology lays down the criteria regarding what ministries should use in identification of the laws that need to be amended in order to comply with the principles of personal data protection such as the legal basis for processing of personal data, terminology, data subjects rights and other procedural obligations of the governmental institutions.

In June 2021, the Ministry of Information Society and Administration drafted the National Strategy for ICT 2021 – 2025 and released the text to allow for public consultations.⁶⁰ In 2021, civil society organisations actively advocated for amendments of the Strategy, part of those closely connected to the implementation of personal data protection principles.⁶¹ As of September 2022, there has been no official update on the status of the document.

In September 2022, the Government formed the National Council for Digital Transformation of Society in order to ensure systematic and coordinated approach in the process of digitalisation. Ministers for information society and administration, interior, finance, defence, the Director of the Agency for Electronic Communications as well as representatives from the

⁵⁸ [Decision on defining standard contractual clauses for transfer of personal data in other countries](#) (Одлука за утврдување на стандардни договорни клаузули за пренос на лични податоци во трети земји) Official Gazette of the Republic of North Macedonia No. 280/2021 (Службен Весник на република Северна Македонија) 15 December 2021.

⁵⁹ [Decision on defining standard contractual clauses for transfer of personal data in other countries](#) (Одлука за утврдување на методологија за хармонизација на секторската легислатива) Official Gazette of the Republic of North Macedonia No. 38/2022 (Службен Весник на република Северна Македонија) 21 February 2022.

⁶⁰ North Macedonia, Ministry of Information Society and Administration (Министерство за информатичко општество и администрација), [Draft National ICT Strategy 2021-2025](#) (Нацрт Национална Стратегија за ИКТ 2021-2025), *Website of the unified national register of regulation*.

⁶¹ Metamorphosis Foundation, 2021 [Contribution of the Metamorphosis Foundation to the public consultation on the draft National Strategy for ICT 2021-2025 and the accompanying Action Plan](#), *Website of Metamorphosis Foundation*

business and banking sector and the local self-government will be members of the Council. The Council will plan, coordinate and realise activities for digitalisation of the processes.

On December 01, the Minister of Information Society and Administration announced the launching of a process of preparation of a National Cybersecurity Strategy 2023 - 2026.⁶² The National Cybersecurity Strategy 2023 – 2026 will define the security goals and responsibilities assigned to maintain secure Internet for all. Ministry of Information Society and Administration published discussion document⁶³ on the unified register of regulation and invited all relevant stakeholders to openly comment and contribute.

⁶² North Macedonia, Ministry of Information Society and Administration (Министерство за информатичко општество и администрација), [Announcement](#) (Известување), *Official Website of the Ministry of Information Society and Administration*.

⁶³ North Macedonia, Ministry of Information Society and Administration (Министерство за информатичко општество и администрација), [Discussion Document: National Cybersecurity Strategy 2023-2026](#) (Документ за дискусија: Национална стратегија за сајбер безбедност 2023-2026), *Website of the unified national register of regulation*.

6 Rights of the child

6.1 Measures addressing vulnerabilities of children living in poverty and developments regarding the national implementation of the EU Child Guarantee

Measures addressing vulnerabilities of children living in poverty and developments regarding the national implementation of the [EU Child Guarantee](#).

Legislative changes	During 2022 there was no significant legislative development that had an impact on children accessing health, education, social protection or other services. However, there are several ongoing legislative processes of relevance. First, the amendments and additions to the Law on the Protection of Children, which are currently in parliamentary procedure, have ensured funds for an increase in the allowance for inclusion of persons with disabilities. ⁶⁴ Second, an amendment to the Law on Social Protection has been adopted by the Government which supplements the criteria for using personal assistance for persons with combined disability, as well as reducing the age limit for the right to permanent compensation for parents who are up to the age of 26. ⁶⁵ Last, the amendments to the Law on Social Protection ⁶⁶ provided for an additional three months' allowance of guaranteed minimum assistance for the beneficiary.
Policy changes	In September 2022, the Ministry for Labour and Social Affairs updated the inter-sectoral protocol for dealing with children on the street. The purpose of the protocol is to improve the manner of

⁶⁴ Government of the Republic of North Macedonia (Влада на Република Северна Македонија), [MLSP: We're building a system that is just and adapted to the needs of people with disabilities](#) (МТСП: Градиме систем кој е праведен и прилагоден на лицата со попреченост), *Official website of the Government*.

⁶⁵ [ibid.](#)

⁶⁶ [Law for amendments and additions to the Law on Social Protection](#); (Закон за изменување и дополнување на законот за социјалната заштита), Official Gazette of the Republic of North Macedonia, no.99/2022 (Службен весник на Република Северна Македонија") 21 April 2022.

	dealing with children on the street, through a unified, multidisciplinary and intersectoral approach in order to provide help, support and protection of children and their inclusion in society for the best interest of the child.
Other measures or initiatives	A new strategy for Roma integration 2022-2030 was adopted which aims at increasing access to all levels of education for Roma children. ⁶⁷ (<i>For more on this see chapter 3</i>).

6.2 Legal and policy developments or measures in relation to child-friendly procedures for children as victims, witness or suspects/accused in criminal proceedings.

Legislative changes	<p>Consultations are underway for the preparation of a new Criminal Code. The Anti-trafficking Directive (2011/36) and non-punishment of the adult and child victims for crimes committed while being in the status of victim of trafficking have been transposed in the current draft version of the law.⁶⁸</p> <p>A working group in the Ministry of Justice is finalising the text of the amendments of the Criminal Procedure Code. All relevant EU directives regarding procedural position and protection of the victims, as well as the Victim's Directive (2012/29) and the Anti-trafficking Directive (2011/36) have been transposed in this law.</p> <p>A working group in the Ministry of Justice is also finalising the text of the amendments of the Law on Justice of Children and is holding relevant consultations. All relevant EU directives regarding procedural position and protection of the child victims, Directive 2016/800 on procedural safeguards for children and the Victim's Directive (2012/29), as well as all rights of victims have been transposed in the draft law.</p>
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⁶⁷ North Macedonia, Ministry of Labour and Social Policy (Министерство на студ и социјална политика), [Strategy For Roma Inclusion](#) (Стратегија за инклузија на Ромите), *Official website of the Ministry of Labour and Social Policy*.

⁶⁸ North Macedonia, Ministry of Justice (Министерство за правда), [Draft Criminal Code](#) (Предлог кривичен законик), July 2022, *Website of the Unified National Register of Regulation*.

<p>Policy developments</p>	<p>The State Council for Prevention of Juvenile Delinquency adopted a new National Strategy for prevention and justice for children for the period September 2022 - June 2027.⁶⁹ The Strategy was developed with the expert support provided by UNICEF and the EU. The National Strategy contains several strategic goals regarding child victims and child witnesses.</p> <p>The Initial Theoretical Training Program in the Academy for Training of Judges and Prosecutors foresees 15 hours of teaching in relation to the Law on Justice for Children.⁷⁰ The rights and protection of victims are part also of the program for continuous training in the AJPP.⁷¹</p>
<p>Other measures or initiatives</p>	<p>The concept as well as guidelines for effective model of Barnahus were developed within the project of the UNICEF Skopje and EU - Just(ice) Children - EU for Child Friendly and Juvenile Justice. Several workshops were organised with professionals within the system of protection of children for addressing the advantages of the Barnahus model, the organisational structure, the host institution for maintaining the house, etc. At the moment, there are plans to introduce Barnahus model pending legislative changes for this purpose.</p> <p>Within the project of the UNICEF Skopje and EU - Just(ice) Children - EU for Child Friendly and Juvenile Justice, several programs were developed: Programs for prevention and reintegration of the children at risk and children in trouble with the law, programs for successful parenting, programs for life skills and programs for restorative justice. They are going to be implemented</p>

⁶⁹ State Council for the Prevention of Juvenile Delinquency (Државен совет за превенција на детско престапништво), 2022. [Promotion of the National Strategy for prevention and justice for children for the period September 2022-june 2027](#) (Промоција на Националната стратегија за превенција и правда за децата (2022-2027)).

⁷⁰ North Macedonia, Academy for Training of Judges and Prosecutors (Академија за обука на судии и јавни обвинители), [Program for initial training in the academy for training of judges and prosecutors 2022-2023](#) (Програма за почетна обука во Академијата за обука на судии и јавни обвинители 2022-2023), *Official website of the Academy for Training of Judges and Prosecutors*.

⁷¹ North Macedonia, Academy for Training of Judges and Prosecutors (Академија за обука на судии и јавни обвинители), [General program for continuous training for judges and public prosecutors 2021-2022](#) (Општа програма за континуирана обука на судии и јавни обвинители 2021-2022), *Official website of the Academy for Training of Judges and Prosecutors*.

	by professionals in the justice for children system, including social workers, civil society organisations providing services to children and families, professionals working in correctional institutions for children as well as in the small group homes. The programs were developed by local experts and were presented and simulated during several workshops with representatives from the institutions for children, schools and centres for social work. ⁷²
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⁷² Information provided by the State Council for Prevention of Juvenile Delinquency.

7 Access to justice – Victims’ Rights and Judicial Independence

7.1 Legal and policy developments or measures relevant to the implementation of the Victims’ Rights Directive and the EU strategy for Victims’ Rights 2020-2025

The Law on Payment of Monetary Compensation to Victims of Crime by Violence was adopted by the Assembly on 16.11.2022.⁷³ The law will enter into force in May 2023. The law has general provisions on principles, conditions for exercising the right, types of compensation, provisions on the work of the Commission and on the informing and educating the victims of exercising of the right, the procedure within the country and the procedure for cross-border cases, the right of recourse, provisions on records and data storage and protection of personal data and final provisions.

The Criminal Code has newly proposed amendments by the Government of North Macedonia which have been in parliamentary procedure since last year.⁷⁴ In addition, a new draft Criminal Code has been prepared and a public debate has started.⁷⁵

Unlike the previous last two years, the Compensation Fund for Child Victims (established in 2014) for 2022 was increased to MKD 3,000,000.00.⁷⁶ The Ministry of Justice Report on awarded compensation for 2021 notes that the funds dispersed

⁷³ [Law on Payment of Monetary Compensation to Victims of Crime by Violence](#) (Закон за исплата на паричен надоместок на жртви од кривични дела со насилство), Official Gazette of the Republic of North Macedonia (Службен весник на Република Северна Македонија) no. 247/2022

⁷⁴ North Macedonia, Assembly of the Republic of North Macedonia (*Собрание на Република Северна Македонија*), [Draft Law on amendments and additions to the Criminal Code](#) (*Предлог на закон за изменување и дополнување на Кривичниот законик*), *Official website of the Assembly*, September 2021.

⁷⁵ Ministry of Justice (Министерство за правда), [Draft Criminal Code](#) (Предлог кривичен законик), July 2022, *Website of the Unified National Register of Regulation*.

⁷⁶ North Macedonia, Ministry of Justice (Министерство за правда). [Programme for Compensation of a Child Who Is a Victim or Damaged by Actions Included as a Criminal Part of Violence or Other Acts of Individual or Group Violence for 2022](#), (Програма за обесштетување на дете кое е жртва или е оштетено со дејствие кое со закон е предвидено како кривично дело на насилство и на други акти на индивидуално или групно насилство за 2022 година), Official Gazette of the Republic

amounted to MKD 1,500,000.00 i.e. more than the set amount of MKD 1,000,000.00 including funds for compensation of a child – victim of human trafficking for the first time in the country.⁷⁷

A new draft Law on Justice for Children is under preparation by the Ministry for Justice taking into consideration the Victims' Directive⁷⁸ and an expert debate on the draft Law on Justice for was held in the premises of the Ministry of Justice.⁷⁹ The draft law proposes Article 169 regulating the individual assessment of the child- victim and proposed Article 170 regulates special rights to procedural protection. In addition, the draft law stipulates that the child victim has the right to special measures of procedural protection during the testimony and examination in all stages of the procedure.

The new Code of Criminal Procedure is still in preparation within the working group at the Ministry of Justice. The foreseen changes are related to addressing the victims' position and rights during the procedure of implementing the Victims' Directive.

Through the initiative Supporting enhanced access to higher quality Free Legal Aid services in North Macedonia⁸⁰, an analysis of the Law on Free Legal Aid from 2019 was made. The analysis provides recommendations for improving legislation and

of North Macedonia, (Службен весник на Република Северна Македонија) from 23 February 2022. *Official website of the Ministry of Justice*

⁷⁷ North Macedonia, Ministry of Justice (Министерство за правда) [Information with a Report on the Realisation of the Child Compensation Programme which is a victim or damaged by actions included as a criminal part of violence or other acts of individual or group violence for 2021](#) (Информација со извештај за реализација на Програмата за обесштетување на дете кое е жртва или е оштетено со дејствие кое со закон е предвидено како кривично дело на насилство и на други акти на индивидуално или групно насилство за 2021 година). *Official website of the Ministry of Justice*

⁷⁸ North Macedonia, Ministry of Justice (Министерство за правда), 2022 [Draft -Law on Justice for Children](#) (*Предлог на закон за правда за децата*), *Website of the unified national register of regulation.*

⁷⁹ North Macedonia, Ministry of Justice (Министерство за правда), 2022. [An expert debate on the Draft Law on Children's Justice was held in the premises of the Ministry of Justice](#) (Во просториите на Министерството за правда се одржа стручна расправа за Предлог Законот за правда на децата) *Official Website of the Ministry of Justice.*

⁸⁰ The Action [Supporting enhanced access to higher quality Free Legal Aid services in North Macedonia](#), *Official Website of Council of Europe Programme Office in Skopje.*

policies for free legal aid in civil and administrative procedures in the country in view of international commitments, including Victim's Directive.⁸¹

Through the initiative Preventing and Combating Human Trafficking in North Macedonia⁸² regular meetings of the established working group (six members from CoE, CSO Open Gate, OHCHR and a local expert) on drafting secondary legislation based on the Draft Law on State Compensation for Victims of Violent Crimes were held throughout the year. Draft rules of Procedure, an action plan and a draft form for request of compensation have been prepared and submitted for consideration by the members of the working group.

In North Macedonia, there is no single authority responsible for ensuring that all victims have access to appropriate support services, the responsibility is divided among different institutions/bodies, regarding specific laws and types of victims. These most commonly include the Ministry of Justice and the Ministry of Labour and Social Policy.

7.2 Measures addressing violence against women

Although a comprehensive Law on Prevention and Protection from Violence against Women and Domestic Violence was adopted in January 2021, in practice this law has not yet been fully implemented, since not all by-laws have been adopted. The protocol for mutual cooperation of relevant institutions (Article 12) and program for reintegration (Article 99) are still being finalised, therefore professionals in the field are still dealing with cases according to the previous law from 2015. This means that not all cases related to forms of gender-based violence according to new law of January 2021 are being processed. The protocol under preparation regulates how different institutions should act in cooperation, but also within their own competences including through preventing repeated and secondary victimization. It includes guidelines for the public prosecution, civil and criminal courts, and health institutions. Similarly, the national Program for reintegration of women victims of GBV and DV is being finalized pending adoption by the end of 2022. The program is to regulate reintegration and rehabilitation services, such as supported housing, employment support and career counseling, long term financial aid, which are crucial in dealing with

⁸¹ Kocevski, G, Georgievska E, et al. (2022) [Assessment of the Law on Free Legal Aid from 2019](#), *Official Website of Council of Europe Programme Office in Skopje*.

⁸² The Action [Preventing and Combating Human Trafficking in North Macedonia](#), *Official Website of Council of Europe Programme Office in Skopje*.

the social risks GBV and DV survivors face after leaving the shelter centers. The Program will also regulate establishing and sustainability of such specialized services on local and national level.

According to recent research conducted by the civil sector, there are barriers in reporting cases of gender-based violence related to mistrust, mainly towards the police. The research also concludes that relevant institutions such as the police, centres for social work and health institutions do not deal with cases of gender based violence and domestic violence with adequate urgency, according to the legislation and international standards.⁸³

Data from the Ministry of Interior as responsible institution for implementation of the emergency barring order indicate that this measure is not sufficiently used.⁸⁴ Between January and September 2022, the Ministry reported 809 criminal acts regarding domestic violence, where 669 of the victims were women.⁸⁵ In the same period, the Ministry of Interior through the Department for violent crimes issued only four (4) request to the Basic Civil Court – Skopje for this measure. On the other hand, the Civil Court has issued six 6 emergency barring measures which the Ministry enforced. Additional research is needed in this respect to determine the reasons behind the feeble use of this measure.

Cyber violence against women is recognized as a form of gender-based violence in the Law on Prevention and Protection from Violence against Women and Domestic Violence in Article 3 under the name “Online sexual harassment”. However, it has not been criminalized within the Criminal Code yet, and no criminal acts have been processed as cyber/digital/online violence against women. The Ministry of Interior has no data regarding this form of violence against women.

Regarding the harmonisation of the Criminal Code with the Istanbul Convention, a new draft Criminal Code was put up for consultations on the National Register of Regulation.⁸⁶

⁸³ Macedonian Helsinki Committee (2022) [Who can\(not\) report gender-based violence?](#) Public policy document, *Official Website of the Macedonian Helsinki Committee*.

⁸⁴ North Macedonia, Ministry of Interior (Министерство за внатрешни работи) 28 November 2022, Response to Public information request by the National network to end violence against women (Решение за одговор на барање за слободен пристап до информации).

⁸⁵ North Macedonia, Ministry of Interior (Министерство за внатрешни работи), September 2022, [Domestic violence statistics for the period January to September 2022](#) (Статистика за домашно насилство во периодот Јануари – Септември 2022 година), *Official website of the Ministry of Interior*

⁸⁶ North Macedonia, Ministry of Justice (Министерство за правда), [Draft Criminal Code](#) (Предлог Кривичен законик), July 2022, *Official website for consultations of the Ministry of Information Society and Administration*.

The failure to criminalise gender-based violence acts, especially the murder of women, is preventing adequate protection for women and girls against violence. Also, it is very difficult to follow data regarding such acts, especially femicide.

In April 2022, the Ministry of Labour and Social Policy submitted the first report to the GREVIO committee.⁸⁷ According to this report North Macedonia has a national program for psychosocial treatment of perpetrators of domestic violence which is implemented in eight counselling centres for perpetrators. They are part of the seven intermunicipal centres for social work in the following regions: Skopje, Polog, Pelagonia, Vardar, Southwest region, East Region and Northeast region.

Employment measures have been made available to the specific vulnerable category of women victims of gender based and domestic violence for the first time in the country with the 2022 Operational Plan for Active Measures and Employment Programs on the Labour Market.⁸⁸ The plan, developed and implemented by the Employment Agency and Ministry of Labour and Social Policy includes the self-employment/entrepreneurship support of up to 10,000 EUR and salary subsidisation for three, six or 12 months specifically targeting women victims of gender based violence and domestic violence. Most of the other measures are also available to unemployed women who are victims of gender based and domestic violence.

In December 2022, the Ministry of Labour and Social Policy opened the first regional Center for women victims of gender based and domestic violence in the Polog region, located in the City of Gostivar.⁸⁹ This center will provide specialised services and temporary sheltering for the victims in duration of three months, with a possibility of extension of additional three months.

⁸⁷ North Macedonia, Ministry of Labour and Social Policy (Министерство за труд и социјална политика) (2022), [Report - Submitted by North Macedonia pursuant to Article 68, paragraph 1 of the Convention of the Council of Europe to prevent and combat violence against women and domestic violence \(Basic Report\)](#) (Извештај Поднесен од Северна Македонија согласно член 68, став 1 од Конвенцијата на Советот на Европа за спречување и борба против насилството врз жените и домашното насилство (Основен извештај)), *Official website of the Ministry of Labour and Social Policy*.

⁸⁸ North Macedonia, Employment Agency (Агенција за вработување) (2022), [Operational plan for active measures and programs for employment and services on the labor market](#) (Оперативен план за активни мерки и програми за вработување и услуги на пазарот на трудот за 2022), *Official website of the Agency for Employment*.

⁸⁹ North Macedonia, Ministry of Labour and Social policy, 2022, [First Center for women victims of domestic violence opened in the Polog region](#)

8 Developments in the implementation of the Convention on the Rights of Persons with Disabilities

8.1 CRPD policy and legal developments & implementation of the European Accessibility Act

Commencement of a process of preparation of a National Disability strategy 2023-2030

In mid-2022 the Government and the Ministry of Labour and Social Policy with the support of Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) initiated a process for preparing a seven year National Disability Strategy 2023-2030.⁹⁰ Several major strategies were adopted in 2022: the National Strategy for Equality and Non-Discrimination 2022 - 2026⁹¹, the Strategy for Gender Equality 2022-2027⁹² and the Strategy for the Inclusion of the Roma.⁹³ The latter two strategies do not address disability as an intersectional issue.

⁹⁰ North Macedonia, Ministry of Labour and Social Policy (Министерство за труд и социјална политика), 2022, MLSP: [Development of a National Strategy for the rights of people with disability with a broad societal consensus and through broad stakeholders' participation](#), (МТСП: Развој на Националната стратегија за правата на лицата со попреченост со широк општествен консензус и учество на сите страни, *Official website of the Ministry of Labour and Social Policy*).

⁹¹ North Macedonia, Ministry of Labour and Social Policy (Министерство за труд и социјална политика) Национална стратегија за еднаквост и недискриминација 2022-2026 ([National Strategy on Equality and Non-discrimination 2022-2026](#)), *Official website of the Ministry of Labour and Social Policy*.

⁹² North Macedonia, Ministry of Labour and Social Policy (Министерство за труд и социјална политика) Национална Стратегијата за родова еднаквост 2022-2027([National Strategy for Gender Equality 2022 – 2027](#)), *Official website of the Ministry of Labour and Social Policy*.

⁹³ North Macedonia, Ministry of Labour and Social Policy (Министерство за труд и социјална политика), [Strategy For Roma Inclusion](#) (Стратегија за инклузија на Ромите), *Official website of the Ministry of Labour and Social Policy*.

Right to justice

The Judicial Reform Strategy 2017-2022 as the key document for the justice sector does not include any activities related to disability or CRPD obligations.⁹⁴ A 2022 gender and disability assessment of the work of the Academy for Training of Judges and Prosecutors concludes that while certain awareness exists, the capacities for including disability and gender in the internal documents and the overall operation of Academy are limited, especially due to the absence of appropriate trainings.⁹⁵ The analysis also highlights that there is no intersectional approach in terms of ensuring gender equality of smaller ethnic communities or other social groups, such as persons with disabilities in the judiciary. It notes a lack of incorporation of the CRPD principles within the training curricula for judges and prosecutors as well as specific trainings considering the procedural accommodation for persons with disabilities. In the same study, representatives from the public prosecutor's office point out that they have not yet attended training on CRPD.

Preparations for a new Criminal Code

In mid-2022 a draft of the new Criminal Code was prepared and put forward for consultations at the national unified register for legislation. No consultations were made with organisations of persons with disabilities (OPDs) and persons with disabilities during its drafting and the draft law does not advance alignment with the CRPD in line with Article 16. The national unified register of legislation is not accessible for persons with disabilities, which is an obstacle for persons with disabilities who wish to express their opinion about already prepared legislation.

Right to political participation and participation within the public administration

The legal framework for elections lacks explicit provisions for persons with disabilities. It is also not compliant with CRPD obligations by excluding persons with disabilities based on the basis of legal capacity. The data from reports of the Office for Democratic Institutions and Human Rights and the International Foundation for Electoral Systems assessing the electoral

⁹⁴ North Macedonia, Ministry of Justice (Министерство за правда), 2017, [Strategy for the reform of the judicial sector 2017-2022 with an Action Plan](#), *Official Website of the Ministry of Justice*.

⁹⁵ N. Chelovska, E. Kochoska, N. Amdiju. Publication: Assessment of the work of the Academy for Judges and Public Prosecutors (AJPP) from a gender and diversity perspective. OSCE 2022 (to be published in early 2023).

participation of persons with disabilities and the election administration in North Macedonia showed that 920 persons without legal capacity were removed from the voter list in 2022, while very few people were added.⁹⁶

Additionally, the report confirms that the electoral bodies are not familiar with the CRPD and hold negative views about the participation of persons with psychosocial and/or learning disabilities in the electoral process. Most of the members of the municipal electoral commissions and electoral boards still have negative perceptions regarding the participation of persons with disabilities and have gaps in their knowledge as to whether people with disabilities can vote at home. Persons with disabilities are also not so familiar with their rights and rights stipulated in the CRPD. The other challenges that were noted are: that the political party offices are not accessible, that persons with disabilities believe that they are ignored by political parties, regarded as incapable, and just used them as marketing and decoration.

In 2022, the Basic Civil Court in Skopje determined that the Government and the State Election Commission committed direct discrimination against persons with disabilities in exercising their right to vote. According to the judgment, which is still not final, direct discrimination was committed by failing to take action to adapt the infrastructure and space in part of the polling stations and this violated the principle of appropriate adaptation. The court ordered the Government and the State Election Commission, until the announcement of the next elections, to ensure appropriate conditions for persons with disabilities to exercise their right to vote at the polling stations where this had previously not been possible. The Macedonian Helsinki Committee filed the lawsuit for protection against discrimination in the public interest (*actio popularis*).⁹⁷

Lack of reliability of 2021 census data on disability

The methodology of the 2021 census did not provide reliable data on disability, as noted in the report in 2022. According to the census results, the percentage of citizens with disability is around 5%, from which 2.5 % are citizens over 65 years of

⁹⁶ H. Robert, E. Kochoska, Publication "The Electoral Participation of Persons with Disabilities and the Election Administration in North Macedonia" 2022, ODIHR and IFES (to be published in early 2023).

⁹⁷ Macedonian Helsinki Committee "[The Government and the State Election Commission Committed Direct Discrimination against Persons with Disabilities When Exercising Their Right to Vote](#) (Владата и Државната изборна комисија сториле директна дискриминација врз лицата со попреченост при остварување на нивното право на глас)," *Official Website of The Helsinki Committee for Human Rights of the Republic of Macedonia*, 1st September 2022, .

age.⁹⁸ The census results are not even close to the data presented in the Survey on Income and Living Conditions, 2017 where around 31% percent of the Macedonian population has some form of disability⁹⁹, where women make up approximately 34.2% of this number, or even according to the World Health Organization (WHO) estimating that the prevalence of disability in each country is more than 15%, would suggest that the 2021 Macedonian census data may be incorrect. Some of OPDs requested official information from the Government on this matter, however no response was provided.

Hate speech towards people with disabilities

In 2022, the CPPD, acting on official duty under initiative of OPDs, determined harassment based on disability committed by the Government director of the Crisis Management Centre.¹⁰⁰ In the adopted opinion, the Commission recommended that the Director send a public apology to persons with disabilities for the statement given.

Equality and non-discrimination

In 2022, the CPPD published an opinion in which they determined discrimination on the basis of disability in regards to the access of goods and services. In May 2022, the CPPD issued an expert opinion on the terminology used in formal educational materials from the Children's Dentistry textbook under the title: Dental protection of children with disabilities.¹⁰¹ The CPPD does not provide disaggregated data on different grounds, including gender, ethnicity, disability, etc, which in turn is essential

⁹⁸ North Macedonia, State Statistical Office (Државен завод за статистика), [Total number of resident population by disability](#) (Вкупен број на резидентно население по попреченост), *Official website of the State Statistical Office*

⁹⁹ North Macedonia, State Statistical office (Државен завод за статистика), 2017 [Survey on Income and Living Conditions](#), 2017, *Official website of the State Statistical Office*

¹⁰⁰ Commission on Prevention and Protection against Discrimination (Комисија за спречување и заштита од дискриминација) (2022), [Harrasment of people with disabilities determined by the director of the Centre for crisis management](#) (Утврдено вознемирување врз лицата со попреченост од страна на директорот на Центарот за управување со кризи), Скопје, *Official website of the Commission on Prevention and Protection against Discrimination*.

¹⁰¹ Opinion still not available on CPPD website – to be added in revisions.

to create effective policies and is a CRPD obligation, as confirmed in the report 2022 Concluding Observations to the Reports of North Macedonia of the Committee on the Rights of the Child.¹⁰²

Right to independent living and the process of deinstitutionalisation

The government has continued with the process of deinstitutionalisation. Its implementation however, is not in line with the CRPD provisions and with the guidelines on deinstitutionalisation, including in emergencies.¹⁰³ Most of the activities for the deinstitutionalisation process are project-based and supported by EU funds. In the specific case of the candidate countries such as North Macedonia, a 2022 report from the European Disability Forum raised concerns that although assessment and guidance provided by the European Commission should be in line with the CRPD provision, this is not always the case.¹⁰⁴

In 2022, the total number of children and persons with disabilities resettled from institutions is 177, of which 169 are adults and eight are children. By the end of 2022¹⁰⁵, 45 people are expected to be resettled in group homes¹⁰⁶.

The Ministry of Labour and Social Policy has announced plans to perform a major reconstruction of the Institute for the Rehabilitation of Children and Youth in Skopje in 2023 with financing from the European Union and co-financing from the

¹⁰² Committee on the Rights of the Child - [Concluding observations on the combined third to sixth periodic reports of North Macedonia CRC/C/MKD/CO/3-6](#) page 8, paragraph 29, 2022, *UN treaty body database*

¹⁰³ [Guidelines on deinstitutionalization, including in emergencies CRPD/C/27/3](#) Committee on the Rights of Persons with Disabilities, 2022, *UN treaty body database*

¹⁰⁴ I.Cojocariu [Report: Role of the European Union Funding in supporting deinstitutionalization around the world: A call for Change](#), European Network on Independent Living and European Disability Forum, 2022.

¹⁰⁵ Information gathered by the Ministry of Labour and Social Policy 28/09/2022.

¹⁰⁶ Group homes were established in the process of resettling residents from the institutions. They are used to accommodate ex-residents but also a few people who come to live in them from home instead of being admitted to an institution. The term used for this form in Macedonian legislation is 'service for organized living with support' – paragraph 80 of the [National Deinstitutionalisation Strategy](#), *Official Website of the Ministry of Labour and Social Policy*

national budget. According to the Ministry, the institution will grow into a contemporary centre for early identification and intervention, with day-centres, professional rehabilitation, and a centre for respite family care.¹⁰⁷

Despite the Government's effort in the process of deinstitutionalisation, the whole process has focused on resettling persons with disabilities (children and adults). A clear cut and unambiguous understanding of the right to live in the community is crucial to ensure that the process unfolds in line with progressive realisation of the right. There are lot of concerns considering the existing deinstitutionalisation policy regarding Article 19 from the CRPD. The concluding remarks of the Committee on the Rights of the Child, issued in 2022, also underscores the need for the country to prioritise reforms of the child protection system, including the replacement of small group homes in favour of family placement. There is insufficient financial and human resources to move forward with the deinstitutionalisation of children with disabilities, and their continuing long stay in the so-called Small Group Homes and Day Care Centres.¹⁰⁸

In addition, well directed Government efforts to provide individualised support have failed to ensure choice and the accessibility of the services completely based on care and treatment, which according to Article 19 is still institutionalisation.¹⁰⁹ The whole policy and postulated services need to be reviewed and reformed in accordance with the convention and the committee's general comments.

¹⁰⁷ North Macedonia, Ministry of Labour and Social Policy (Министерство за труд и социјална политика), [Presentation of the III, IV, V and VI Report of the Republic of North Macedonia under the Convention on the Rights of the Child and its two optional protocols on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography, 2022](#), Geneva, 29 – 30 August 2022.

¹⁰⁸ Committee on the Rights of the Child - [Concluding observations on the combined third to sixth periodic reports of North Macedonia CRC/C/MKD/CO/3-6](#), page 8, paragraph 29, 2022.

¹⁰⁹ [Guidelines on deinstitutionalization, including in emergencies; CRPD/C/27/3, 2022 - Committee on the Rights of Persons with Disabilities](#),

Economic social and cultural rights

The State has continued with the implementation of the new disability assessment for children and youth with disabilities. All four regional centres were established and equipped with staff trained with the support of UNICEF. Currently UNICEF, with the help of a team of professors from the Faculty of Philosophy, Institute for Special Education and Rehabilitation, is conducting a comprehensive analysis of early childhood intervention.

There are still gaps in the inclusive education for children with disabilities. By September 2022, five specialised schools have been transformed into primary schools with resource centres.¹¹⁰ In 2022, as part of the annual government budget and review, funds have been provided for the employment of 725 educational assistants to support teachers in their work with students with disabilities.¹¹¹ Physical accessibility remains a big challenge.

In North Macedonia there has been no comprehensive analysis considering the quality of life and the living condition of persons with disabilities on a local level. Two reports prepared in 2021 and 2022 by GIZ illustrate the negative perception regarding the environment and living conditions. From 262 interviews on a local level in Bitola, nearly every third respondent (28%) felt discriminated against based on their disability condition and that percentage is higher among persons with sensory impairment (35%). The same report concludes that the citizens are not using any method/mechanism to submit complaints because they do not believe that anything will change.¹¹²

¹¹⁰ North Macedonia, Ministry of Labour and Social Policy (Министерство за труд и социјална политика), [Presentation of the III, IV, V and VI Report of the Republic of North Macedonia under the Convention on the Rights of the Child and its two optional protocols on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography 2022](#), Geneva, August 29-30, 2022, *Official Website of the Office of the High Commissioner for Human Rights*.

¹¹¹ Government of the Republic of North Macedonia (Влада на Република Северна Македонија), [MLSP: We're building a system that is just and adapted to the needs of people with disabilities](#) (МТСП: Градиме систем кој е праведен и прилагоден на лицата со попреченост), *Official website of the Government*.

¹¹² LNOB Social Mapping Report in Bitola, GIZ, December 2021 (unpublished report).

8.2 CRPD monitoring at national level

In 2022, the monitoring body for the CRPD within the Ombudsman¹¹³ has undertaken monitoring of groups homes where children and persons are reallocated as part of the deinstitutionalisation process. Observations by the monitoring unit detected several inconsistencies with the CRPD provisions, including assessments that the users are left without adequate professional treatment and support, have minimum social contact with the community, including inadequate budget allocations and lack of permanent staff.

¹¹³ Unpublished report.

Annex 1 – Promising Practices

Thematic area	<p>EQUALITY AND NON-DISCRIMINATION</p> <p>Please provide one example of a promising practice to tackle discrimination against LGBTIQ people or discrimination on the grounds of socio-economic status, health status and physical appearance, such as awareness raising campaigns or training for relevant professionals. Where no such examples are available, please provide an example of an awareness raising campaign held in your country in 2022 relevant to equality and non-discrimination of LGBTIQ people or on the other above-mentioned grounds, preferably one conducted by a national equality body.</p>
Title (original language)	No promising practice has been identified for this thematic area.

Thematic area	<p>RACISM, XENOPHOBIA AND RELATED INTOLERANCE</p> <p>Please provide one example of a promising practice to address racism and xenophobia. Please give preference to a promising practice about participation and engagement of Equality bodies and CSOs in addressing racism and hate crime. Where no such practice exists, please provide one example of a promising practice related more generally to combating racism, xenophobia, and related intolerances.</p>
Title (original language)	No promising practice has been identified for this thematic area.

Thematic area	ROMA EQUALITY AND INCLUSION Please provide one example of promising practice in relation to the two topics addressed in the chapter: regarding the implementation of national action plans and regarding the legal or policy developments addressing Roma/Travellers equality and inclusion.
Title (original language)	No promising practice has been identified for this thematic area.

Thematic area	INFORMATION SOCIETY, PRIVACY AND DATA PROTECTION Please, provide one example of a promising practice related to the topics addressed in the chapter, i.e., in relation to data protection, and/or artificial intelligence systems.
Title (original language)	No promising practice has been identified for this thematic area.

Thematic area	RIGHTS OF THE CHILD Please provide a promising practice for the related topics addressed in the chapter (i.e., the impact of poverty and exclusion on children and children and justice).
Title (original language)	No promising practice has been identified for this thematic area.

Thematic area	ACCESS TO JUSTICE – Victim’s Rights and Judicial Independence Please provide one example of a promising practice in relation to the topic address in the chapter: i.e. Victim’s Rights Directive, the EU Strategy for Victim’s Rights and violence against women.
Title (original language)	No promising practice has been identified for this thematic area.

Thematic area	Developments in the implementation of the Convention on the Rights of Persons with Disabilities (CRPD) Please provide one example of a promising practice of national monitoring bodies (e.g., a well-run outreach campaign, an inclusive survey, a successful effort or initiative to improve legislation, etc.) in relation to projects or programmes implementing the CRPD or promoting the rights of persons with disabilities. Where no such practice exists, please provide one example of a promising practice in relation to projects or programmes implementing the CRPD or promoting the rights of persons with disabilities, focussing on projects and programmes implemented with EU funding.
Title (original language)	No promising practice has been identified for this thematic area.

Annex 2 – Caselaw

Thematic area	EQUALITY AND NON-DISCRIMINATION Please provide one high court decision addressing discrimination against EU citizens based on nationality or against LGBTI people. Where relevant, always highlight any relevance or reference to multiple or intersectional discrimination in the case you report.
Decision date	No case law has been identified for this thematic area

Thematic area	RACISM, XENOPHOBIA AND RELATED INTOLERANCE Please provide the most relevant <u>high court</u> decision concerning the application of <u>either</u> the Racial Equality Directive or the Framework Decision on racism and xenophobia, addressing racism, xenophobia, and other forms of intolerance more generally.
Decision date	No case law has been identified for this thematic area

<p>Thematic area</p>	<p>ROMA EQUALITY AND INCLUSION (Case no.1)</p> <p>Please provide the most relevant high court decision addressing violations of fundamental rights of Roma and Travellers.</p>
<p>Decision date</p>	<p>20.01.2022 (final as of October 2022)</p>
<p>Reference details</p>	<p>Court of First Instance – Civil Court Skopje, European Roma rights Centre vs. Ministry of Health, North Macedonia (actio popularis), Case no. 9П4-884/21.</p>
<p>Key facts of the case</p> <p>(max. 500 chars)</p>	<p>The ERRC raised this case an actio popularis case arguing that there has been a violation of the right to health protection and discrimination of children that abuse drugs due to the lack of treatment or rehabilitation programs for children that abuse drugs. There is no health institution for children who abuse drugs that can offer appropriate hospitalisation, treatment, and rehabilitation.</p> <p>Because Roma are over-represented among children that abuse drugs in North Macedonia, ERRC argued that they have been subjected to indirect discrimination. A majority of them are at-risk Romani children, who live on the streets or are without parental care.</p> <p>The case was initially brought in April 2020 after gathering evidence from a local NGO, the Ombudsperson (later a witness in the case), as well as testimonies by parents of underage children that abuse drugs.</p>

<p style="text-align: center;">Main reasoning/argumentation</p> <p style="text-align: center;">(max. 500 chars)</p>	<p>The Court ruled that children that abuse drugs in North Macedonia have their right to equality violated based on their age, as well as their status as a marginalised group - children drug users. The Court recognised that Romani children that abuse drugs are overrepresented among children that abuse drugs, and are thus indirectly discriminated on grounds of ethnicity. The Court also found that the right to health protection of all children that abuse drugs has been violated.</p>
<p style="text-align: center;">Key issues (concepts, interpretations) clarified by the case (max. 500 chars)</p>	<p>This case is a groundbreaking case in terms of the court instructing the executive to undertake specific action, i.e. the court entering into what is usually seen as policy-making. This is evident in the court's order to the Ministry of Health to not only adopt a program for children that abuse drugs, but also to build a centre to deal with this issue. This is a promising approach for dealing with systemic aspects of discrimination, and one which increases manifold the value and potential of litigation and brings it from having an impact in a single case to having a systemic impact.</p>
<p style="text-align: center;">Results (sanctions) and key consequences or implications of the case (max. 500 chars)</p>	<p>The Court ordered the Ministry of Health to adopt a specific treatment programme for child drug users and to open a centre for treatment of children that abuse drugs. The Ministry of Health is also to reimburse the legal costs of the case to the ERRC, amounting to 62,588 MKD (€1015), within 15 days of the judgment.</p>

<p>Key quotation in original language and translated into English with reference details (max. 500 chars)</p>	<p>“Се задолжува тужениот Република Северна Македонија – Министерство за здравство да донесе Специфична програма за лекување и грижа на деца корисници на опојни дроги и психотропни супстанции, да започне со нејзина примена и да отвори Центар за третман за деца кои употребуваат психоактивни супстанции, како специјализирана здравствена установа за третман и грижа на малолетни зависници на дроги, во рок од 3 месеци од правосилноста на пресудата.”</p> <p>“Се задолжува тужениот Република Северна Македонија – Министерство за здравство да му ги надомести трошоците на постапката на тужителот Европски Центар за правата на Ромите, во вкупен износ од 62.588,00 денари, во рок од 15 дена од приемот на пресудата.”</p> <p>“The defendant Republic of North Macedonia - Ministry of Health is obliged to adopt a specific program for the treatment and care of children who use narcotic drugs and psychotropic substances, to start its application and to open a treatment center for children who use psychoactive substances, as a specialized health facility for the treatment and care of minor drug addicts, within 3 months of the finality of the judgment.”</p> <p>“The defendant Republic of North Macedonia - Ministry of Health is obliged to reimburse the costs of the procedure to the plaintiff European Center for Roma Rights, in the total amount of MKD 62,588.00, within 15 days from the receipt of the judgment.”</p> <p>Basic Court Skopje II, European Roma rights Centre vs. Ministry of Health, North Macedonia (action popularis), Case no. 9П4-884/21.</p>
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Thematic area	ROMA EQUALITY AND INCLUSION (Case no.2) Please provide the most relevant high court decision addressing violations of fundamental rights of Roma and Travellers.
Decision date	13.12.2022
Reference details	European Court of Human rights – Case of Elmazova and Others v. North Macedonia, Applications nos.11811/20 and 13550/20
Key facts of the case (max. 500 chars)	The Court found that two primary schools, Gjorgji Sugarev in Bitola and Goce Delchev in Štip, had violated the Romani children’s right to non-discrimination (Article 14) in conjunction with their right to education (Article 2 of Protocol 1). The issue was brought before the Court in two applications by the European Roma Rights Centre (ERRC), who also secured decisions from the North Macedonian Equality Body to end segregation in Bitola and Stip earlier this year.

<p style="text-align: center;">Main reasoning/argumentation</p> <p style="text-align: center;">(max. 500 chars)</p>	<p>Children from the Roma-majority neighbourhood of Bair, in Bitola have been taught in increasingly segregated classes for a number of years. In the 2021-2022 school year, for the first time, every single child enrolled in the new school year in Gjorgji Sugarev Primary School was of Romani ethnicity. This was largely due to non-Romani parents removing their children enrolling them in schools elsewhere which had lower numbers of Romani students in attendance (a phenomenon known as White Flight). In parallel, parents felt that the quality of education offered to children in the Roma-majority schools declined. The process of White Flight was aided by school authorities who made it difficult, if not impossible, for Romani parents to do the same as non-Roma and enrol their children somewhere else where they could receive a better education.</p> <p>In the Goce Delchev Primary School in Štip, the Court heard how Romani pupils accounted for 67% of students in the 2018-2019 school year. As in Bitola, White Flight was established as a reason for the disproportionately high number of Romani children in the school. The measures taken by the school to reduce the segregation of Romani pupils were found to be ineffective by the Court.</p>
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<p>Key issues (concepts, interpretations) clarified by the case (max. 500 chars)</p>	<p>The court considers that the ethnic structure of the residents in the specific area (Bair) cannot be a sufficient reason for the objective justification of the segregation of the Roma in the school; that the applicants are not responsible for their own situation due to their failure to request a transfer to other schools.</p> <p>The court refers to the primary responsibility of the state to take positive and effective measures to correct the actual inequality of the applicants and to avoid the continuation of discrimination resulting from their overrepresentation in schools, thus breaking the cycle of marginalization and enabling them to live as equals citizens from the early stages of their lives.</p> <p>Even in the absence of any discriminatory intent on the part of the state, the Court considers that the segregation of Roma children in the two schools during the period under review cannot be considered objectively and reasonably justified by a legitimate aim. Accordingly, it considers that there is a violation of Article 14 of the Convention in relation to Article 2 of Protocol no. 1 of the Convention.</p>
<p>Results (sanctions) and key consequences or implications of the case (max. 500 chars)</p>	<p>Each household has been awarded compensation of €1,200 EUR, totalling €45,600 across both schools.</p>

<p>Key quotation in original language and translated into English with reference details (max. 500 chars)</p>	<p>“FOR THESE REASONS, THE COURT, UNANIMOUSLY,</p> <ol style="list-style-type: none"> 1. <i>Decides</i> to join the applications; 2. <i>Decides</i> to join to the merits the preliminary objection concerning the applicants’ victim status and dismisses it; 3. <i>Declares</i> the complaints of the child applicants A.M. and R.M. (applicants nos. 24 and 28, application no. <u>13550/20</u>) and their parents M. Parlapanova and A. Memedova (applicants nos. 32 and 27), respectively, inadmissible and the remainder of the applications admissible; 4. <i>Holds</i> that there has been a violation of Article 14 of the Convention read in conjunction with Article 2 of Protocol No. 1 to the Convention; 5. <i>Holds</i> <ol style="list-style-type: none"> (a) that the respondent State is to pay to each of the applicants’ households, within three months from the date on which the judgment becomes final in accordance with Article 44 § 2 of the Convention, EUR 1,200 (one thousand two hundred euros), plus any tax that may be chargeable, to be converted into the national currency of the respondent State at the rate applicable at the date of settlement; (b) that from the expiry of the above-mentioned three months until settlement simple interest shall be payable on the above amount at a rate equal to the marginal lending rate of the European Central Bank during the default period plus three percentage points; 6. <i>Dismisses</i> the remainder of the applicants’ claim for just satisfaction.”
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	<i>European Court of Human rights – Case of Elmazova and Others v. North Macedonia, Applications nos.11811/20 and 13550/20</i>
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Thematic area	ASYLUM, VISAS, MIGRATION, BORDERS AND INTEGRATION Please provide the most relevant high court decision – or any court ruling – relating to the implementation of the <u>right to an effective remedy</u> in the context of storing data in national large-scale databases and in EU IT systems (Eurodac, VIS, SIS) delivered in 2021.
Decision date	No case law has been identified for this thematic area

Thematic area	INFORMATION SOCIETY, PRIVACY AND DATA PROTECTION Please provide the most relevant high court decision related to the topics addressed in the chapter, i.e. data protection, and/or artificial intelligence systems.
Decision date	No case law has been identified for this thematic area

Thematic area	<p>RIGHTS OF THE CHILD</p> <p>Please provide the most relevant high court decision related to the topics addressed in the chapter.</p>
Decision date	No case law has been identified for this thematic area

Thematic area	<p>ACCESS TO JUSTICE</p> <p>Please provide the most relevant high court decision related to the topics addressed in the chapter.</p>
Decision date	No case law has been identified for this thematic area

Thematic area	<p>DEVELOPMENTS IN THE IMPLEMENTATION OF THE CONVENTION ON THE RIGHTS OF PERSONS WITH DISABILITIES (CRPD)</p> <p>Please provide the most relevant High Court decision, which quoted the CRPD or prominently referred to the CRPD in the reasoning.</p>
Decision date	No case law has been identified for this thematic area