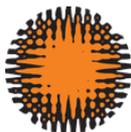


EQUAL ITY NOW

monitoring report on the
access of women from
marginalized communities
to anti-discrimination
protection mechanisms

2026



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Civica Mobilitas is a project of the Swiss Government to support civil society in North Macedonia, implemented by the Macedonian Center for International Cooperation (MCIC), NIRAS from Denmark and FCG from Sweden. The goal of the program is social change in North Macedonia that is driven by a strong civil sector, active citizens and good cooperation with the authorities, resulting in an expanded civic space, more sustainable civil society organizations and more transparent, accountable and socially inclusive governance at the central and local levels.

Civica Mobilitas is a project of the Swiss Government, implemented by MCIC, NIRAS and FCG. The content of this publication is sole responsibility of the Helsinki Committee for Human Rights and can in no way be taken to reflect the views of the Swiss Government, Civica Mobilitas, or implementing organizations

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1. Executive Summary

This monitoring report analyses the accessibility and effectiveness of anti-discrimination protection mechanisms in the Republic of North Macedonia, with a particular focus on the access of women from marginalized communities to proceedings before the Commission for Prevention and Protection from Discrimination (CPPD). Although the legal framework is formally aligned with European and international standards, the findings show that there is a significant gap between normative equality and the actual accessibility of protection in practice.

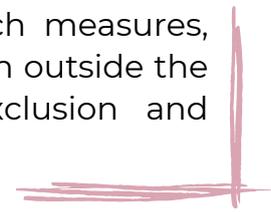
During the monitoring period from July 2024 to September 2025, 643 complaints were submitted to the CPPD. Of these, 234 complaints (36%) were submitted by women. Only 14 complaints, or approximately 2% of the total number, were submitted by women from marginalized communities, and exclusively by women from rural areas. This finding indicates a serious institutional invisibility of women who face multiple forms of discrimination.

In the analysed period, discrimination was established in only 9 cases based on complaints submitted by women, representing approximately 3.8% of all complaints submitted by women. Of these cases, only 2 were recognized as intersectional discrimination. The CPPD did not establish discrimination in none of the complaints submitted by women from marginalized communities. These figures do not indicate the absence of discrimination, but rather the limited capacity of the system to recognize and address the complex forms of inequality faced by these women.

Additionally, more than half of the complaints submitted by women (52%) originate from the Skopje planning region, indicating a pronounced territorial imbalance in the use of protection mechanisms. Women from rural and remote areas are significantly less likely to address the Commission, pointing to the existence of geographic, informational, economic, and institutional barriers. The high rate of rejected complaints (33% of complaints submitted by women) further raises questions about the accessibility and clarity of the procedures.

The findings of the monitoring point to the conclusion that the anti-discrimination protection system, in its current form, ensures formal accessibility but not substantive equality. The low representation of marginalized women, the absence of established discrimination in cases involving these groups, and the limited application of an intersectional approach indicate the need for structural improvements in institutional practice.

The report calls for a shift from declarative to effective protection through proactive field activities, simplification of procedures, provision of accessible legal support, systematic collection of gender- and group-disaggregated data, and institutionalization of an intersectional approach in analysis and decision-making. Without such measures, there is a risk that the most vulnerable women will remain outside the protection system, further deepening their social exclusion and undermining trust in institutions.



2. Introduction and Context

The Commission for Prevention and Protection from Discrimination (CPPD) represents a key independent institutional mechanism for the protection of the right to equality and non-discrimination in the Republic of North Macedonia. As a national equality body, the Commission has the mandate to act upon complaints of discrimination, to establish the existence of discrimination, to issue opinions and recommendations, as well as to contribute to the advancement of anti-discrimination policies and practices.¹

Access to the CPPD, as an out-of-court mechanism for protection against discrimination, is of particular importance for individuals and groups who face systemic inequalities, limited access to justice, or distrust in institutions. In this regard, the analysis of complainants, the timing and manner of the use of the mechanisms before the Commission, as well as the outcomes of the procedures, represent an important indicator of the effectiveness, functionality, and actual accessibility of the anti-discrimination protection system in practice.

Despite the existence of a relatively solid legal framework for equality and non-discrimination, gender inequality continues to represent a significant structural problem in Macedonian society. Women face various forms of discrimination in areas such as employment and labor relations, access to public services, healthcare and social protection, as well as within family and private relations.

Of particular concern is the situation of women belonging to marginalized communities, where gender inequality often intersects with other grounds of discrimination, such as social status, place of residence, health condition, sexual orientation, or gender identity. These overlapping forms of discrimination significantly hinder their access to effective legal protection and institutional support.

The focus of this monitoring and report is directed towards women from marginalized communities, including women from rural areas, women belonging to the LGBTI community, women who use drugs, sex workers, women in detention, and homeless women from the Skopje planning region. These groups are exposed to multiple and interrelated forms of exclusion, stigmatization, and discrimination.

¹ Law on Prevention and Protection against Discrimination (2020).

Although the legislation provides for equal access to protection for all, in practice these women rarely appear as complainants before the CPPD. Therefore, the low number of complaints submitted by women from marginalized communities should not be interpreted as an absence of discrimination, but rather as an indicator of limited access to justice and institutional protection.

The concept of intersectional discrimination refers to situations in which a person is exposed to discrimination based on multiple personal characteristics simultaneously, where the effects of these grounds cannot be examined separately. For women from marginalized communities, intersectional discrimination represents a reality that significantly shapes their everyday experiences.

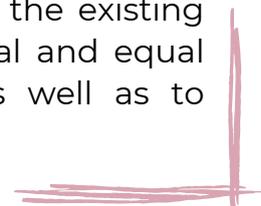
In the context of the CPPD's work, the recognition and establishment of intersectional discrimination is of key importance for ensuring substantive, rather than merely formal, equality. However, practice shows that such cases are still rarely identified, which indicates the need for a deeper analysis of institutional capacities and approaches to these complex forms of discrimination.

This monitoring and report are implemented within the framework of the project "Equality Now - Empowering marginalized communities for social inclusion and non-discrimination" supported by the Government of Switzerland through Civica Mobilitas implemented by the Helsinki Committee for Human Rights, HOPS - Healthy Life Options and the MARGINI Coalition, whose objective is to contribute to improving access to justice and strengthening anti-discrimination protection mechanisms for the most vulnerable groups in society.

Through systematic monitoring of the CPPD's work, the project aims to provide evidence based data, which will serve as a basis for advocacy, improvement of institutional practices, and advancement of public policies in the field of equality and non-discrimination. In this regard, this report represents a bridge between the quantitative findings of the monitoring and the qualitative conclusions and recommendations, aimed at achieving the objectives of the Civica Mobilitas program and, more broadly, at building a more inclusive society.

This report, as a final document of the monitoring process, represents a basis for further analysis of trends, identification of structural weaknesses, and formulation of concrete recommendations aimed at improving access to justice for women from marginalized communities.

The purpose of this monitoring is to determine whether the existing system for protection against discrimination provides real and equal access for women from marginalized communities, as well as to identify structural barriers that limit their access to justice.



3. Monitoring methodology

The monitoring of the work of the Commission for Prevention and Protection from Discrimination (CPPD) in relation to the protection against discrimination of women from marginalized communities was carried out by the Helsinki Committee for Human Rights, within the framework of the project “Equality Now - Empowering marginalized communities for social inclusion and non-discrimination.”

The monitoring was conducted on a quarterly basis, in the period from July 2024 to September 2025, with the aim of tracking trends and practices in the work of the CPPD, as well as the access of women from marginalized communities to mechanisms for protection against discrimination.

Data sources

The data used for monitoring were collected from:

- data provided by the CPPD on submitted and resolved complaints;
- publicly available quarterly and annual reports of the CPPD;
- data obtained through direct communication and cooperation with the CPPD;
- data obtained from fieldwork through engaged paralegals

Monitoring indicators

The monitoring focused on tracking the following indicators:

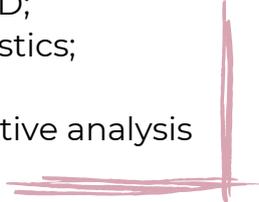
- total number of complaints submitted to the CPPD;
- number of complaints submitted by women;
- number of complaints submitted by women from marginalized communities;
- geographical distribution of complainants (with a particular focus on the Skopje planning region);
- manner of submission of complaints (online or through conventional means);
- number of rejected complaints submitted by women, including marginalized women;
- number of cases in which the CPPD established discrimination, including intersectional discrimination.

Data processing and presentation

The collected data were systematized and analysed on a quarterly basis, and the findings and results were presented through infographics, which were publicly published on the website of the Helsinki Committee for Human Rights.

The data were analysed in aggregate in order to identify trends, structural challenges, and practices in the access of women from marginalized communities to protection against discrimination, as well as to formulate evidence-based conclusions and recommendations.

Limitations of the monitoring

- The data are based on information provided by the CPPD;
 - Lack of detailed gender- and group-disaggregated statistics;
 - No full insight into the reasoning of all decisions;
 - The monitoring is quantitative, without in-depth qualitative analysis
- 

4. SYSTEMIC BARRIERS IN ACCESS TO PROTECTION AGAINST DISCRIMINATION IN THE REPUBLIC OF NORTH MACEDONIA: A GENDER AND INTERSECTIONAL PERSPECTIVE

Although our country has significantly improved its normative framework in the field of equality and non-discrimination over the past decade, the practical implementation of these standards remains limited, especially when it comes to women from marginalized communities. Formal alignment with European and international standards does not always result in effective protection and access to justice. The gap between the legal framework and the actual accessibility of protection mechanisms represents a key structural challenge.

The Annual Report of the Commission for Prevention and Protection from Discrimination for 2024² indicates a certain increase in reported cases, but at the same time reveals structural limitations in access to protection mechanisms. According to official data, the Commission handled a total of 485 cases, of which 48% resulted in established discrimination, while 52% were rejected or not processed, most often due to procedural obstacles. The fact that more than half of the cases do not reach a decision on the merits raises questions about the accessibility and functionality of the procedure, especially for individuals who lack legal support or institutional experience. This indicates that the formal possibility to submit a complaint does not always translate into a real possibility of obtaining legal protection.

The report notes that the most common grounds for discrimination were nationality, personal characteristics, and gender, but the gender aspect was rarely analysed as a central issue in the decisions adopted. This finding is particularly significant given that gender-based discrimination often manifests in combination with other grounds, which requires a deeper and intersectional analysis.

² Annual report on the work of the Commission for Prevention and Protection against Discrimination for 2024 (2025). <https://kszd.mk/wp-content/uploads/2025/04/Годишен-извештај-2024-КСЗД.pdf>

The Law on prevention and protection against discrimination represents a key legal instrument that provides for a broad list of protected grounds, including sex, gender, sexual orientation, gender identity, disability, and social status. The law establishes the mandate of the CPPD as an independent body with the authority to act upon complaints, issue opinions and recommendations, and initiate proceedings before competent authorities. However, the effectiveness of this framework depends not only on its formal setup, but also on the capacity and proactivity of institutions in its implementation.

In practice, systemic limitations manifest through insufficient awareness among citizens about their rights and the procedures before the Commission, limited institutional resources, and insufficient implementation of recommendations. The lack of accessible and understandable information particularly affects women from rural areas, women belonging to the LGBTI community, women who use drugs, sex workers, women in detention, and homeless women, who often face economic dependency, limited mobility, and restricted access to legal support. In such circumstances, initiating a procedure represents an additional burden rather than a real tool for protection.

The Republic of North Macedonia is a party to the Convention on the Elimination of all forms of discrimination against women (CEDAW)³, which obliges states to take appropriate measures to eliminate discrimination and ensure equal legal protection (Articles 2, 3, and 15). Additionally, the CEDAW Committee, in General Recommendation No. 33⁴, emphasizes the obligation of states to ensure effective access to justice and to remove structural barriers faced by women. Furthermore, the Charter of Fundamental Rights of the European Union⁵ guarantees the prohibition of discrimination and the obligation to ensure gender equality in all policies. European Union reports⁶ consistently indicate that, despite progress in legislative alignment, additional efforts are needed in implementation, institutional coordination, and strengthening equality bodies through financial independence, investigative powers, and professional staff.

Research by the European Union Agency for Fundamental Rights (FRA)⁷ shows that a significant percentage of victims of discrimination in the European Union do not report cases to competent institutions due to distrust, fear of secondary victimization, and lack of legal support. Similar trends are observed in the Republic of North Macedonia.

³ Convention on the Elimination of All Forms of Discrimination against Women – CEDAW, adopted by the UN General Assembly on 18 December 1979, Articles 2, 3 and 15.

⁴ General Recommendation No. 33 on women's access to justice, Committee on the Elimination of Discrimination against Women, 2015.

⁵ Charter of Fundamental Rights of the European Union (2000/C 364/01) Article 21.

⁶ European Commission, Progress Report on the Republic of North Macedonia (2025).

⁷ Агенција на Европската Унија за фундаментални права (FRA), Анкета EU-MIDIS II.

The number of complaints does not reflect the actual prevalence of gender-based discrimination, indicating the existence of structural barriers to accessing protection rather than the absence of violations. The concept of intersectionality, developed in legal theory to explain multiple and overlapping forms of discrimination, is explicitly recognized in CEDAW General Recommendation No. 33⁸ on access to justice. The intersectional approach implies recognition that discrimination does not operate in a one-dimensional manner. A woman who is simultaneously a member of an ethnic minority, lives in poverty, or has a disability does not face a sum of separate discriminations, but their interaction, which creates a qualitatively different and more severe form of exclusion.

In the Macedonian context, intersectional discrimination is rarely explicitly recognized in institutional practice. Women, especially those from vulnerable categories, face limited access to health, social, and correctional services, with barriers arising from a combination of gender, socio-economic status, ethnicity, or other factors. Analyses show a fragmented approach, limited corrective measures, and a lack of systematic gender- and ethnicity-disaggregated data, which reduces the ability to target policies and identify structural patterns of inequality.⁹ Limited resources affect the capacity for proactive action, monitoring, and strategic advocacy.

Formal equality implies equal treatment before the law, but substantive equality requires active measures to eliminate structural inequalities. International standards emphasize the obligation of the state to ensure effective legal remedies, positive measures, access to free legal aid, and gender-sensitive training of institutions. Without these mechanisms, anti-discrimination legislation risks remaining declarative.

Despite formal alignment with international standards, the practical implementation of the anti-discrimination framework remains limited. Insufficient institutional proactivity, lack of systematic data, and the rare application of an intersectional approach in cases involving marginalized women result in de facto inequality in access to protection. These structural barriers directly affect the number, structure, and outcomes of cases, which will be further illustrated in the analysis of the monitoring data that follows.

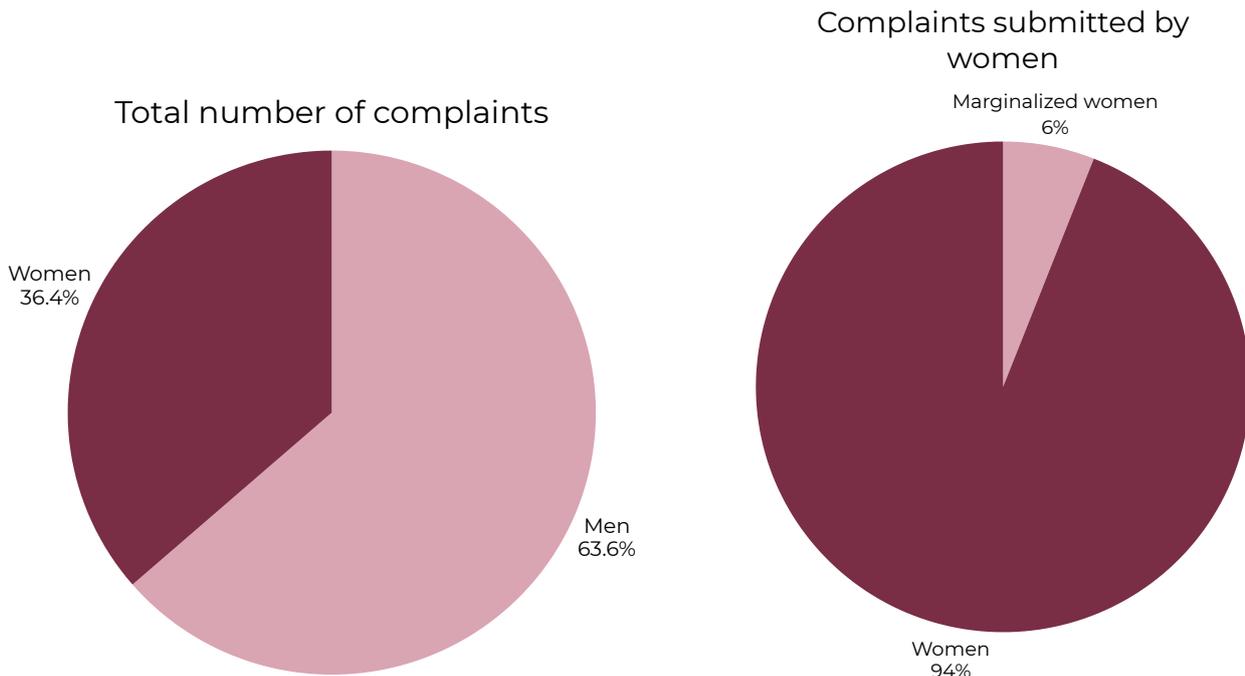
⁸ General Recommendation No. 33 on women's access to justice, Committee on the Elimination of Discrimination against Women, CEDAW (2015).

⁹ Evaluation of the human rights and rule of law situation during the OSCE Chairmanship, Helsinki Committee for Human Rights, April 2023

5. ANALYSIS OF MONITORING DATA (JULY 2024 – SEPTEMBER 2025)

5.1. Number of complaints submitted by women

During the monitoring period, which covers six quarters, 643 complaints were submitted to the Commission for prevention and protection from discrimination. Of these, 234 were submitted by women, representing approximately 36% of the total number. Within the complaints submitted by women, only 14 were submitted by women from marginalized communities, exclusively women from rural areas. This means that approximately 6% of the complaints submitted by women are from marginalized women, while in relation to the total number of complaints, they account for around 2%. This extremely low percentage indicates the institutional invisibility of women who face multiple forms of discrimination.



These data point to a multi-layered reality. On the one hand, women represent a significant portion of individuals who use institutional protection against discrimination, which indicates a certain level of awareness and use of protection mechanisms. On the other hand, they are not the dominant category of complainants, which raises questions about the existence of structural, social, or informational barriers that limit their access to these mechanisms, despite the fact that gender equality is normatively guaranteed.

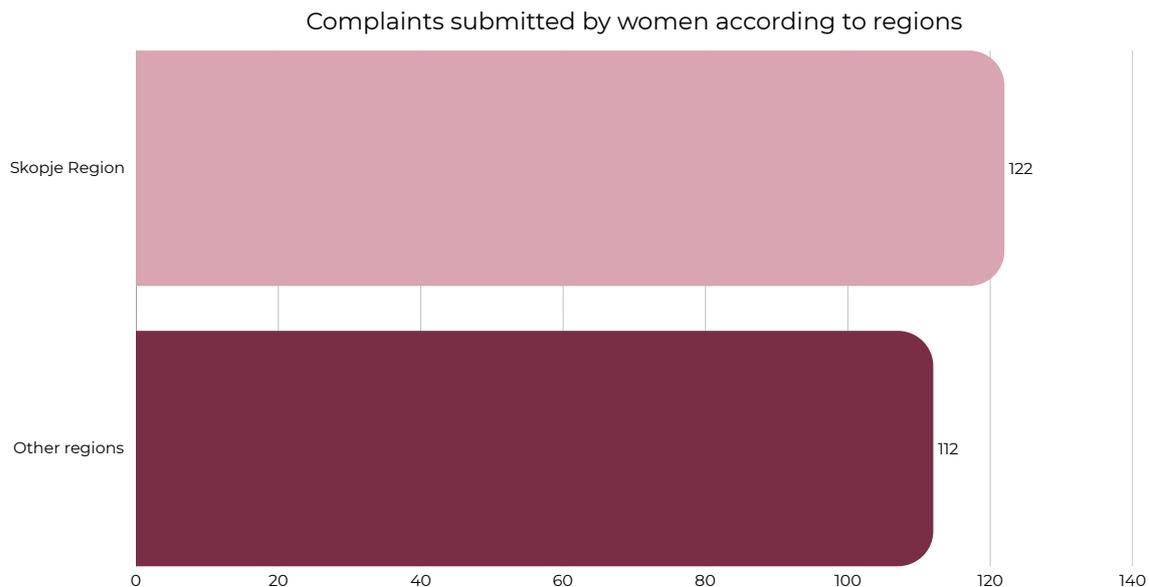
Of particular concern is the extremely low percentage of complaints submitted by women from marginalized communities. Participation of around 2% in the total number of complaints indicates serious barriers to access—whether due to geographical distance, lack of information, economic dependency, distrust in institutions, or fear of consequences. This finding points to the need for proactive measures to bring protection mechanisms closer to women who are found in a multiply vulnerable position.

Additionally, in some cases women act on behalf of children or other individuals, which highlights their role as bearers of family and social responsibility. At the same time, this indirectly indicates the vulnerability of categories of persons who cannot independently initiate proceedings, as well as the fact that access to justice is often exercised indirectly, through women as primary representatives within the family.

In summary, the quantitative data not only reflect the structure of complainants, but also raise fundamental questions about the actual accessibility, equality, and functionality of the anti-discrimination protection system in practice

5.2. Complaints submitted by women from the Skopje planning region

Out of 234 complaints submitted by women, 122 complaints, or approximately 52%, originate from the Skopje planning region, clearly demonstrating territorial imbalance in the use of protection mechanisms against discrimination. Women from other regions, especially from rural areas, turn to protection institutions significantly less frequently, indicating the existence of serious structural and practical barriers.



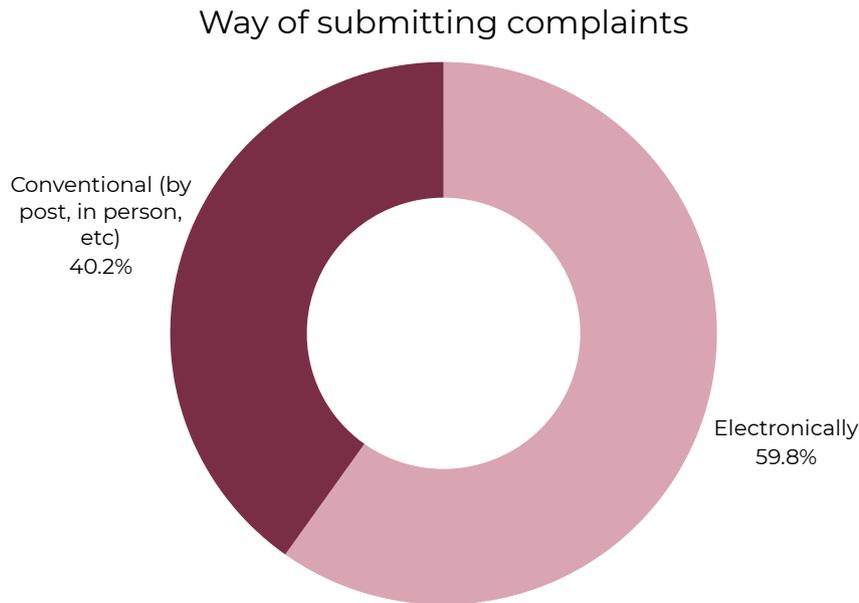
The low representation of complaints from marginalized areas cannot be interpreted as an absence of discrimination. On the contrary, numerous studies and field experiences indicate that women from rural areas, women living in poverty, and those with limited access to services and information face multiple forms of structural inequality and discrimination.

This finding points to several reasons for the low representation: insufficient awareness of protection mechanisms, institutional distance, distrust in the mechanisms, administrative and formal barriers, as well as lack of legal support. As a result, marginalized women remain in a state of de facto institutional invisibility, where their rights and needs are not adequately recognized and protected by the system for prevention and protection against discrimination.

5.3. Methods of submitting complaints

The analysis of the methods of submitting complaints filed by women shows significant patterns in the use of mechanisms for accessing the anti-discrimination protection system. Out of 234 complaints submitted by women, 140 were submitted electronically, while 94 were submitted through conventional means, indicating a dominant use of the online submission mechanism. This trend may suggest increased accessibility and practicality of electronic tools for communication with institutions.

At the same time, the fact that a significant portion of complaints are still submitted conventionally shows that traditional communication channels remain important for access to protection, and that institutions should ensure multi-channel mechanisms for submitting complaints, in order for the system to be accessible to women from all communities.



Additionally, more than half of the complaints submitted by women (122 out of 234) originate from the Skopje planning region, indicating a pronounced territorial concentration. This data highlights inequality in access to legal protection, which cannot be explained solely by the availability of online submission. Geographical distance, institutional centralization, and the lack of local presence of the Commission create additional barriers for women from other regions.

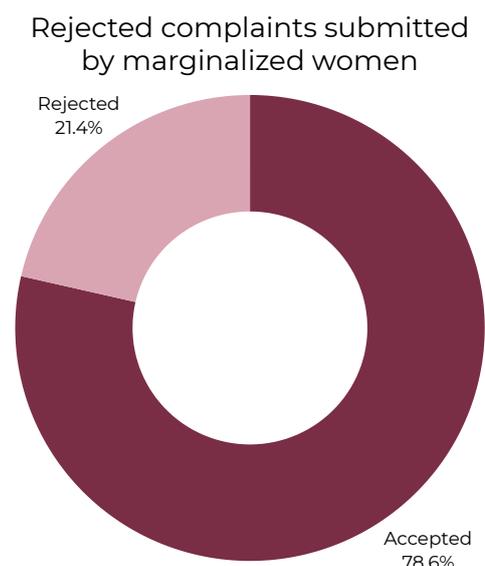
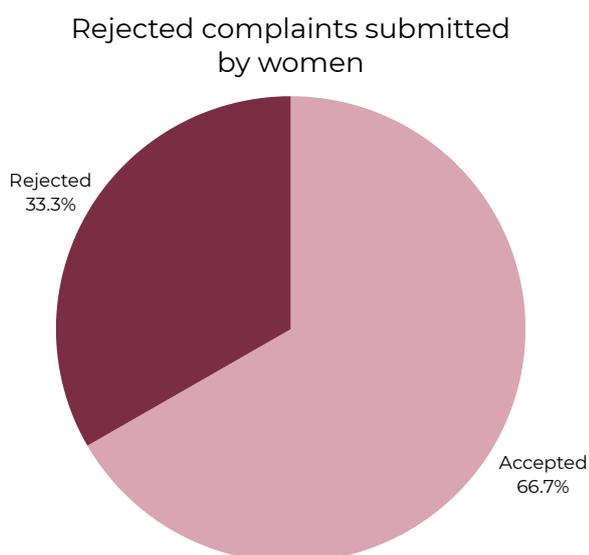
In this context, the analysis raises the question of the nature of accessibility of protection mechanisms: whether the existing model ensures real, practical accessibility for all women, or only formal accessibility which in practice is limited for those facing geographical, digital, and structural barriers. These findings point to the need for tailored access models and proactive support, especially for women from marginalized communities, in order to overcome formal and practical obstacles and ensure true equality in the use of protection mechanisms against discrimination.

5.4. Low rate of established discrimination

In the analysed period, 78 complaints submitted by women were rejected, representing approximately 33% of all complaints submitted by women, or nearly one-third. Although the reasons for rejection may vary—such as lack of jurisdiction, incomplete documentation, or other procedural obstacles—the level of this rate itself indicates possible structural weaknesses in access to the procedure.

This percentage raises the question of whether the procedures are sufficiently clear, understandable, and adapted to citizens, especially for those who lack legal knowledge or access to professional support. The high rejection rate may indicate formalism in handling cases, insufficient guidance to parties, or absence of adequate legal assistance in the preparation and submission of complaints.

Among marginalized women, 3 out of a total of 14 submitted complaints were rejected, representing approximately 21%. Although proportionally this rate is somewhat lower compared to the overall rate among women, in the context of their extremely low representation in the system, each rejection carries significantly greater weight. These women already face multiple barriers—geographical, economic, educational, and social—in reaching the institution. Therefore, the fact that some of their complaints end in rejection further deepens their de facto exclusion from protection mechanisms.



This finding indicates the need to reconsider the clarity and accessibility of procedures, the provision of effective and accessible legal aid, as well as the proactive role of the Commission in guiding and informing parties throughout the procedure. If the system aims to be truly accessible and equal for all, it is necessary to reduce formal barriers and ensure support, especially for those in a multiple vulnerable position.

5.5. Intersectional discrimination



During the six quarters of monitoring, the Commission for prevention and protection from discrimination established discrimination in only nine cases based on complaints submitted by women, representing approximately 3.8% of the total number of complaints submitted by women. Of these nine cases, only two were identified as intersectional discrimination.

Of particular concern is the fact that no discrimination was established in any of the complaints submitted by women from marginalized communities. This finding points to a significant problem: although these women are exposed to a real risk of multiple and overlapping forms of discrimination, their access to protection mechanisms does not result in formal recognition of the violation.

The low number of established cases also indicates a limited application of the intersectional approach in institutional analysis, which is particularly important given that women from marginalized communities often face multiple forms of discrimination, combining gender, social, and economic factors.

In summary, these data highlight a fundamental challenge in the anti-discrimination protection system: even when women manage to reach the institution, especially those from vulnerable and marginalized groups, the outcomes rarely recognize their experience of discrimination. This finding confirms the need to improve access, apply an intersectional approach, and ensure effective protection for all categories of women, particularly those facing multiple and overlapping forms of discrimination.

5.6. Opinions of the CPPD on cases of discrimination submitted by women from marginalized communities in the Skopje planning region (2025)

During 2025, the Commission for prevention and protection from discrimination (CPPD) established discrimination in 13 cases based on complaints submitted by women residing in municipalities within the Skopje planning region. Of these cases:

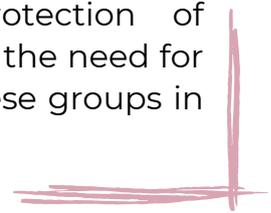
- 7 complaints were submitted in 2024, whose procedure and decision-making were completed in 2025;
- 6 are complaints submitted and completed in 2025.

It is important to note that 4 out of the 13 opinions relate to discrimination against the children of the complainants, which indicates the role of women as bearers of family responsibility and the vulnerability of their families.

Additionally, none of the cases concern discrimination against women belonging to marginalized communities, confirming concerns that these groups of women remain institutionally invisible, even when they manage to access protection mechanisms. The absence of established discrimination in these cases cannot be interpreted as evidence of the absence of violations, but rather as an indicator of the limited application of the intersectional approach in case analysis.



Therefore, it can be concluded that, despite the existence of protection mechanisms, substantive equality and effective protection of marginalized women remain seriously limited, confirming the need for structural changes and proactive measures to include these groups in the protection system.



6. Cooperation with the CPPD and the Actio Popularis Lawsuit

The Helsinki Committee for Human Rights has established a structured and continuous cooperation with the Commission for the prevention and protection against discrimination (CPPD), as a key independent mechanism for protection against discrimination in the Republic of North Macedonia. This cooperation was formalized through a Memorandum of Understanding, aiming to enhance the institutional response to discrimination, particularly in cases affecting women from marginalized communities, as well as to strengthen the strategic use of legal mechanisms for protection against discrimination.

The cooperation with the CPD has taken place on multiple levels: exchange of relevant information and data for handling discrimination complaints, monitoring the implementation of equal treatment standards, and improving the understanding and practical application of the concept of intersectional discrimination. Particularly significant is the fact that, in accordance with the Law on prevention and protection against discrimination, the CPPD has the authority to initiate court proceedings or intervene in legal cases for the protection against discrimination, providing institutional support for cases of public interest. This possibility has been utilized through the joint filing of a public interest lawsuit by the CPPD together with the Helsinki Committee for Human Rights.

6.1. Actio popularis as a strategic mechanism for protection against discrimination

Within its practice of protection against discrimination, the Helsinki Committee for Human Rights regularly utilises public interest discrimination lawsuits (*actio popularis*) as a tool for systemic advancement of the rights of vulnerable groups. This legal instrument, provided for under article 35 of the Law on prevention and protection against discrimination, allows associations, foundations, and other organizations to file lawsuits in cases where there is likely discriminatory behavior affecting a larger number of individuals or systemic problems.

An example of such practice is the verdict of the Basic Civil Court in Skopje, which found segregation of Roma children in the educational process. The court ruled that several state bodies, including the Government, the Ministry of education and science, the Ministry of labor and social policy, the Ministry of health, the State inspectorate of education, and the municipalities of Bitola and Štip, had engaged in discrimination—segregating Roma children and violating the principles of equality and non-discrimination. This ruling followed a public interest lawsuit filed by the Helsinki Committee, which provided extensive evidence of systemic discrimination against Roma students.¹⁰

The Skopje Court of Appeal¹¹ confirmed discrimination against persons with disabilities in exercising their right to vote by the Government and the State Election Commission. The court found that institutions failed to provide adequate accessibility measures and reasonable accommodation, limiting the active participation of persons with disabilities in the electoral process. The ruling emphasized that institutions have an obligation to remove systemic barriers and ensure equal access to voting.

In both proceedings initiated by the Committee, the CPPD was involved by the court as *amicus curiae* (friend of the court), allowing it to provide expert interpretations of relevant international standards and highlight recommendations from key documents related to Roma segregation and accessibility of persons with disabilities. This type of participation strengthened the legal arguments in court and promoted greater institutional awareness not only of segregation as a systemic issue requiring integrated policy responses but also of the need to ensure equal and effective access of persons with disabilities to democratic processes and fundamental rights.

Within this cooperation, a particularly significant example of the strategic use of legal mechanisms for protection against discrimination is the filing of an *actio popularis* lawsuit by the Helsinki Committee for Human Rights, in partnership with the CPPD, addressing systemic discrimination against individual female farmers—women from rural areas.

¹⁰ See more <<https://mhc.org.mk/news/osnovniot-graganski-sud-utvr-di-segregacija-na-decata-romi-vo-obrazovniot-proces/>>

¹¹ See more <<https://mhc.org.mk/news/potvrdena-e-direktnata-diskriminacija-vrz-licata-so-poprechenost-pri-ostvaruvanje-na-nivnoto-pravo-na-glas-od-strana-na-vladata-i-drzhavnata-izborna-komisija/>>

The collaboration with the Commission was further deepened within the framework of the project, as a joint coordination led to the filing of another *actio popularis* lawsuit against the Republic of North Macedonia, namely against the Government and the Ministry of health, due to legislation that excludes individual female farmers from the right to wage compensation during maternity leave, childbirth, and parental leave, as well as from compensation during temporary inability to work due to illness or injury. Although these women are mandatory health insurance contributors and regularly pay contributions, they are placed in a less favorable position compared to other categories of insured persons, constituting indirect, prolonged, and intersectional discrimination.

Acting on a complaint in 2023,¹² the CPPD found the existence of indirect, prolonged, and intersectional discrimination based on sex, gender, personal status (female farmers from rural areas), and affiliation to marginalized group, emphasizing that this is a systemic problem arising from the legal framework, rather than an isolated case. The particular value of this lawsuit lies in its clear intersectional dimension. Individual female farmers face multiple and interrelated forms of inequality: discrimination based on sex and gender, discrimination related to their personal and professional status, and marginalization associated with living in rural areas. This combination of factors results in an increased risk of poverty, compromised health, and limited access to basic social and health rights, which was documented in detail through relevant analyses and research by civil society organizations.

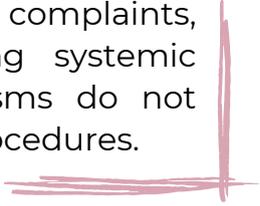
Despite the Government adopting special annual programs to financially support women engaged in agricultural activities, data shows that these measures have limited coverage and insufficient implementation, failing to provide a permanent and systemic solution to the existing discrimination. The fact that in 2023 and 2024 only one female farmer a year exercised the right to wage compensation highlights the inefficiency of such ad hoc measures and confirms the need for legal amendments, as recommended by the CPPD.

This example of cooperation with the CPPD and the use of the *actio popularis* lawsuit is of fundamental importance for monitoring the Commission's actions and for the broader system of protection against discrimination. It demonstrates that, alongside individual complaints, strategic public interest lawsuits are a key tool for addressing structural and systemic discrimination, especially concerning women from marginalized communities.

¹² Opinion of the Commission for Prevention and Protection against Discrimination, arch. no. 08-119/3 of 03.03.2023.

At the same time, this approach strengthens the role of the CPPD as an active actor in the fight against discrimination and contributes to improving the legal and institutional framework for equality and non-discrimination in the Republic of North Macedonia.

These cases illustrate that, in addition to individual complaints, strategic litigation is an essential tool for addressing systemic discrimination, particularly when institutional mechanisms do not provide sufficiently effective protection through regular procedures.



7. CONCLUSIONS AND RECOMMENDATIONS

The analysis of complaints submitted to the Commission for the prevention and protection against discrimination over a period of six quarters reveals a series of significant trends reflecting structural imbalances in the functioning of the discrimination protection system. Women constitute slightly more than one-third of all complainants, indicating that they represent a significant, yet not dominant, portion of users of the protection mechanisms. At the same time, marginalized women almost do not use the mechanism, suggesting the existence of multiple barriers in accessing institutions.

There are also pronounced regional disparities—more than half of the complaints were submitted by women from the Skopje planning region, highlighting the territorial concentration of access to protection mechanisms. The rate of established discrimination is extremely low, which limits the system's effectiveness and its formal recognition of violations. An intersectional approach is almost never applied in practice, even though women from marginalized communities are most often exposed to multiple forms of discrimination.

These data indicate that, although a formal mechanism for protection against discrimination exists, its use and effectiveness for women from marginalized communities is minimal. The low number of complaints, absence of established discrimination, and regional imbalance demonstrate that the system does not provide equal and effective protection for all. Transitioning from formal equality to substantive equality requires active measures to bring the mechanisms closer to citizens, simplify procedures, institutionalize the intersectional approach, and improve data collection and analysis systems in order to plan targeted and effective interventions for vulnerable groups.

Recommendations



To ensure real and effective accessibility to institutional mechanisms for protection against discrimination, it is necessary for the Commission for the Prevention and Protection against Discrimination to develop an integrated and proactive approach focused on the needs of vulnerable and marginalized groups.

Existing data and analyses indicate that the mere formal existence of mechanisms is insufficient if they are not adapted to the social reality and the specific barriers faced by women from marginalized communities.



In this regard, it is essential for the Commission to strengthen its presence in the field and actively reach out to women living under conditions of multiple vulnerabilities. Organizing field-based informational campaigns in rural areas and communities where marginalized women live would enable direct contact with potential users of the mechanism and help overcome informational and psychological barriers. Additionally, establishing mobile offices and conducting regular visits to local institutions would reduce institutional distance and build trust in the system. This approach should also be based on structured cooperation with local civil society organizations and informal groups working with women from the LGBTI community, women who use drugs, sex workers, incarcerated women, and homeless women, as they have established trust and direct insight into the real needs of these communities.



Beyond bringing services closer to communities, it is necessary to substantially simplify procedures before the Commission. The high rate of complaint rejections indicates that procedural requirements represent a significant barrier, particularly for individuals with limited legal, educational, or institutional capacity. Redesigning forms, simplifying the language of documents, and using clear and understandable administrative language would contribute to increasing the success rate of submitted complaints. Furthermore, actively indicating missing elements in submissions, rather than automatically rejecting them, would allow more cases to reach merit-based consideration. In this sense, providing mandatory and timely legal assistance to vulnerable categories is crucial for eliminating institutional barriers and ensuring equal access to justice.

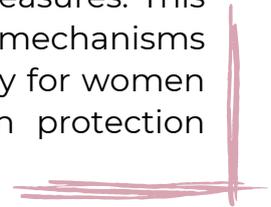


Special attention should be given to introducing targeted support measures for women from rural areas, women from the LGBTI community, women who use drugs, sex workers, incarcerated women, and homeless women. Organizing local informational meetings and providing field-based support in cooperation with social work centers, local institutions, and civil society organizations would enable more effective identification of discrimination cases and their institutional processing. Simplifying access to documents and forms, as well as allowing assisted submission of complaints, would enable vulnerable groups to use protection mechanisms independently or with minimal support.



In parallel with improving accessibility, it is necessary for the Commission to systematically enhance the practice of collecting, processing, and analyzing discrimination data. More detailed recording of complainants' affiliation with marginalized groups would allow identification of those categories most exposed to discrimination but least likely to access institutional protection. At the same time, detailed classification of the type of discrimination and recognition of intersectional cases, in which multiple grounds overlap, would allow a more comprehensive and sensitive analysis of actual risks. Monitoring repeated or multiple discrimination would help identify systemic problems and institutional patterns, while analyzing case outcomes by category of complainant would allow assessment of the effectiveness and fairness of the institutional response.

Such an approach would enable the Commission to move from formal processing to analytical and substantive handling of discrimination complaints and to design evidence-based policies and measures. This would contribute to strengthening trust in institutional mechanisms and ensuring real, not merely formal, equality—particularly for women who are most often invisible within the discrimination protection system.



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