

**CONFERENCE**

**YEARS OF PREVENTION AND  
PROTECTION AGAINST  
DISCRIMINATION:  
ACCOMPLISHMENTS AND THE  
ROAD AHEAD**

**КРС**

КОМИСИЈА ЗА  
ЗАШТИТА ОД ДИ

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EVENT REPORT



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ЗД

СПРЕЧУВАЊЕ И  
СКРИМИНАЦИЈА

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## INTRODUCTION

The Commission for Prevention and Protection against Discrimination is the national equality body established pursuant to the Law on Prevention and Protection against Discrimination which was adopted in 2020. In January 2021, the Parliament of the Republic of North Macedonia constituted the first professional composition of the Commission for Prevention and Protection against Discrimination (CPPD) as an autonomous and independent body, vested with competencies in the promotion, prevention and protection against discrimination. On the occasion of the fifth anniversary since the establishment of the CPPD, a conference was held on 20 November 2025 with the goal of assessing the institutional development of the Commission to date, its impact on safeguarding human rights and equality, as well as the prospects for further strengthening of its mandate. The five-year period since the establishment of the Commission represents a significant milestone to reflect on the results – in terms of the institutional consolidation, the decision-making practice, access to justice for vulnerable and marginalized groups, as well as the visibility and engagement of the CPPD within the public discourse.

The conference was organized with the aim of marking the achievements attained to date, while also undertaking a critical assessment of the key challenges encountered by the CPPD in the discharge of the mandate since the CPPD was first established in 2021. Through structured discussions involving CPPD representatives, state institutions, civil society organizations, and experts at national and regional level, specific areas were identified in which additional measures are required to further strengthen the independence, effectiveness, institutional resources and public credibility of the body. Particular emphasis was placed on the role of the CPPD in the context of the country's European integration processes, the need to align with European standards, and the strengthening of cooperation with regional equality bodies.

This report consolidates the key messages from the conference, outlines the results achieved in the 2021-2025 period, and sets out the recommended directions for future action. In doing so, the Commission seeks to contribute to the further development of a strong, visible, and effective equality body, positioned as an integral part of the national human rights policies and the European integration processes of the country.

## Organisers

- The Commission for Prevention and Protection against Discrimination (CPPD)
- Project “EU Support for Rule of Law” funded by the European Union, implemented by the Ludwig Boltzmann Institute of Fundamental and Human Rights

## Participants

| No. | First and last name            | Institution   |
|-----|--------------------------------|---|
| 1   | Limko Bejarovski               | CPPD  |
| 2   | Dushan Tomshikj                | CPPD  |
| 3   | Igor Jadrovski                 | CPPD  |
| 4   | Zekir Abdulov                  | CPPD  |
| 5   | Nikolina Toshanova             | CPPD  |
| 6   | Goran Neshevski                | CPPD  |
| 7   | Ana Ugrova                     | CPPD  |
| 8   | Andrijana Nikolova             | CPPD  |
| 9   | Vecko Zdraveski                | CPPD  |
| 10  | Mirsad Arifi                   | CPPD  |
| 11  | Irina Mikjeska                 | CPPD  |
| 12  | Elka Todorova                  | CPPD  |
| 13  | Boban Markovski                | CPPD  |
| 14  | Zhaneta Poposka                | OSCE  |
| 15  | Bojana Velkovska               | Basic Civil Court Skopje                                |
| 16  | Senada Sali                    | European Roma Rights Centre                             |
| 17  | Neda Chalovska Dimovska        | Attorney at law   |
| 18  | Brunilda Menala                | Commissioner for Protection from Discrimination Albania |
| 19  | Niman Hajdari                  | EQUINET   |
| 20  | Monika Chalovikj               | Office of the Ombudsman Croatia                         |
| 21  | Simonida Kacarska              | European Policy Institute                               |
| 22  | Sonja Mojsovska                | Academy of Judges and Public Prosecutors                |
| 23  | Bisera Ristovska               | HOPS  |
| 24  | Blagica Dimitrovska            | INKLUZIVA   |
| 25  | Aleksandra Saveska             | Macedonian Centre for International Cooperation (MCIC)  |
| 26  | Blazhe Darudov                 | Macedonian Information Agency (MIA)                     |
| 27  | Aneta Stanchevska              | Ministry of Interior                                    |
| 28  | Vesna Kostikj-Ivanovikj        | Office of the Ombudsman                                 |
| 29  | Ilber Rufati                   | Office of the Ombudsman                                 |
| 30  | Vasilka Dimoska                | PORAKA  |
| 31  | Vlado Krstovski                | PORAKA  |
| 32  | Zorana Antovska                | TRN (news portal)                                       |
| 33  | Jasna Arangjelovikj Orovchanec | Macedonian Young Lawyers Association (MYLA)             |
| 34  | Sanja Frkovikj Gelevska        | EUD   |
| 35  | Akash Hasan                    | Embassy of the Netherlands                              |
| 36  | Kristina Karanakovska          | US Embassy Skopje                                       |

|    |                           |                     |
|----|---------------------------|---------------------|
| 37 | Adrijan Ismaili           | US Embassy Skopje   |
| 38 | Natalija Spasovska        | GIZ                 |
| 39 | Barbara Liegl             | Rule of Law Project |
| 40 | Natasha Boshkova          | Rule of Law Project |
| 41 | Ljupka Trajanovska        | Rule of Law Project |
| 42 | Keti Jandrijeska Jovanova | Rule of Law Project |
| 43 | Dieter Schindlauer        | Rule of Law Project |
| 44 | Kristina Vesikj           | Rule of Law Project |
| 45 | Meri Bakal                | Rule of Law Project |
| 46 | Tatjana Mijovska          | Rule of Law Project |

## Presentations and discussions

### Welcome Addresses

- Limko Bejarovski, Commission for Prevention and Protection from Discrimination
- Barbara Liegl, Leader of Component 4, Project “EU Support for Rule of Law”

**Limko Bejarovski**, until recently President and now member of the Commission for Prevention and Protection against Discrimination (CPPD), opened the event and expressed gratitude for the participation of all stakeholders present. He stated his appreciation that, five years after discrimination was legally regulated and after the establishment of a legislative framework for the operation of CPPD, the institution is developing in the right direction. The establishment of CPPD is an important benefit resulting from the adoption of the Law on Prevention and Protection against Discrimination (LPPD), which has demonstrated in practice that equality is a fundamental principle and a basic human right, because only citizens who are equal before the law can be free citizens. Value, dignity, and freedom are the pinnacle of human values, which must be respected without reservation. The activities of the CPPD send a strong message to the public that the law applies equally to all, that legal protection is equally available to everyone, and that citizens enjoy equal rights and freedoms. Bejarovski emphasized that, as an institution, the CPPD bears significant responsibility within our society, and that the fruit of their efforts and labour belong equally to all. Such a manner of operation helped the CPPD establish itself as a central national authority in the Republic of North Macedonia, addressing a large number of individual and systemic issues of great relevance to its citizens and the state. The enforcement of legal equality in everyday lives of citizens is an imperative and a commitment for all, as laws, policies, and practices must not produce discriminatory effects. Although the decisions and opinions of the CPPD do not have legally binding force, as Mr. Bejarovski stated, by the power of its authority the CPPD protects all citizens equally from all forms of inequality and discrimination, placing particular emphasis on the weaker and smaller groups in protecting them from the influence of the stronger and larger groups. He emphasized that North Macedonia is as strong as are the weakest citizens living in it. “Discrimination always entails a violation of a right; however, not every violation

of a right constitutes discrimination. For this reason, I stand before you ready to take responsibility for everything that we have accomplished to date, and also for what we have not accomplished but should have done. I open this conference with the following message: Only through equal treatment of equals and differentiated treatment of unequals can we hope to move along the right path towards eliminating every form and manifestation of discrimination. Affirmative measures for the weaker and vulnerable categories of citizens are the right path towards securing equal opportunities for all in the society. That way, all of us shall feel equal, and the country shall prosper at all levels.”

**Barbara Liegl, Leader of Component 4, Project “EU Support for Rule of Law”** greeted the participants, wishing them a warm welcome on behalf of the Project “EU Support for Rule of Law” funded by the European Union, and implemented by the Ludwig Boltzmann Institute of Fundamental and Human Rights. The CPPD is one of the four main beneficiaries of the activities supported under the Human Rights Component. Since May 2023, covering approximately half of this five-year period, the “EU Support for Rule of Law” Project has been a partner of the CPPD in the implementation of its mandate in a more effective manner, through capacity-building measures and enhancing support to CPPD’s efforts to raise awareness and increase its visibility. The CPPD increased the number of newly registered cases to more than 400 in 2024. The Project further focused its activities with the CPPD on measures aimed at ensuring the sustainability of prevention and protection from discrimination. Staff members of the CPPD took part in four participatory workshops on drafting project proposals, intended to upskill the CPPD to prepare better project proposals, thus increasing its effectiveness and visibility. Twice a year, the project shares information with CPPD staff on relevant jurisprudence of the Court of Justice of the European Union, the European Court of Human Rights, and relevant United Nations bodies through one-day training sessions. These institutional capacity-building measures are assessed as highly useful for the practical work of the CPPD, and part of the shared knowledge is already applied in CPPD cases and reports. By developing an Equality E-Resource Centre, the Project is supporting the CPPD in becoming the central authority for equality and non-discrimination. The Centre further strengthens the CPPD’s capacities and resources in providing knowledge, data, and information on equality and non-discrimination issues, while also enabling the public to access them easily through a free and open online platform. The Equality E-Resource Centre is a searchable web application which contains national reports, legislation, policies, and jurisprudence. It is already developed and will soon enter a test phase. Last but not least, the Project has supported the CPPD in developing reports which are more accessible, target-group oriented, and more user-friendly, by applying storytelling and data visualization style. Cooperation is ongoing on drafting thematic reports which underpin the implementation of the National Action Plan for Roma Women and Girls, as well as for the CPPD’s annual report. Indeed, the 2024 Annual Report already demonstrates the use of data visualization as per the guidance provided by the Project.

### CPPD – Five years of professionalism and trust in the protection against discrimination

- Igor Jadrovski, Member of the Commission for Prevention and Protection against Discrimination
- Ilber Rufati, Deputy Ombudsman
- Bojana Velkovska, Judge at the Basic Civil Court Skopje
- Zhaneta Poposka, Rule of Law Officer, OSCE Office in Skopje

Moderator: Ana Ugrova, Commission for Prevention and Protection against Discrimination

**Igor Jadrovski, member of the Commission for Prevention and Protection against Discrimination.** As part of the first founding composition of the CPPD in 2021, Igor Jadrovski reflected on the successes and challenges encountered in establishing the body. The first composition of the CPPD members had the unique experience of building an institution from scratch, with the first achievements being the institutional and capacity development of the CPPD. Throughout this process, the institution faced political pressures, which proved to be a significant challenge, but managed to preserve its autonomy and independence, as the key principles underpinning the CPPD operation. In the first initial months after its establishment, the CPPD engaged in discussions on issues that stir public attention and are relevant for the prevention of discrimination. Notably, the CPPD drafted and published an expert opinion on the proposal to introduce “ethnic background” as an entry in the identification cards of citizens, a measure contained in the draft law amending the Law on Personal Identification Cards. Ever since, the CPPD has proved over multiple instances that it is a professional body capable of withstanding political and other external pressures. From the outset until the present, the CPPD has been primarily recognized for its protective role. The filing and deciding upon complaints is the central competence of the institution, and over the years, the number of complaints submitted has steadily increased. The CPPD has issued a number of opinions and established practice of taking up cases that were previously overlooked by other institutions. Jadrovski here particularly emphasized the institution’s work with vulnerable groups who have low trust in public institutions, including pregnant workers, women farmers, and persons with disabilities; ensuring access to public goods and services; addressing harassing speech based on sexual orientation and gender identity; combating discrimination against Roma; and applying a broad interpretation of the concept of housing. Jadrovski highlighted the opinion of the CPPD on the segregation of Roma students, which was cited in the decision of the European Court of Human Rights in the case [Elmazova and Others v. North Macedonia](#). Additionally, it was noted that the CPPD is the first equality body to have joined court proceedings as *amicus curiae* and appeared as a plaintiff in an *actio popularis* proceeding. As a particularly significant personal and institutional achievement, Igor Jadrovski emphasized the open cooperation of the CPPD with the civil society sector, proven by several

concrete activities and projects implemented in collaboration with CSOs. In particular, he regards as notable the success of the thematic reports prepared by the CPPD – undertaken as part of the National Action Plan for Roma Women and Girls – which are in fact the first published thematic reports of the CPPD.

In view of the challenges and future priorities, Jadrovski emphasized that the Commission's foremost priority is to withstand the test of time. History has shown that many independent bodies that initially perform well reach their peak after a few years but subsequently fail to maintain a high standard of work, often due to political influence, followed by their decline. The next priority for the CPPD is to transition from a primarily reactive body to a proactive institution. With the support of various donors, the CPPD is striving to exercise the full scope of its competencies; but mostly the focus remains on handling complaints. Thus the body's future priorities shall be to strengthen its promotional function, active participation in the development of laws and policies, and enhancing international reporting. Another essential priority according to Jadrovski is for the CPPD to position itself as a central stakeholder in the process of transposition of the [EU directives](#) critical for fulfilling the obligations under Chapter 23 of the EU accession process. Furthermore, the successful transposition of these directives will largely determine CPPD's future trajectory, including its capacity to ensure the necessary human resources, as well as sufficient budget and financial independence.

**Ilber Rufati, Deputy Ombudsman**, in his address congratulated the CPPD on their fifth anniversary. Regarding the role of the Ombudsman in the protection against discrimination, particularly following the adoption of the Law on Prevention and Protection against Discrimination, he highlighted the lack of coordination between the CPPD and the Ombudsman in implementing the competencies established under the Law. However, over the years, owing to the joint efforts of both institutions, a constructive working relationship has been established. Mr. Rufati emphasized the need for continued and strengthened cooperation in order to ensure more effective protection against discrimination for all citizens.

**Bojana Velkovska, Judge at the Basic Civil Court Skopje**, began by addressing the understanding of the concepts of equality and non-discrimination in the practice of civil courts, particularly following the adoption of the LPPD. The Judge highlighted that over the past five years, significant progress has been observed in the understanding and application of anti-discrimination provisions in court proceedings. This progress is largely attributed to training programs conducted with the support of the OSCE Office in Skopje. However, practice still shows that there is confusion between the concepts of discrimination and workplace mobbing (harassment), thus cases of employment-related discrimination are often treated as mobbing and interpreted under the Law on Protection against Workplace Harassment. The absence of thorough knowledge of the characteristics of discrimination and the procedural aspects of examining discrimination cases results with courts instructing individuals alleging

discrimination to first speak to the alleged discriminator before seeking judicial protection. Such practice highlights the need for additional training on protection against discrimination. In order to overcome and address this issue, judge Velkovska proposed holding of joint trainings with the CPPD in order to clarify the competencies of the CPPD, the forms of discrimination, and related matters. Regarding the improvement of cooperation between the courts and the CPPD, she suggested enhanced collaboration through regular organization of round tables in order to discuss challenges faced by institutions in handling discrimination cases. She also recommended to have regular exchange of reports so as to ensure that courts remain informed about the state of discrimination in the country. Finally, Judge Velkovska encouraged the CPPD to participate more actively in judicial proceedings for the protection against discrimination and to engage in court cases within the scope of its mandate.

**Zhaneta Poposka, Rule of Law Officer at the OSCE**, in her address highlighted the most significant aspects of cooperation between the CPPD and the international partners in strengthening the system for protection against discrimination, with a particular focus on the OSCE-CPPD cooperation. As a strategic partner of the OSCE Mission in Skopje, the CPPD has received multi-year support in establishing and reinforcing the legal and institutional framework for the protection against discrimination. The OSCE supported the preparation of two Laws on Prevention and Protection against Discrimination, adopted in 2010 and in 2019-2020, respectively. The OSCE also encourages and supports the CPPD in operationalizing its mandate related to the prevention of discrimination and promotion of anti-discrimination measures. By implementing joint activities, the mandate of the CPPD is effectuated, its secretariat is strengthened, as well as its cooperation with other institutions, such as the Ombudsman, the Academy for Judges and Public Prosecutors, and civil society organizations. Poposka identified several key achievements of the cooperation to date, first, the development of criteria for strategic advocacy, enabling the CPPD to identify cases in which it should participate in court proceedings and determine the appropriate role – whether as an intervener, *amicus curiae*, or plaintiff. These criteria were developed in partnership with the Commissioner for Human Rights in Serbia, an institution with established best practices in strategic litigation in discrimination cases. Additionally, the OSCE supported the preparation of a [Guide on the Burden of Proof](#), which provides clear guidance for legal practitioners, particularly courts and the CPPD, on shifting the burden of proof on the respondent in discrimination cases. The guide includes numerous examples, comparative experiences, and court judgements reached on various instances. The OSCE also supported the work of the CPPD in developing its website, which is now one of the few accessible websites of institutions in the Republic of North Macedonia for persons with disabilities. The OSCE also supported the development of a case management system and other tools to facilitate work and enhance the operationalization of CPPD activities. Regarding future challenges, the OSCE representative highlighted the need to address the digital gap between ethnic groups, persons with disabilities, and tackling the algorithmic discrimination.

### Protection from Discrimination within the Council of Europe

- Senada Sali, Legal Director, European Roma Rights Centre
- Neda Chalovska Dimovska, Attorney at Law
- Brunilda Menala, representative of the Commissioner for Protection from Discrimination in Albania
- Zekir Abdulov, Member of the Commission for Prevention and Protection against Discrimination

**Moderator:** Natasha Boshkova, Expert on Human Rights, “EU Support for Rule of Law Project”

### Senada Sali, Legal Director, European Roma Rights Centre (ERRC)

Senada Sali was invited in her capacity as Legal Director of the [European Roma Rights Centre \(ERRC\)](#) so as to reflect on their work and contribution to the promotion and protection of the rights of Roma within the Council of Europe, as well as on the cooperation with the CPPD in translating these standards into national legal practice. Her contribution focused on the role of the Council of Europe in advancing equality standards in the member states, as well as on the practical implications of these standards for marginalized communities, including the Roma population. Over the past decades, the Council of Europe has established one of the most comprehensive and effective systems for protection against discrimination, including discrimination against Roma. The Committee of Ministers has adopted a series of advanced recommendations addressing the [equality of Roma women and girls](#), the [participation of Roma youth](#), [Holocaust remembrance and the prevention of crimes against humanity](#) – an important tool in combating antigypsyism and historical revisionism, as well as other documents. These recommendations build upon earlier recommendations on housing, education, health, access to justice, mediation, and inclusive policies in general. Furthermore, the [Strategic Action Plan for Roma Inclusion 2020–2025](#) has been adopted, setting clear objectives for member states: equality, combating antigypsyism, and promoting participation. The Parliamentary Assembly plays a key political role, particularly through the adoption of [Resolution 2523 \(2023\) on institutional racism in the police against Roma](#), which represents a historic acknowledgment of systemic discrimination. Sali particularly emphasized the importance of implementing the European Commission against Racism and Intolerance’s (ECRI) General Policy Recommendations, specifically [GPR No.13 on combating antigypsyism](#) and [GPR No.3 on racism and intolerance](#).

Regarding the implementation of Council of Europe standards at the national level, she highlighted the cooperation of the CPPD with the ERRC. Referring to these standards, the CPPD adopted General Recommendations on Housing (2025), Equal Access to Water (2022), Desegregation in Primary Education (2022), and Education in Penitentiary Institutions (2023). The CPPD also participated as *amicus curiae* in strategic litigation, issued individual opinions that were cited in cases before the European Court of Human Rights (such as [Elmazova and Others v. North Macedonia](#) and [Mamudoska and Others v. North Macedonia](#)), and prepared joint Rule 9 submissions with the ERRC in the supervision of the *Elmazova and Others* judgment.

According to Sali, the achievements of the Council of Europe do not lie solely in the adoption of standards, but in the fact that these standards empower institutions, organizations, and communities to create real change. In this regard, despite significant progress in the legal framework, Roma remain the most discriminated-against group in Europe. In order to make the Council of Europe's tools even more effective, several key steps are needed to strengthen the fight against antigypsyism, including the development of a new binding instrument on antigypsyism; the introduction of common indicators for monitoring discrimination in police work, education, housing, and administration as well as provision of regular training for the police, judiciary and public institutions for protection against discrimination. With regard to the segregation, she proposed establishing minimum binding standards for desegregation and providing clear guidance for municipal authorities. The Council of Europe should encourage member states to enable equality bodies to engage in strategic advocacy, particularly by measures like *actio popularis* to fight systemic discrimination, and to submit *amicus curiae* requests in domestic courts and in cases before the European Court of Human Rights. The experience of the ERRC demonstrates that judgments such as, [D.H. and others v. Czech Republic](#), [Horváth and Kiss v. Hungary](#), [Yordanova and others v. Bulgaria](#), and [Elmazova and Others v. North Macedonia](#) – have a profound impact. It is important to strengthen domestic mechanisms for the enforcement of judgments, conduct training for judges, improve access to legal aid for Roma, and provide financial support for strategic litigation. This is essential if we wish the Council of Europe standards to transition from standards “on paper” to standards underpinned by supervision, accountability, and local capacity. Finally, Sali concluded that a greater focus on antigypsyism, desegregation, police misconduct, Roma women, and equality bodies shall lead to tangible improvements in the daily lives of Roma.

#### **Neda Chalovska, Attorney at Law**

Neda Chalovska began her presentation by noting that while all Council of Europe standards are important, in the national context the most widely recognized are the [European Convention on Human Rights](#) and the European Court of Human Rights as instruments which

safeguard the exercise of human rights, including protection against discrimination. The [Istanbul Convention](#) is also recognised, however, [Recommendation No. 1 – addressing digital violence against women](#), which is particularly relevant for tackling discrimination in the area of technology-facilitated sexual harassment – is far from sufficiently recognized or applied. Similarly, the recommendations of ECRI and the [European Social Charter](#) are not adequately known or implemented. Regarding intersectionality, it is important to emphasize that the European Court of Human Rights only began applying this approach in 2012, just thirteen years ago, in the case of [B.S. v. Spain](#), where it was highlighted for the first time that the applicant’s intersecting identities – as a woman of African descent working as a sex worker – made her more exposed to racial profiling by the police. This development is most clearly reflected in the work of the Commission for Prevention and Protection against Discrimination, both through individual decisions and in specific cases as well as through its general recommendations.

Herein lies the important difference between the CPPD mandate and that of courts: while courts are strictly bound by the claims brought before them in the complaint, the CPPD has the authority to go a step beyond and identify the cross-sectioning of identities that makes an individual more exposed to discrimination, even when such an argument is not explicitly raised in the submission. This is precisely why the role of the Commission is so significant – it creates case law that practitioners, including courts, are expected to follow and apply in the future. Unfortunately, this does not always happen in practice.

One positive example is the Commission’s continuous practice of identifying intersectional discrimination in cases involving pregnant women, where it establishes discrimination based on sex, that is, pregnancy, family status, and personal status. The Commission has developed consistent practice in this area and is increasingly perceived as the only institution where pregnant women can find justice, given that courts, in most cases, focus exclusively on the formal aspects of fixed-term contracts and do not examine the reasons for their non-renewal, which constitutes a neglect of the principle of equality.

One of the most common challenges related to protection from discrimination is the inaccessibility of protection mechanisms. Many citizens, particularly those from rural areas, Roma communities, or persons with disabilities, do not know where to file a complaint, which institution has the competence, or how to prove discrimination. Lack of access should be understood both physically and economically. Most institutions remain inaccessible to persons with physical or sensory disabilities. Even the CPPD itself is partially inaccessible due to the lack of an elevator to take people to the second floor. This means that if a commissioner is using a wheelchair, if appointed, she/he would not be able to access his/her office like the other members. Courts are no exception: research shows that over 50% of courts are inaccessible. There was even a case where a witness in a discrimination proceeding could not enter the courtroom because it was inaccessible, so an improvised hearing had to be held in

the registry office, under entirely inappropriate conditions. From an economic perspective, although the Law on Prevention and Protection against Discrimination provides for exemptions from court fees in discrimination cases, which is a significant advantage, that is not enough, as people are often unaware that they can request legal representation through free legal aid. Courts often ignore the substance of unequal treatment and adhere strictly to formal elements. A typical example is pregnancy: in cases of non-renewal of fixed-term contracts, judges simply note that “the contract has expired,” ignoring thus the discriminatory motives.

### **Brunilda Menala, Representative of the Commissioner for Protection from Discrimination in Albania**

The representative of the [Albanian equality body](#) presented the key challenges, demands, and needs faced by this institution. Equality bodies must be given the appropriate legal powers, institutional autonomy, and sufficient capacity to independently identify and implement the measures necessary to uphold the principle of equality. The bodies must be equipped with the necessary powers, competencies, and resources so as to effectively prevent and address discrimination, as well as to promote equality. In this regard, they should be structurally and functionally independent, free from any form of influence, and capable of autonomously managing their own resources and decision-making processes. When establishing equality bodies, states have certain flexibility, but still need to stick to the framework regulated by the EU directives, regardless whether the mandate is implemented by a specialized institution or several coordinated bodies. Further to addressing complaints, the Commissioner for Protection from Discrimination in Albania provides expert support to policymakers, assistance to victims, and facilitates access to justice. By applying an intersectional approach, the Commissioner ensures support to all individuals, regardless of their socio-economic status, citizenship, language, or other factors. Clear criteria have been developed under which data is collected for monitoring discrimination trends and gathering information on systemic issues. The institution participates in the inter-institutional working group under the chapter “Political Criteria” and Chapter 23 “Judiciary and Fundamental Rights,” as well as in the work of the inter-institutional working group under Chapter 19 “Social Policies and Employment,” related to the use of the guide in the screening preparation process. It is also part of the institutions which monitor the implementation of the National Action Plan for Persons with Disabilities 2021–2025, the inter-institutional working group for the Inter-sectoral Strategy for the Protection of Victims of Crime 2024–2030, and the inter-institutional working group for the Inter-sectoral Strategy for Juvenile Justice 2022–2026.

The Commissioner’s institution places particular emphasis on strengthening national and international cooperation with similar institutions, organizations, and human rights networks, aiming to reinforce their role in implementing the global human rights agenda and international standards, not only in Albania but more broadly. By closely monitoring the

situation of Roma and Egyptian communities in Albania, the Commissioner for Protection from Discrimination directs its actions toward continuous improvement of standards for the protection and respect of their rights. The [Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence](#) was ratified by Albania in 2012. By adopting Law No. 104/2012 on the ratification of the Convention, the state demonstrated its readiness to finalise the legal framework for addressing domestic violence and fulfilling its obligations arising from the Convention. The equality body in Albania carefully monitors progress in promoting the participation of women in politics and decision-making processes and considers that amendments to the existing legal framework are necessary, including amendments to the 2008 Law on Gender Equality in the Society. The body is particularly committed to developing cooperation with other equality bodies in the region and exchanging knowledge and experience on similar issues, such as gender equality in employment and the treatment of pregnant women, segregation of Roma children in education, treatment of persons with disabilities, and other topics which are addressed by equality bodies in the region.

### **Zekir Abdulov, member of the Commission for Prevention and Protection against Discrimination**

As a member of the CPPD, in his address Zekir Abdulov focused on the impact of mechanisms and recommendations of the Council of Europe on the work of the CPPD, especially in the development of its case-law. The Council of Europe offers advanced legal interpretation of aspects relevant to the work of the CPPD, and assists it in framing and substantiating discrimination cases. Council of Europe standards establish the State's positive obligation to prevent and protect citizens from discrimination, thus a breach of this obligation constitutes a basis for formulating the recommendations which the CPPD is adopting. In light of this, the CPPD would benefit from continuous training on the evolving jurisprudence of the European Court of Human Rights and other anti-discrimination protection mechanisms that are applied in the reasoning of the CPPD decisions.

On the occasion of this conference, Abdulov once again highlighted as good examples the cases concerning protection of Roma against discrimination in access to water and housing, as well as the segregation of Roma children in schools, which showcase the mutual influence between Council of Europe standards and the legal practice of the CPPD. In its decisions, the CPPD, inter alia, relies on the case law of the European Court of Human Rights, while the European Court of Human Rights, in its judgment in [Elmazova and Others v. North Macedonia](#), cited the CPPD decision on the segregation of Roma children in schools as one of the credible sources which confirms the existence of segregation in North Macedonia.

With regard to the challenges faced by the CPPD, Zekir Abdulov once again emphasized the financial independence and the resulting inability to fully exercise the body's competencies.

He further stressed the importance of ensuring accessibility to the institution and establishing regional offices, which would help increase the number of complaints arriving from citizens outside Skopje. This is particularly important given that the majority of complaints are currently filed by residents of the City of Skopje. Consequently, strengthening budgetary independence and increasing the overall budget would contribute to a stronger presence of the CPPD across the entire territory of the country and would thereby ensure equal protection from discrimination for all citizens.

In the end, Abdulov emphasized the role of the CPPD in legislative reforms and the need for strengthened cooperation with institutions. Through its participation in drafting legislation in the field of non-discrimination, the transposition of Council of Europe standards into domestic legislation can be ensured. As a conclusion, Abdulov underlined the necessity of continuous cooperation between the CPPD and other institutions and organizations in the country, highlighting the cooperation with the Council of Europe as particularly important.

## EU Equality Standards and the Role of the Equality Bodies

- Niman Hajdari, Member of the Steering Board of EQUINET
- Monika Chalovikj, Legal Advisor at the Office of the Ombudswoman of the Republic of Croatia
- Simonida Kacarska, Executive Director of the European Policy Institute
- Dushan Tomshikj, Member of the Commission for Prevention and Protection against Discrimination

**Moderator:** Igor Jadrovski, Member of the Commission for Prevention and Protection against Discrimination

### Niman Hajdari, Member of the Steering Board of EQUINET

The representative of [EQUINET](#) addressed the topic of protection from discrimination in the European Union, the key role played by equality bodies and the European Network of Equality Bodies – EQUINET. Despite significant progress made over the years, discrimination remains a reality in our societies. It affects individuals on grounds of race or ethnic origin, gender, disability, age, sexual orientation, gender identity, religion or belief, and other characteristics. Frequently, the impact of discrimination is intersectional, thus reinforcing inequality and exclusion even further. Established in each EU Member State, the equality bodies are independent national institutions tasked with promoting equality and combating discrimination. They provide assistance to victims, conduct investigations, issue recommendations, engage in judicial proceedings, and act as advocates for systemic change. Since its establishment in 2007, EQUINET has brought together 47 equality bodies from across

Europe. It promotes cooperation, fosters expertise and strengthens national voices on the European stage. Through training, networking, and engagement with EU institutions, EQUINET strengthens national equality bodies and ensures that they are equipped to meet the expectations set by EU standards. In order to fulfil their potential and maximise their impact, in May 2024 [two Directives on equality bodies standards](#) were adopted, which contain binding standards regarding the mandate, independence, resources, tasks and powers of equality bodies for the prevention of discrimination, promotion of equality, assistance to victims of discrimination, and delivery of justice. This binding legislation on standards for equality bodies constitutes a major step towards improved enforcement of EU legislation on equal treatment. The Directives include a set of binding rules for strengthening and better equipping the equality bodies in a number of key areas: mandate, independence, adequate resources, accessibility, consultation in the area of legislative drafting and policy-making process, enhanced powers, awareness-raising and prevention, as well as reporting. Hajdari recalled that anti-discrimination is not merely a legal obligation – it is a moral imperative. Achieving equality requires more than laws: it requires strong, independent institutions, informed citizens, and a culture that values every human being. As we look ahead, it is important that we commit to the building of such a culture. By having strengthened equality bodies, supported by EQUINET and underpinned by robust European standards and legislation, we can move closer to an inclusive Europe where diversity is valued and the rights of all are protected.

**Monika Chalovikj, Legal Advisor at the Office of the Ombudswoman of the Republic of Croatia**

The representative of the [equality body from Croatia](#) first presented the constitutional and legislative basis for the establishment of the body, which dates back to 1990 and was set up pursuant to the Constitution and the Law on the Ombudsman, as a fully independent national human rights institution which is accountable to the Croatian Parliament. In 2008, it was granted “A-status” in accordance with the [Paris Principles](#), thus confirming its independence and powers, and pursuant to the Anti-Discrimination Act of 2009, it also serves as the national equality body. This body investigates complaints submitted by citizens and initiates *ex officio* proceedings if they are related to public institutions. It handles discrimination cases across 17 protected grounds, except for those falling under the competence of specialised ombudspersons (gender, disability, children), in all walks of life, and carries out unannounced visits to prisons, detention centres, psychiatric institutions, and other places where people are deprived of liberty. Further to its protective function, the body exercises promotional and educational competences, prepares annual reports, including analyses of complaints, poverty, healthcare, discrimination (Roma, older persons, whistleblowers), detailed reports of the National Preventive Mechanism and submissions to the Universal Periodic Review and to the Council of Europe, calling for reforms in the rule of law. The Ombudswoman had an

instrumental role in the drafting of Croatia’s Anti-Discrimination Act (2008) and advocated for standards at EU level through her role in ECRI of the Council of Europe.

Under the [2004 Directives](#), the Ombudswoman fulfils the legal standards of independence, authority and resources of the equality body. Namely, there are constitutional guarantees which safeguard independence, secure budget and proportional employment. The mandate of the body includes assistance, investigation, conducting judicial proceedings in the public interest, raising awareness, and issuing policy recommendations. The Office ensures accessibility and adequate administrative capacity. Croatia’s compliance has been acknowledged, however, the [EU](#) and [Council of Europe monitoring reports](#) (2022–2025) identify some remaining deficiencies in terms of staffing, powers, monitoring of implementation, and access to data, particularly when it comes to whistleblower protection and anti-discrimination frameworks. Croatia meets the core statutory requirements of the [2024 standards directives](#). Nevertheless, EU and Council of Europe assessments point to some structural gaps in staffing, accessibility, and powers that require further measures. The completion of reforms – such as the ratification of judicial procedures and/or updates to statutory powers – will be of essential importance to fully align the body with EU directives.

With regard to the participation of equality bodies in the EU integration process, Chalovikj emphasized the role of the bodies as national monitors, ensuring that candidate countries adopt, implement, and review anti-discrimination legislation, which is essential for compliance with the Copenhagen criteria. Equality bodies ensure support for capacity-building through [EU and Western Balkans programmes](#) (e.g. the Gender Equality Mechanism and IPA), for monitoring, training, data collection, and engagement with civil society. The EU integration is a driver of extensive structural reforms, whereby equality bodies contribute with key data and advocacy during the harmonization phase. Lastly, she concluded that, based on Croatia’s experience, equality bodies act as catalysts for integration. They function as legal guardians ensuring compliance and enforcement of EU anti-discrimination standards. Indeed, national equality bodies in candidate countries are key stakeholders within the EU integration framework, implementing statutory standards, influencing institutional reforms, and serving as bridges between the EU monitoring mechanisms and the empowerment of citizens.

#### **Simonida Kacarska, Executive Director of the European Policy Institute - EPI**

In her presentation, Simonida Kacarska focused on the progress made by North Macedonia towards the European Union, particularly with regard to Chapter 23 and non-discrimination. According to latest reports of the European Commission on North Macedonia – assessment of Chapter 23, North Macedonia is ranked at the level of “some to moderate” preparedness in the application of EU law and European standards in this area. Overall, no progress has been recorded. The judicial system of North Macedonia is at a level between “some and

moderate” preparedness, and no progress has been recorded. North Macedonia is ranked between “some and moderate” level of preparedness, and no progress has been recorded in the prevention and fight against corruption. The legal framework for fundamental rights is partially aligned with EU law and European standards. The State continues to fulfil its general obligations with regard to fundamental rights, but legislation needs to be implemented in a systematic manner.

According to the latest [European Commission Report for 2025](#), the legal and institutional framework for non-discrimination is still not fully aligned with EU law, including with regard to the [Racial Equality Directive](#) and the [directives on standards for equality bodies](#). What is required is adoption of a national strategy or action plan against racism, in line with the Commission’s strategy. In addition, a delay has been noted in the alignment of non-discrimination principles across all relevant legislation.

At the beginning of 2025, the Assembly adopted amendments to the Law on Primary Education, the Law on Secondary Education, and the Law on Textbooks for Primary and Secondary Education. The amendments were adopted through expedited procedure and without consultations with relevant stakeholders, after which the content related to sexual and reproductive health and gender equality was removed from the textbooks. This raised concerns regarding compliance with the LPPD and with applicable international standards. Additionally, Kacarska emphasized the absence of institutional and financial independence of the CPPD, and the insufficient administrative staff, which affect the functioning of the Office of the Ombudsman and of the Commission for Prevention and Protection against Discrimination.

In this regard, EU Directives [2024/1499](#) and [2024/1500](#) should be utilized in order to request stronger legal independence and budgetary autonomy. The new EU directives establish binding minimum standards under which equality bodies must operate independently, with transparent appointment procedures, adequate financial and human resources, and protection from political influence. By positioning reforms as mandatory for the EU accession process, the CPPD may request constitutional and legislative amendments, such as: ensuring a separate budget line approved by the Assembly; establishing protected, merit-based appointment procedures; and adopting statutory guarantees against political interference. By embedding the independence, mandate, and resources of the CPPD within EU monitoring frameworks, the pressure on national authorities to act increases, and the role of the CPPD as a key institution for demonstrating democratic maturity is thus strengthened.

## Dushan Tomshikj, President of the Commission for Prevention and Protection against Discrimination

In his presentation, Dushan Tomshikj first addressed cooperation with EQUINET – the European Network of Equality Bodies – as strategically important for the CPPD, as it enables the Commission to operate under the same standards and practices as European institutions that are among the most advanced in this field. EQUINET provides a platform through which the CPPD learns from the most successful models in Europe about prevention of and protection against discrimination.

Through EQUINET, the Commission gains access to participate in working groups, trainings, thematic study visits, analytical tools, and working methodologies that have proven effective for other bodies with longer experience in this area. In such a way, the professional capacity of the institution is directly strengthened. On the other hand, through EQUINET, the CPPD can compare its performance with those of the equality bodies in other countries and thus identify weaknesses and set realistic objectives for further development. The EQUINET network is also a key partner in the process of alignment with the new EU directives on equality bodies, which is important for the fulfilment of obligations under Chapters 19 and 23. Lastly, membership in EQUINET strengthens the position of the CPPD as an independent, modern, and professional equality body, thereby building trust among both citizens and international partners.

In the second part of his presentation, Tomshikj focused on the opportunities brought by the new Directives for the work of the CPPD. The [new European directives](#) open the way for improved protection of victims of discrimination through clear procedures, the use of standardized methodologies, and the provision of legal assistance. They are exceptionally important for a complete institutional independence of the CPPD – functional, financial, and operational – for which sufficient resources must be guaranteed, as well as the necessary budget and sufficient staff for discharging all of the statutory competences. This will help strengthen the obligation of the CPPD to enhance its preventive work through promotion, education, research, and recommendations for new proposed legislative solutions aimed at ensuring equality and respect for the rights of all persons in the State.

Lastly, Tomshikj addressed the future and course of action of the CPPD. According to him, the CPPD must go beyond reactively resolving individual cases and ought to focus on the systemic, structural, and intersectional discrimination. This entails activities at the level of policies, prevention and societal changes, rather than just engaging in individual proceedings. Considering that discrimination is not one-dimensional, the CPPD should better integrate an intersectional approach in all cases, recommendations, and research, and develop strategic litigation in cases of combined discrimination, through which systemic discrimination will be addressed, thus bringing about long-term changes in the society.

## Final observations

The Conference titled “Five Years of Prevention and Protection against Discrimination: Accomplishments and the Road Ahead” is a significant moment for critical reflection on the development, role, and impact of the Commission for Prevention and Protection against Discrimination (CPPD) in the 2021–2025 period. The discussions clearly demonstrated that the establishment of the first professional composition of the CPPD constitutes a substantive step forward in strengthening the national system of protection against discrimination and in enhancing access to justice, particularly for vulnerable groups.

Over the past five years, the CPPD has developed a substantive case law through the handling of individual complaints, adoption of general recommendations, and engagement in strategic proceedings, including acting as *amicus curiae* and by initiating *actio popularis* proceedings. What is particularly significant is the fact that the decisions and opinions of the CPPD have been recognized and applied at international level, including by the European Court of Human Rights, thereby confirming their legal and factual relevance. At the same time, the Commission maintains open cooperation with civil society, international organizations, and regional equality bodies, which further strengthens its role as the central national authority in the field of equality.

Nevertheless, the conference clearly indicated that the institutional sustainability of the CPPD remains a serious challenge. The lack of financial and operational independence, insufficient administrative staff, limited territorial accessibility, and the predominantly reactive approach to the workload constrain the Commission’s ability to fully exercise all of its statutory competences, particularly in the areas of prevention, promotion, and systemic action. Specifically, the need for improved coordination with the courts and other relevant institutions was highlighted, as well as the need for further development of jurisprudence in the application of anti-discrimination law.

In the context of the EU integration process, the conference confirmed that the CPPD plays a key role in fulfilling the state’s obligations under Chapter 23 and in its credibility in the areas of rule of law and fundamental rights. The new EU directives on standards for equality bodies ([2024/1499](#) and [2024/1500](#)) present a concrete opportunity to strengthen the legal, financial, and institutional independence of the CPPD and should be leveraged as a clear roadmap for reforms.

The conference conveyed a clear message that the future development of the CPPD should be focused towards a shift from a predominantly reactive approach towards proactive, systemic, and intersectional fight against discrimination. Strengthening the Commission’s independence, resources, accessibility, and strategic role is not merely an institutional matter

but an essential prerequisite for the effective protection of equality, strengthening public trust, and progress of North Macedonia towards the European Union.

The conference ended at 15:00 hrs.