

4th UPR cycle: Pre-sessions 46 North Macedonia



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ABOUT EPI

MISSION:

To provide a sound base for debate and solutions, targeting decision-makers and the wider public, through high-quality research and policy proposals.

NOTABLE WORK IN RoL AREA:

- ✓ Fostering coalition building among CSOs- founding/coordinating Network 23, the blueprint initiative;
- ✓ Shadow reporting on Chapter 23: Judiciary and Fundamental Rights since 2015;
- ✓ Conducting regular monitoring and quarterly reporting on the state of the rule of law in the country in view of EU accession;
- ✓ National research partner of the EU Fundamental Rights Agency since 2018, contributing to the Fundamental Rights Report;
- ✓ Part of the European network of legal experts in gender equality and non-discrimination since 2019, enhancing the country's status;
- ✓ Member of the TEN regional network, leading regional RoL benchmarking assessments;
- ✓ Policy work recognised as a best-case practice in RoL and CSO networking by the European Commission;
- ✓ Established linkages with stakeholders and media at the national, regional, and European scene as key interlocutor on issues related to rule of law and EU accession.

Two pressing issues worth addressing since the 3rd UPR cycle

Obstacles and challenges facing the National Equality Body

MAIN PROGRESS SINCE THE LAST CYCLE:

- ✓ Adoption of the Law on Prevention and Protection against Discrimination and establishment of a professionalised national equality body - The Commission for Prevention and Protection against Discrimination (CPPD);
- ✓ CPPD's proactive efforts garner international recognition and citizen trust, despite logistical and financial hurdles:



EC Country Reports 2022, 2023¹



2022 United States Department of State Country Reports on Human Rights Practices: North Macedonia²



47% of citizens prioritize CPPD as first recourse when facing discrimination³



CPPD applied and initiated procedures:
From establishment to the end of 2023⁴



ISSUES AND CHALLENGES:

- The budget allocated to the equality body does not match what the body has been asking for and what it needs to cover its very vast mandate, nor the growth in number of complaints to the body;
- Lack of human resources independence undermines equality body's effectiveness;
- December 2023 parliamentary election of four new CPPD members saw legal violations and political pressure, compromising body's independence, merit-based selection, and gender diversity principles.

Recommendations to the Government of North Macedonia:

- The Government should draft and adopt an action plan to full and effective independence for the CPPD based on an in-depth review of the obstacles in the current legal and policy frameworks, and their implementation, focusing specifically on financial and human resources independence and on the commissioners' election process;
- Based on this action plan, the Government should propose, and the Parliament should adopt necessary legislative changes to enable full and effective independence for the CPPD in line with the Paris Principles.

1. "COMMISSION STAFF WORKING DOCUMENT- North Macedonia 2022 Report" (European Commission, October 12, 2022), https://neighbourhood-enlargement.ec.europa.eu/north-macedonia-report-2022_en; "COMMISSION STAFF WORKING DOCUMENT North Macedonia 2023 Report" (European Commission, November 8, 2023), https://neighbourhood-enlargement.ec.europa.eu/north-macedonia-report-2023_en.
2. "2022 Country Reports on Human Rights Practices: North Macedonia" (United States Department of State, March 21, 2023), <https://www.state.gov/reports/2022-country-reports-on-human-rights-practices/north-macedonia/>.
3. Fani Kimova, "Barometer for Equal Opportunities- Report" (Organization for Security and Co-operation in Europe in collaboration with Commission on Prevention and Protection against Discrimination and the Macedonian Centre for International Co-operation, November 2023), <https://www.osce.org/mission-to-skopje/560037>.
4. Commission for Prevention and Protection against Discrimination (CPPD), "Annual Reports (Годишни извештаи)", <https://bit.ly/3SNJWTH>.

Challenges in Ensuring ESC Rights for Persons with Disabilities: A Focus on Inclusive Education

MAIN PROGRESS SINCE THE LAST CYCLE:



Adoption of the Law on Primary Education in 2019, the Concept for Primary Education, and the Concept for Inclusive Education in 2020



Provisions in the Law providing personal assistants and special educators for children over six



Transformation of five specialised schools into primary schools with resource centres in 2022



Allocated funds from Government annual budget for the employment of 725 educational assistants to support teachers in their work

ISSUES AND CHALLENGES:

- Provisions of the Law on Primary Education and Concepts on inclusive education are not fully aligned with the CRPD;
- Insufficient number of personal assistants and educational assistants;
- Unclear responsibilities and qualifications for personal assistant and educational assistants;
- Inaccessible facilities and assistive technology;
- No provisions for studying Braille, spatial orientation or sign language.



78% of personal assistants support children with disabilities with academic tasks, a role which is assigned to educational assistants;⁵



36% of schools in a few municipalities do not have assistive technology.⁶

⁵ Paula Hunt Frederica, "Educational and Personal Assistants – Now and Where – Open Perspectives" (UNDP North Macedonia, 2021), <https://www.undp.org/sites/g/files/zskgke326/files/migration/mk/28da1c81ca8ec427628850929facc40d932cf9b28a40885061b3a26c83e2651.pdf>

⁶ Forthcoming survey publication on inclusive education in North Macedonia of Citizens' Association Center for European Citizen Initiative – CECI. CECI is one of the grantees through the re-granting scheme of the project "Joint action for human rights" implemented by the European Policy Institute – Skopje and funded by the European Union.

FURTHER ATTENTION NEEDED:

- ✓ In secondary and higher education;
- ✓ No provisions on inclusive education in the Law on Secondary Education and Law on Higher Education;
- ✓ Accessibility barriers are faced in facilities, faculty buildings, literature, and administrative services among others.



50% of Faculties lack assistive technology for students with disabilities,⁷ and only 10% provide visual texts and graphics for directions



80% of Faculties do not have either an appointed person nor an established functional center to support students with disabilities



72.5% of the Faculties have never tested whether their web site is accessible for students with disabilities, and no Faculty publishes their key announcements, policies and documents in braille format, accessible audio format or standard letter in enlarged format

⁷ Kristijan Lazarev, "Analysis: Access to Higher Education for Persons with Disabilities in North Macedonia [Анализа: Пристап до високо образование за лица со попреченост во Република Северна Македонија]" (Westminster Foundation for Democracy, North Macedonia, December 2023), <https://www.wfd.org/what-we-do/resources/analysis-how-accessible-higher-education-persons-disabilities-north-macedonia>.

Recommendations to the Government of North Macedonia:

- Undertake measures for greater accessibility of school facilities; introduce specialised subjects for learning Braille and Sign language for children with visual and hearing impairments, and spatial orientation, and expand the employment of special educators and educational assistants in all municipalities, as well as define their qualifications;
- Effectively engage with Organizations of Persons with disabilities (OPDs) and other relevant institutions and experts in regular consultations in the processes of development, planning and implementation of legislation and strategies regarding inclusive education;
- Adopt the Law on Secondary Education and Law on Higher Education with amended provisions which are in line with the CRPD and ensure their practical implementation through measurable action plans.