

# ACCESS TO JUSTICE Report

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# INTRODUCTION

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Access to justice for all, especially the most marginalized groups, is an important prerequisite for enabling the development of a democratic society in which human rights are respected and promoted and in which there is adequate rule of law.

The broad definition of access to justice we rely on in this report, covers all the elements needed to allow citizens to exercise their rights. Such elements include a legal framework that provides for comprehensive and equal rights to all citizens, in accordance with international human rights standards, namely: widespread legal awareness among the population of their rights; access to easily accessible and quality legal advice and advocacy; access to dispute resolution mechanisms that are available, timely, effective, efficient, impartial, without corruption and confidential and which apply rules and processes set in accordance with international human rights standards and finally existence of effective and impartial mechanisms for the execution of judicial decisions. Whether access to justice for all is ensured is assessed by using the principles of human rights-based approach, basically if the obligations to allow unhindered access to justice are ensured by "duty-bearers" (i.e. by institutions entrusted with the power and duty to enforce justice) and if they provide access and ability to the "right-holders" (i.e., to individuals and entities who have the right to seek and receive justice) to exercise their rights.

The Institute for Human Rights is actively working on contributing to judicial reforms to ensure an independent judicial system and easier access to justice for all citizens. In this light it offers free legal aid to citizens who need it most and actively works to educate citizens on human rights issues and the rule of law.

This document contains data on free legal aid collected from focus groups held with citizens and civic organizations working on access to justice, relating especially to access the administrative justice that citizens most often need, as well as data from a survey carried out on a representative sample of citizens regarding their perception on access to justice.

# FREE LEGAL AID

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Access to justice is a fundamental principle of the rule of law that ensures that all citizens will be equally able to exercise their rights, i.e. that all citizens will be granted equal access to justice and access to free legal aid, in order to be able to exercise their rights before the competent institutions.

The Institute for Human Rights offers free legal aid as a registered association authorized to provide primary legal aid, in accordance with the legislation.<sup>1</sup> The aim of the program is to provide primary legal aid to all citizens of the Republic of North Macedonia, to promote equal access to justice for all, without discrimination, and primarily to help marginalized groups of citizens, in order to recognize the rights they have, but also to educate them in what way they can exercise those rights before state institutions.

Practice shows that in 2022 the number of queries about the scope of free legal aid and what it constitutes have been reduced. This points to the fact that citizens are, for the most part, already familiar with free legal aid and how they can obtain it, whereby only the situations in which it can be used, as well as questions on everyday problems of citizens remain. In the past period, the Institute for Human Rights provided primary legal aid in 32 cases and received 1 request for secondary legal aid, i.e. one citizen requested to be represented by a lawyer in judicial (civil) proceedings, which was approved by the regional unit of the Ministry of Justice.

According to the Law on Free Legal Aid, the scope of primary legal aid covers:

- providing initial legal advice on the right to use free legal aid,
- providing general legal information,
- providing general legal advice,
- providing assistance in completing the request for secondary legal aid,
- providing assistance in filling out documents, forms issued by the a state authority in the administrative procedure for social protection and protection of children's rights; in pension, disability and health insurance; protection of victims of gender-based and domestic violence; in the procedure for birth registration; in obtaining identity documents and citizenship,
- providing assistance in writing complaints to the Commission for Protection against Discrimination and to the Ombudsman and writing requests for protection of freedoms and rights to the Constitutional Court of the Republic of North Macedonia.

From the above it can be concluded that citizens most often need general legal information and/or general legal advice, while the other types of assistance, for example for filling out documents and forms, compiling complaints to the Commission for Prevention and Protection

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<sup>1</sup> The Free Legal Aid Program of the Institute for Human Rights has been active since April 2020, when, in accordance with the provisions of the Law on Free Legal Aid, the Institute was registered as an authorized citizens' association to provide primary legal aid <https://www.pravda.gov.mk/bpp>

against Discrimination, to the Ombudsman and compiling requests for protection of freedoms and rights to the Constitutional Court, are not so present and used. This is due to the fact that citizens most often need information or legal advice on how to solve a particular legal problem that is not related to the above institutions.

Attached are the grounds on which primary legal assistance has been provided:

Grounds for primary legal aid requested	Number of cases in which general legal information and advice has been given
What is free legal aid?	1
Conditions for the approval of secondary legal aid	3
Social rights (health and pension insurance rights, social benefits, right to disability pension, health care, etc.)	9
Protection against discrimination (on various grounds)	3
Labor relations (unpaid salaries, record of years in service, etc.)	3
Criminal law matters	1
Property related disputes (physical division of property, life-long support by another person, sales and purchase of property, etc.)	4
Status related issues	3
Protection and exercise of human rights (filing an application before the European Court of Human Rights)	2
Environmental pollution	1
Administrative procedure	4
Damage compensation	1
Contractual relations (disputes related to contracts signed)	1



**Access to justice** remains the most serious problem for the citizens, especially those from marginalized communities as well as from rural areas. Citizens face problems in terms of communicating with state institutions.

In 2022, citizens have mostly communicated with the Institute for Human Rights through the Institute's official email, social media (its Facebook page) and through the Institute's phone number. Most of the questions addressed to the IHR concerned the exercise of social rights in terms of health and pension insurance rights, such as: recognition of a disability pension right, social benefits for physical disability, social benefits in case of death of a close family member

and social benefits for care provided by another person, recognition of pensionable years in service, as well as reporting and handling cases of careless medical treatment.

From the analysis of the other questions addressed to the Institute for Human Rights, it can be observed that many of them relate to requests for general legal information and/or legal advice in respect of property related disputes, such as physical division of property, determining rightful ownership, as well as challenging contracts for purchase of property and lifelong care for persons. Issues arising from labor relations, such as unpaid salaries, recording of pensionable years in service, as well as employment with salary subsidies, are still present, but not as much as they were during the COVID-19 pandemic, in 2020 and 2021, when there were mass redundancies and a high number of cases of unpaid salaries and contributions. This year there has been an increase in the number of issues related to prevention and protection against discrimination on various discriminatory grounds, as well as status related issues in terms of obtaining identity documents, changing nationality and similar issues.

**Restrictions on the grounds for receiving secondary legal aid** further aggravate the situation for citizens who are unable to be represented by a lawyer, despite being eligible for secondary legal aid, because the legal affair for which they need a lawyer is not provided for in the Law on Free Legal Aid. Such legal matters are mostly: public and utility services, misdemeanors, compensation of intangible damage, property related matter in administrative proceedings, etc. In addition, Article 13, paragraph 10 of the Law on Free Legal Aid stipulates that free legal aid does not cover the costs that the beneficiary of free legal aid is obliged to reimburse if the court proceedings does not end in his/her favor. This provision is not contrary to the principles of litigation procedure, but it may discourage applicants to request secondary legal aid or to approach an authorized association or legal institution for assistance in completing the application. This is the case because the outcome of judicial or administrative proceedings initiated before any court or state authority cannot be known in advance, despite the available evidence and facts. Potential parties - requesting secondary legal aid, are mostly members of marginalized groups who cannot afford representation from a lawyer. Because they are afraid that they might lose the dispute and consequently pay the costs, they are demotivated to initiate proceedings and demand the exercise of their rights which they are entitled to.

# **ACCESS TO JUSTICE - AS SEEN BY CITIZENS AND CIVIL SOCIETY ORGANIZATIONS IN THE REPUBLIC OF NORTH MACEDONIA**

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Access to justice has always been a serious problem and a challenge for the Republic of North Macedonia during its Euro-Atlantic integration. Taking into account the fact that the negotiations with the European Union were initiated and there is ongoing screening of the compliance of Macedonian legislation with the EU acquis - the need for serious, transparent and accountable institutions which citizens will trust and which will ensure access to justice and guarantee citizens' rights is further emphasized.

The Institute for Human Rights, conducted three focus groups sessions - two with citizens and one with representatives of civil society organizations. The purpose of these focus groups was to directly obtain information about the problems and challenges that citizens face in the realization of their rights and during communication with state institutions. On the other hand, it was necessary to analyze the examples shared by civil society organizations primarily providing free legal aid on challenges and/or problems they faced in ensuring access to justice for the citizens before the competent institutions and courts.

The focus groups focused on the day-to-day administrative procedures the majority of citizens are facing, on the availability and accessibility of courts, on the overall level of trust in the judicial system, and on the challenges in giving free legal aid.

## **Overview of access to justice - as seen by the citizens of the Republic of North Macedonia**

The idea of organizing such focus groups with citizens stemmed from the Free Legal Aid Program implemented by the Institute for Human Rights since 2020. Throughout our communication with citizens, we were able to identify in which areas they mostly need legal information or advice, as well as what is their experience with state institutions when exercising their rights.

From the focus groups held with the citizens, the general conclusion was that they received information from civil society organizations and/or through friends and acquaintances about the ways in which they can exercise their rights and how to approach state institutions. This is the case because many of them emphasized that they did not receive assistance and explanation on how to use certain rights from the administrative servants, nor they received clarification what is the procedure for exercising those rights. Such behavior of administrative servants

makes it particularly difficult for marginalized groups of citizens to access services (Roma, persons with disabilities, persons living in deep poverty).

In exercising social rights, the biggest problem is the lack of coordination between the institutions and the lack of desire among the employees of the institutions to facilitate citizens' access to the institutions. In this regard, the complex and unclear procedures for exercising social rights and services were highlighted as a particularly significant problem, as well as the inequality of treatment by the authorities (first instance and second instance institutions as well as committees) under the legal provisions regulating the procedure and conditions for the exercise of those rights and services.

Some of the citizens who participated in the focus groups clarified that they did not initiate any court proceedings, while those who had a specific problem and legal basis for initiating proceedings withdrew due to the length of proceedings, the high costs and the lack of trust in the independence of the courts. Those citizens who have initiated administrative proceedings and disputes have stressed the length of those proceedings, the decisions of the Administrative Court which are not based on merit, their return for retrial, as well as the failure to act by the first instance authorities after they have been given directions to take actions by the Administrative Court. All this precludes administrative justice.

The inconsistencies in the case law, i.e. the adoption of different decisions by the first/second instance authorities/commissions, only accentuate the complex procedures for accessing justice. The length of the proceedings, in particular the administrative ones, increase citizens' distrust in the judicial authorities.

Additionally, the frequent amendment of laws and by-laws creates legal uncertainty among citizens and prevents them from easily exercising their rights. Additional problems arise due to misinformation shared by institutions, specifically when there are legislative changes, and the employees in the institutions are not familiar with those changes in the relevant regulations.

Persons with disabilities, as well as persons who take care of them, are exposed to additional costs and unnecessary harassment when they want to extend the letter of confirmation for their right to social benefits (such as: compensation for care by another person, compensation for immobility), whereby they must regularly submit applications for confirming their health status, which by its nature is permanent and is unchanging. In this regard similar are the problems of citizens who must submit documents and sustain costs when the institution can obtain those documents ex officio, as well as when citizens apply for social benefits or for their extension.

Obstacles related to infrastructure are still very much present. Access to institutional buildings and courts remains a problem in achieving access to justice for persons with disabilities.



Lack of appropriate access infrastructure (for example lack of access ramps at the Court for Misdemeanors and at the Administrative Court in Skopje, no elevators at the Basic Civil Court in Skopje, at the Court for Misdemeanors and at the Administrative Court in Skopje), lack of adequate support or persons appointed in courts and institutions to provide information to persons with different types of disabilities makes it impossible for citizens, especially those citizens belonging to marginalized groups, to access justice.

The participants in the focus groups additionally jointly concluded that citizens are not familiar with the alternative ways of resolving disputes, i.e. with the benefits of mediation, where both parties could be satisfied with the final outcome and could resolve a specific legal issue whereby no party would win or lose.

## **Overview of access to justice - seen through the experiences of civil society organizations working with marginalized groups and/or providing free legal aid**

The Institute for Human Rights held a focus group with representatives of 20 civil society organizations to identify the problems and challenges they face in rendering services to their constituents and in providing access to justice for marginalized groups.

The main conclusions of the focus group are as follows:

- Access to justice and the exercise of human rights for persons belonging to more than one marginalized group is hampered and more difficult,
- The state has not adopted a national action plan for sustainability and development in the area of ensuring access to justice. All people are not informed about their rights and if they are violated, where they should report such violation.
- Violence is still not recognized, especially domestic violence, and once again people do not know where to report such violence. The victim, after being attacked, does not receive the necessary support from the institutions and there is a major gap in imposing temporary protection measures and in responding if they are violated. There is a drawback in the procedures for protection of women victims of domestic violence. Police do not recognize psychological and sexual violence.
- Social work centers respond differently when a victim reports violence on her own or when an organization reports the violence. The victim, out of fear and due to distrust in the judiciary, is discouraged from taking the procedure to the end. In particular, domestic violence is very rarely reported in smaller towns, because everyone knows each other and they advise the victim not to report the crime.
- There is not enough communication even between the institutions to solve problems addressed to them. Not only do they not communicate with each other, but they also provide

contradictory advice and decisions. In addition to all this, there is no responsibility born by the administrative workers and there is no committee which will control if and how they perform their duties.

- Sexual violence against sex workers and transgender persons is not recognized neither by institutions nor by the police. Sex workers do not report human rights violations because they know that at the end of the procedure they will be considered guilty.
- Although we have ratified conventions and although there are laws, they are not implemented and not respected. Physical access is not always enabled, not only to institutions, but also to notaries, enforcement agents and various service providers.
- There is insufficient expertise and competence among law enforcement authorities. A system of sanctions is needed to be imposed against those institutions and authorities that do not respect the legal provisions.
- Due to the lengthy proceedings and the untimely commencement of the procedure, sometimes the documents submitted to the institutions are lost and forgotten.
- There is a big problem with stateless persons, because they are people who want to work, want to become citizens of this community, but receive only social benefits, although there would be economic public benefit if 700 people obtain the right to work and contribute to the domestic economy.
- Judges and other judicial authorities are not sufficiently sensitized on the application of the anti-discrimination law.
- Courts, as well as the Public Prosecution Offices, should be more proactive in terms of proper implementation of international agreements and continuously improve the professional capacity of judges and public prosecutors, especially with regard to proper implementation of the already ratified conventions that require targeted systemic reforms. According to the representatives of the focus group, currently the judges of the Administrative Court and the Higher Administrative Court do not follow and implement the obligations under international agreements.
- The intersectional approach has not yet been recognized and is not applied in the work of the judicial authorities, nor by civil society organizations.
- The Ministry of the Interior has not responded to any of the submitted complaints about hate crimes submitted by civil society organizations. From May to September 2021, 26 complaints were submitted by the same organization to the Commission for Protection against Discrimination, complaining about discrimination because of sexual orientation or gender identity, and 46 criminal charges were filed with the Ministry of Interior. Although this is a small number of complaints, still there are a lot more cases of violence and ill treatment upon this grounds for discrimination, but they are not reported precisely because of distrust in institutions.

- The Ministry of the Interior unfairly treats victims of domestic violence, where they most often take the side of the perpetrator and differently treat victims with and victims without disability. Participants indicated that it is necessary to improve the services provided by the Ministry of Interior and by the Social Work Centrec. Moreover, they stressed that it is necessary to establish a system for coordination and communication between institutions, which is not there at the moment, as well as to establish a system for preserving institutional memory within the institutions.
- Victims (such as Roma, persons with disabilities and LGBTI, victims of domestic violence), in many cases are unaware of discriminatory practices directed at them, or accept them as a common practice in the society in which they live, adapting to them. Those who recognize that they are victims of discrimination most often seek legal advice or submit complaints, but do not proceed further with the court proceedings, mainly because of financial reasons and due to distrust in the judiciary. Some citizens do not have knowledge/information about their legally guaranteed rights, and, although they do not agree with the treatment they are given, they do not take any action because they feel they have no choice.

# **THE JUDICIAL COUNCIL AND THE RIGHT TO COMPLAINT DUE TO DISSATISFACTION WITH THE WORK OF A JUDGE OR OF THE PRESIDENT OF THE COURT**

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Citizens and legal entities have the right to submit a complaint to the Judicial Council if they are not satisfied with the work of judges and court presidents. From January to October 2022, the Judicial Council received 173 complaints.

Most of the complaints were rejected by the Judicial Council as unfounded, because with the complaints submitted the citizens or legal entities request a court decision to be reconsidered, because they are not satisfied. In most cases, the Judicial Council determined that the case is already submitted for review to an appellate court, so the complaint will be assessed by the appellate court during the review and the Judicial Council has no authority to intervene in the court decisions, or to change them, and it finds no grounds for proceeding. However, waiting for the outcome of the proceedings leaves room for timely reaction if the judge or president of the court acted improperly, which may not constitute a violation of procedural law as a matter decided upon by the higher court. Appropriate handling of complaints will contribute to timely response and sanctioning of inappropriate actions and will contribute to restoring citizens' confidence in the judiciary.

# RESULTS OF THE SURVEY TITLED "ACCESS TO JUSTICE IN NORTH MACEDONIA"

The Institute for Human Rights conducted a telephone survey to determine the public opinion and citizens' perception with regard to access to justice in the Republic of North Macedonia. The aim of the survey was to explore citizens' awareness of and their experience with access to justice in the country, as well as the problems and challenges they encounter in exercising their rights before state authorities.

The survey was conducted by telephone, on a representative sample of **1,051** adult subjects, on a stratified randomized sample, from 4 to 12 October 2022.

Respondents Demographic Data	Number	Percentage
<b>Gender</b>		
Male	558	53,1%
Female	493	46,9%
<b>Age</b>		
18-29	189	18,0%
30-44	298	28,4%
45-59	251	23,9%
60+	313	29,8%
<b>Ethnicity</b>		
Macedonian	729	69,4%
Albanian	262	24,9%
Other	59	5,6%
NA <sup>2</sup>	1	0,1%
<b>Education</b>		
Elementary or less	181	17,2%
Secondary school	544	51,8%
Bachelor degree or higher	309	29,4%
Studying at the moment	13	1,2%
NA	4	0,4%
<b>Household income</b>		
Less than 250 euros	142	13,5%
251-600 euros	453	43,1%
601-1000 euros	235	22,4%
over 1000 euros	78	7,4%
NA	143	13,6%
<b>Place of residence</b>		
City	746	71,0%
Village	305	29,0%
	<b>1.051</b>	<b>100,0%</b>

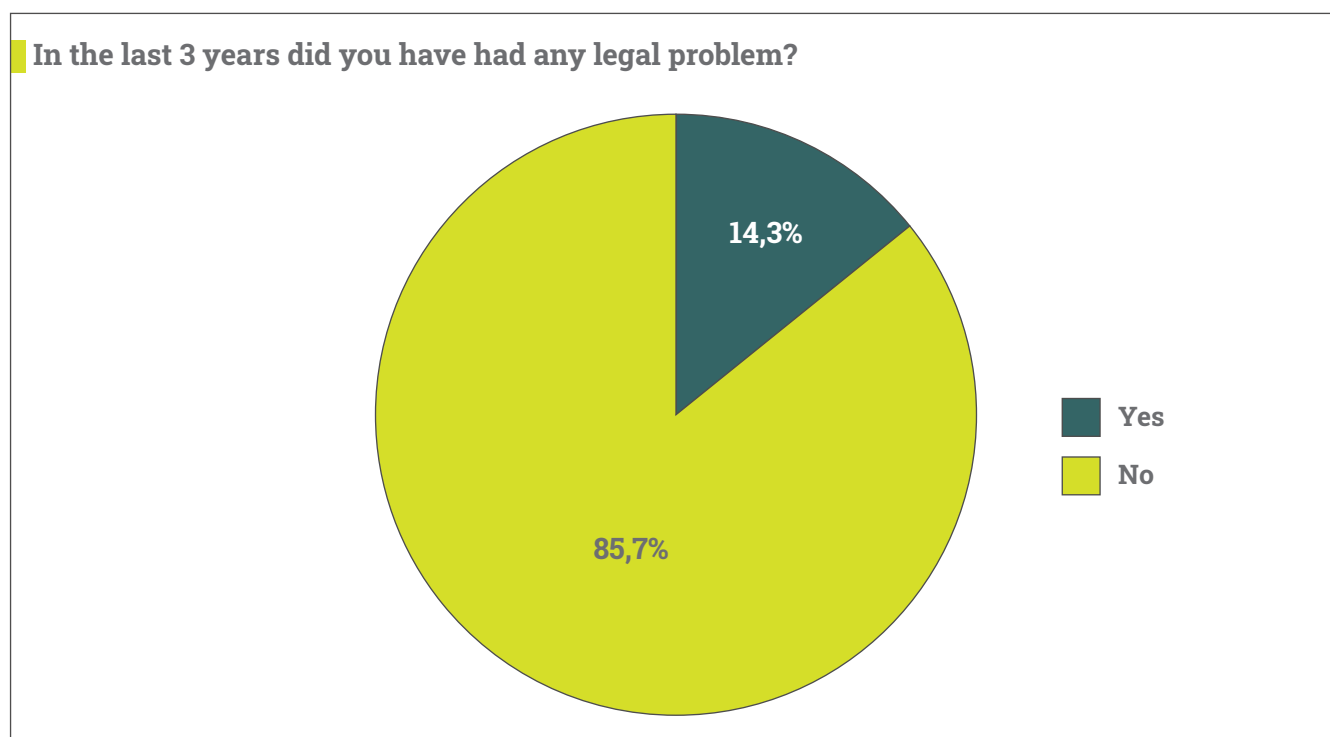
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2 NA = "No response"

## I. Having experience with a legal problem

The survey started with the question: *"In the last 3 years did you have had any legal problem, such as civil law (property, inheritance, compensation, etc.), criminal law, or administrative law issue (social protection, pension and disability rights, other proceedings before a state authority) or any similar issue?"*. The aim of the survey was to get an idea of the percentage of citizens in the country who have had a legal problem and needed legal remedy in the specific reference period (3 years).

**Results show that 14.1% of the surveyed citizens had a legal problem or needed a legal remedy in the past 3 years.**



A total of 148 respondents replied that they had had a certain legal problem in the past 3 years. **Most of the problems were related to property matters** such as land, privatizations, legalizations, disputes over boundaries and inheritance. Some of the respondents pointed to issues in the sphere of employment relations or social benefits (specifically - benefits for people with disabilities). Several answers were concerning marital relations, specifically divorces and additionally several criminal-law matters.

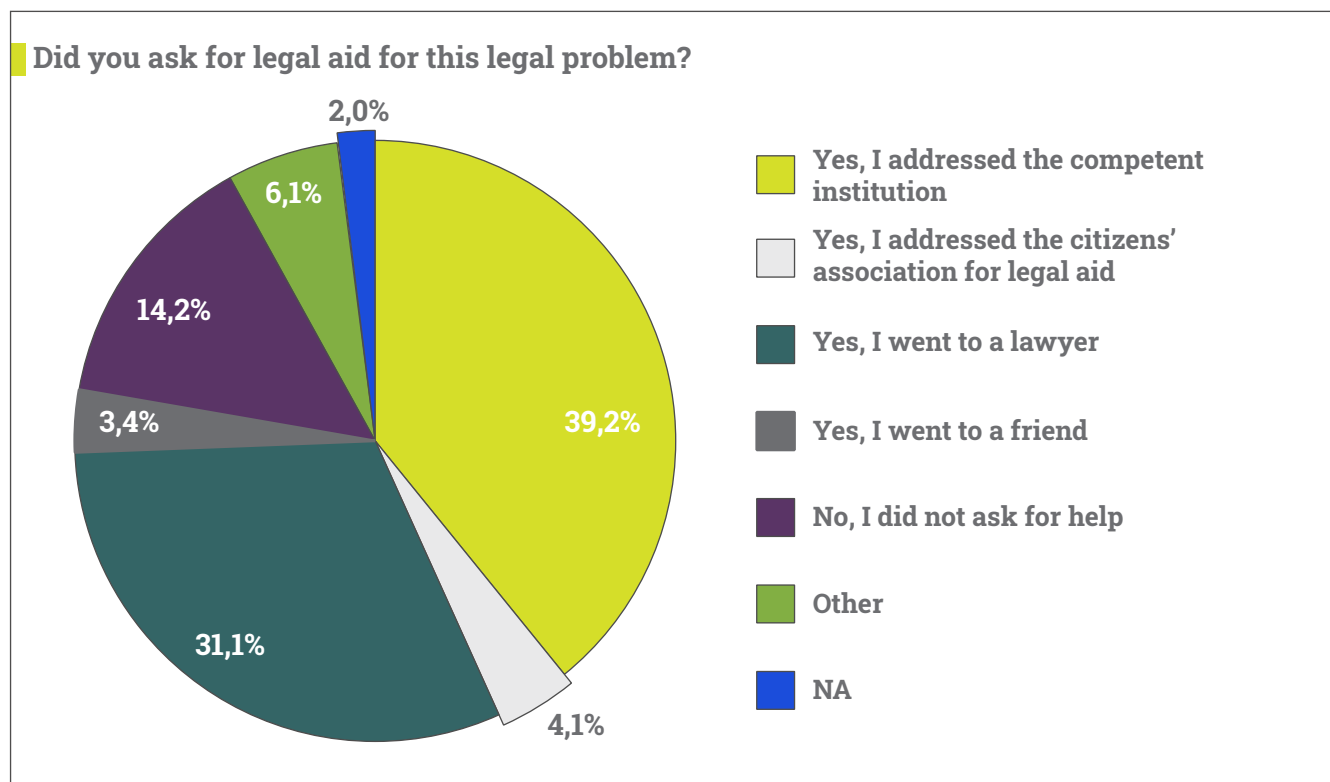
The results were cross-compared by gender, age, ethnicity, education and place of residence, which showed that there is no one particular category of citizens who are more likely to face a legal problem.

This basically means that all citizens are equally likely to have legal problems, regardless of whether they are men, women, Macedonians, Albanians, young, old, etc.

## II. Reacting to a legal problem

Most of the surveyed citizens who have had a legal problem in the past 3 years have asked for some kind of legal aid. Of course it should be borne in mind that the type of legal reaction depends on the type of legal problem they had. Only 14.2% of those who had a legal problem did not seek any kind of legal aid.

We can conclude that the majority of citizens facing a legal problem take some legal action.

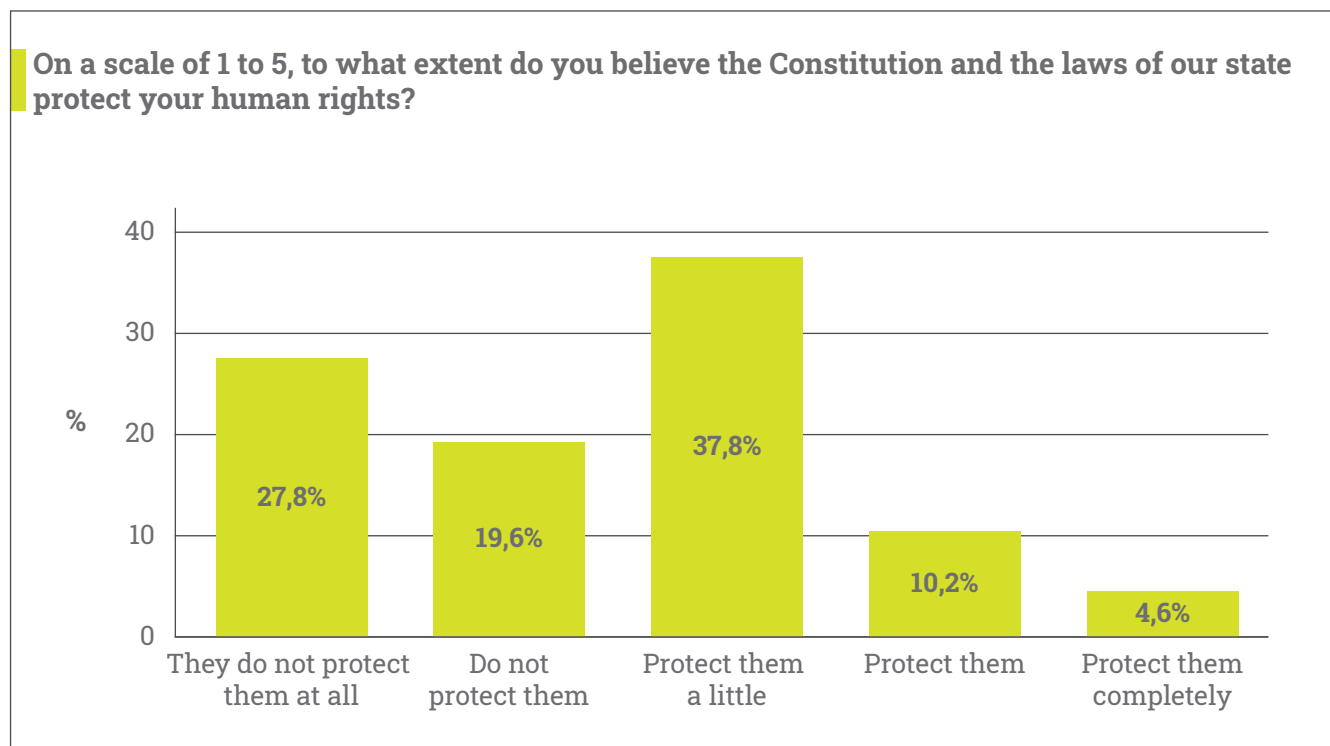


## III. Protection of human rights by the Constitution and laws

In the next step, respondents were asked to write down their opinion on the legal protection they can receive in North Macedonia. Specifically, the question was: *"On a scale of 1 to 5, to what extent do you believe the Constitution and the laws of our state protect your human rights?"*

Citizens do not believe they can be protected by the Constitution and by the laws of this country.

A vast majority of the surveyed citizens, or about 85%, believe that the Constitution and laws do not protect them at all or that they only protect them a little. Only 10.2% of the surveyed citizens believe they are protected, and only 4.6% believe they are fully protected by the Constitution and the laws in the country.



These results were cross-compared by sex, age, ethnicity, education and place of residence, and it can be concluded that women are a little more optimistic than men about the legal protection; Albanians are little more moderate in their attitude than Macedonians; mistrust in the laws is bigger as the citizens get older; and there are small differences caused by the education level, but they are almost insignificant.

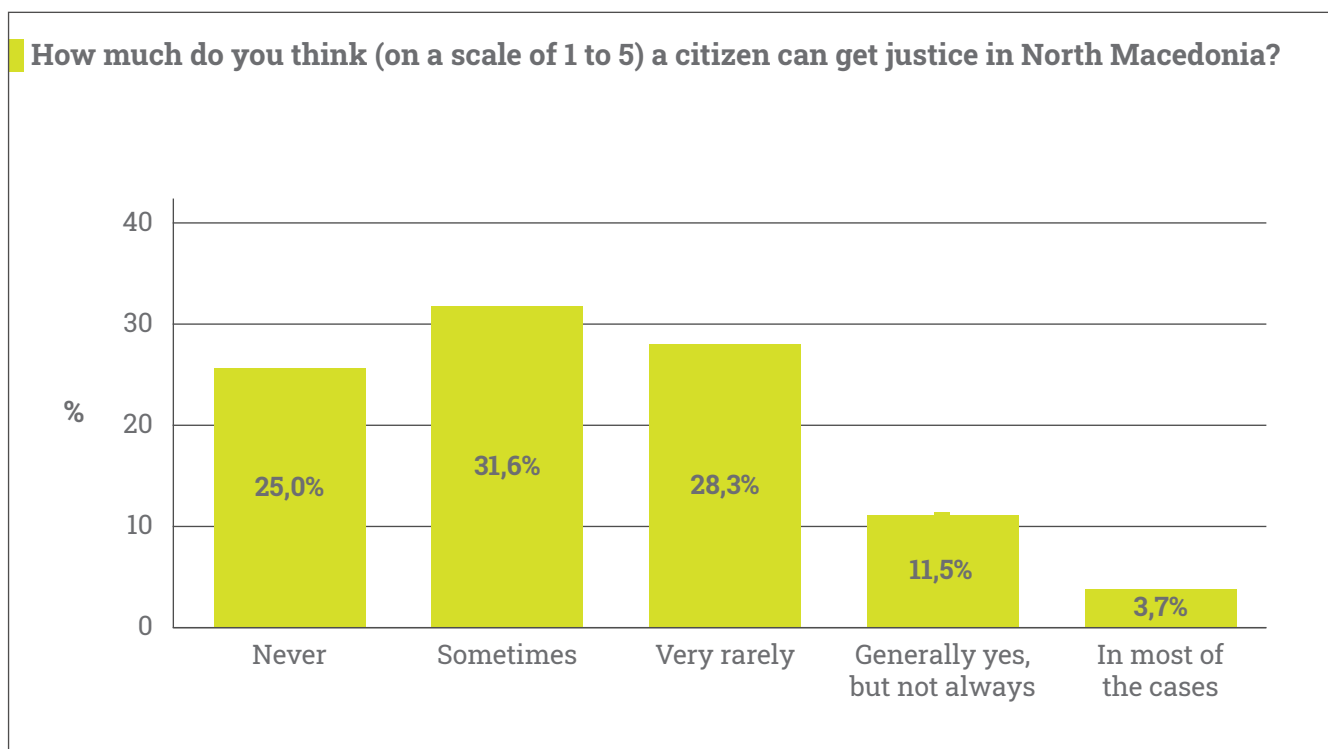
## IV. Access to justice

In the next step, respondents were asked the following question: *"How much do you think (on a scale of 1 to 5) a citizen can get justice in North Macedonia?"*. The results are consistent with those obtained in the previous question. The majority of citizens believe that justice cannot be obtained in North Macedonia. **In particular, ¼ of the surveyed citizens (25%) believe that justice can never be obtained, 31.6% said it can be obtained sometimes, and another 28.3% of the citizens said it can be obtained "very rarely".**

So again, about 85% of the surveyed citizens believe that justice cannot be obtained, can be obtained sometimes or very rarely.



On the opposite side, only 11.5% of citizens agreed that justice, in general, could be obtained, but not always, and 3.7% said that justice could be obtained in most cases.



**The conclusion, with regard to this issue, is that women are somewhat less pessimistic, compared to men.** A slightly higher percentage of women say that justice in general or in the majority of cases can be obtained (17.5%, as opposed to 12.8% for men). There are also fewer women who say that justice can never be obtained (19.6%), as opposed to men (29.8%).

As the respondents become older their confidence in access to justice in North Macedonia declines.

**As the respondents become older their confidence in access to justice in North Macedonia declines.** Young people are more willing to say that there is generally justice or that it can be obtained in most of the cases. They are at the same time less inclined to say that justice can never be obtained. **Pessimism and mistrust grow with age.**

If we compare the ethnicity of respondents we could say that **Macedonians are generally more pessimistic in their attitudes, compared to Albanians.**

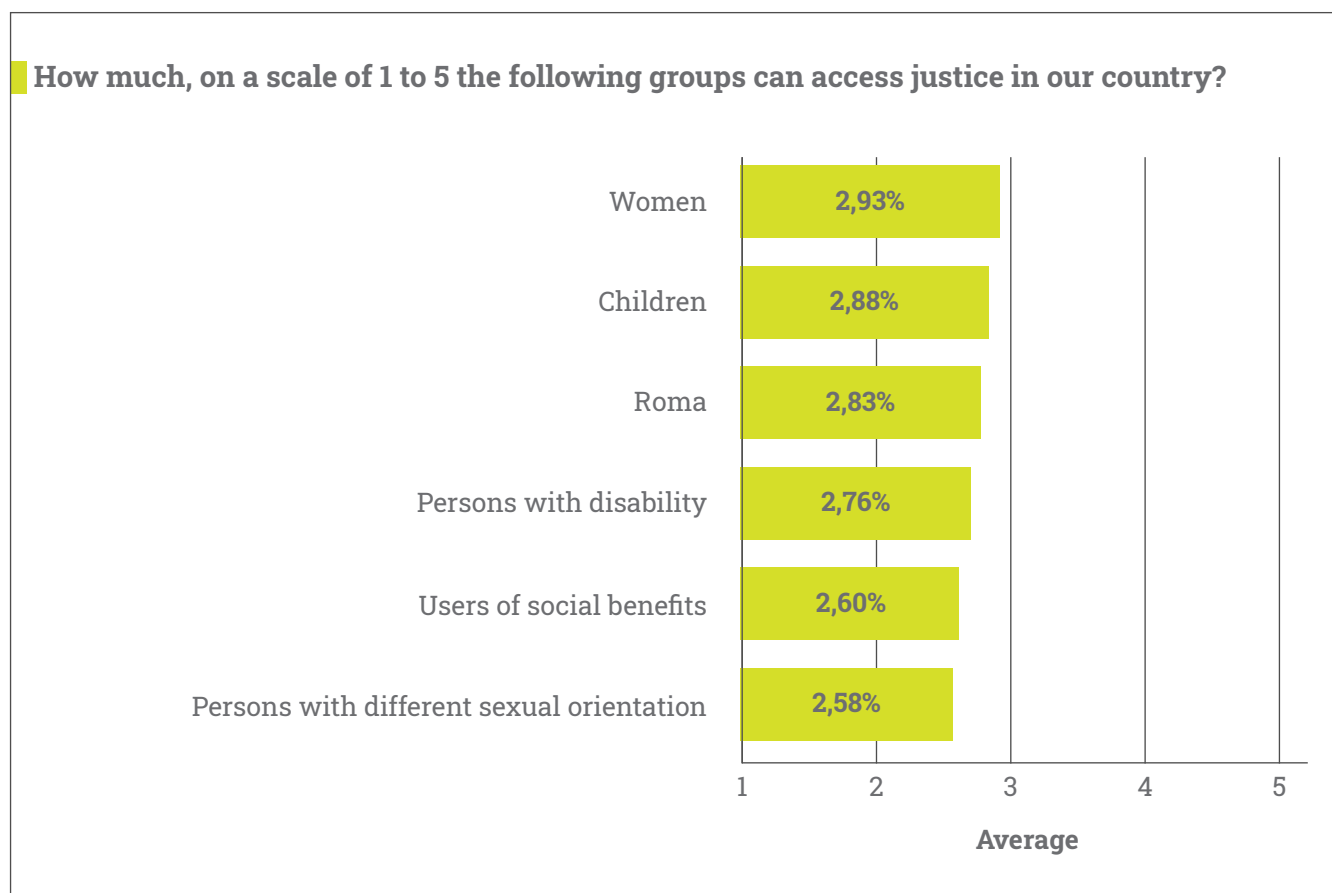
## V. Access to justice for different categories of citizens

In continuation, the respondents were asked a series of specific questions concerning specific categories of citizens and to what extent they can receive justice in North Macedonia?

The final conclusion is that citizens, in general, find that justice is difficult to obtain.

According to the respondents, **beneficiaries of the welfare system, low-income persons and persons with different sexual orientations face biggest difficulties in accessing justice.**

However we have to note, that the question about persons with different sexual orientation was not answered by all of the respondents (about 200 of them did not answer this question), which is also an indication of their attitude towards this category of citizens. The questions regarding **Roma and persons with disabilities** and their access to justice show the highest degree of divergence of responses.



For each of these categories of citizens, the score given by Albanians is higher than that given by Macedonians, which means that Albanians, in general, rate access to justice with slightly better grade. The rating given by citizens of other ethnicities varies.

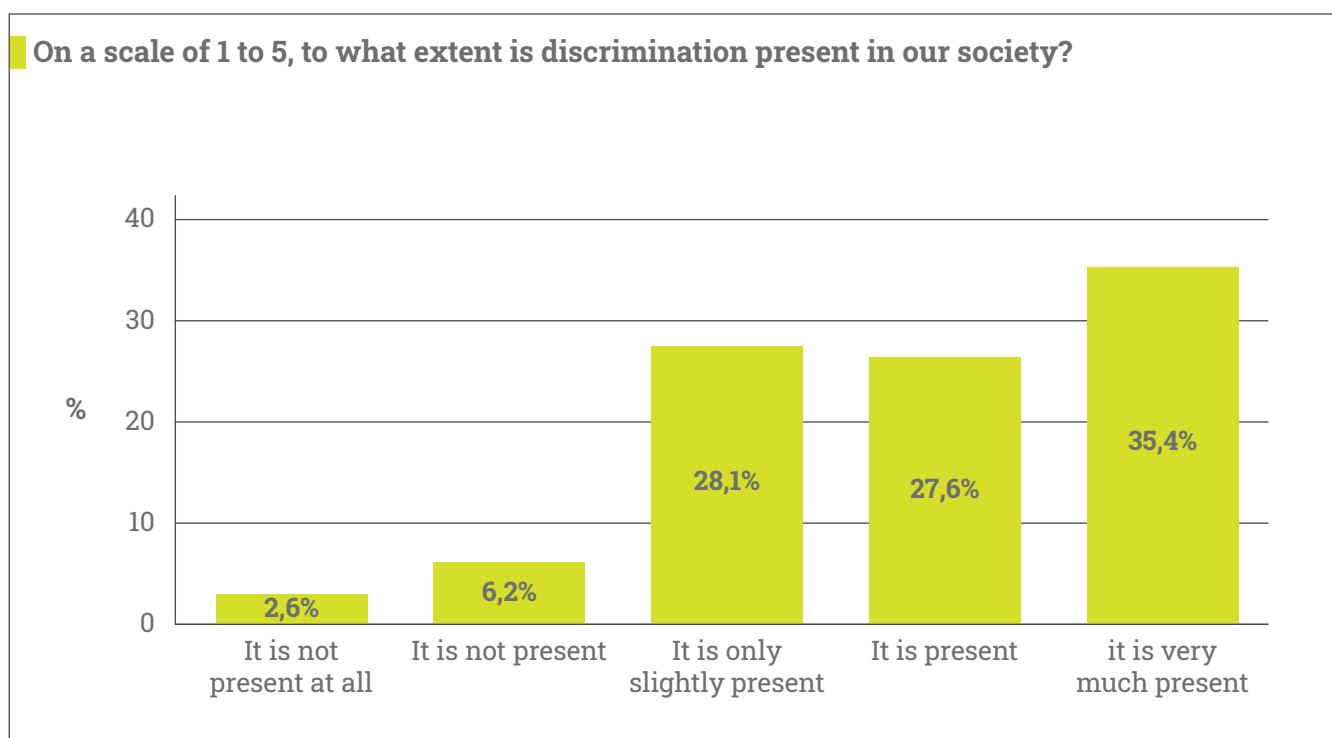
## VI. Presence of discrimination

The last part of this survey addressed citizens' views on discrimination, as well as their personal experiences with discrimination.

The basic question used to assess citizens' attitudes and perceptions was: *"On a scale of 1 to 5, to what extent is discrimination present in our society?"*

About 2/3 of citizens believe that discrimination is present or that it is very much present.

The results show that only a small part of the surveyed citizens believe that there is no discrimination (6.2%), or that there is no discrimination at all (2.6%) in Macedonian society, while 27.6% believe that discrimination is present and 35.4% that it is very much present.

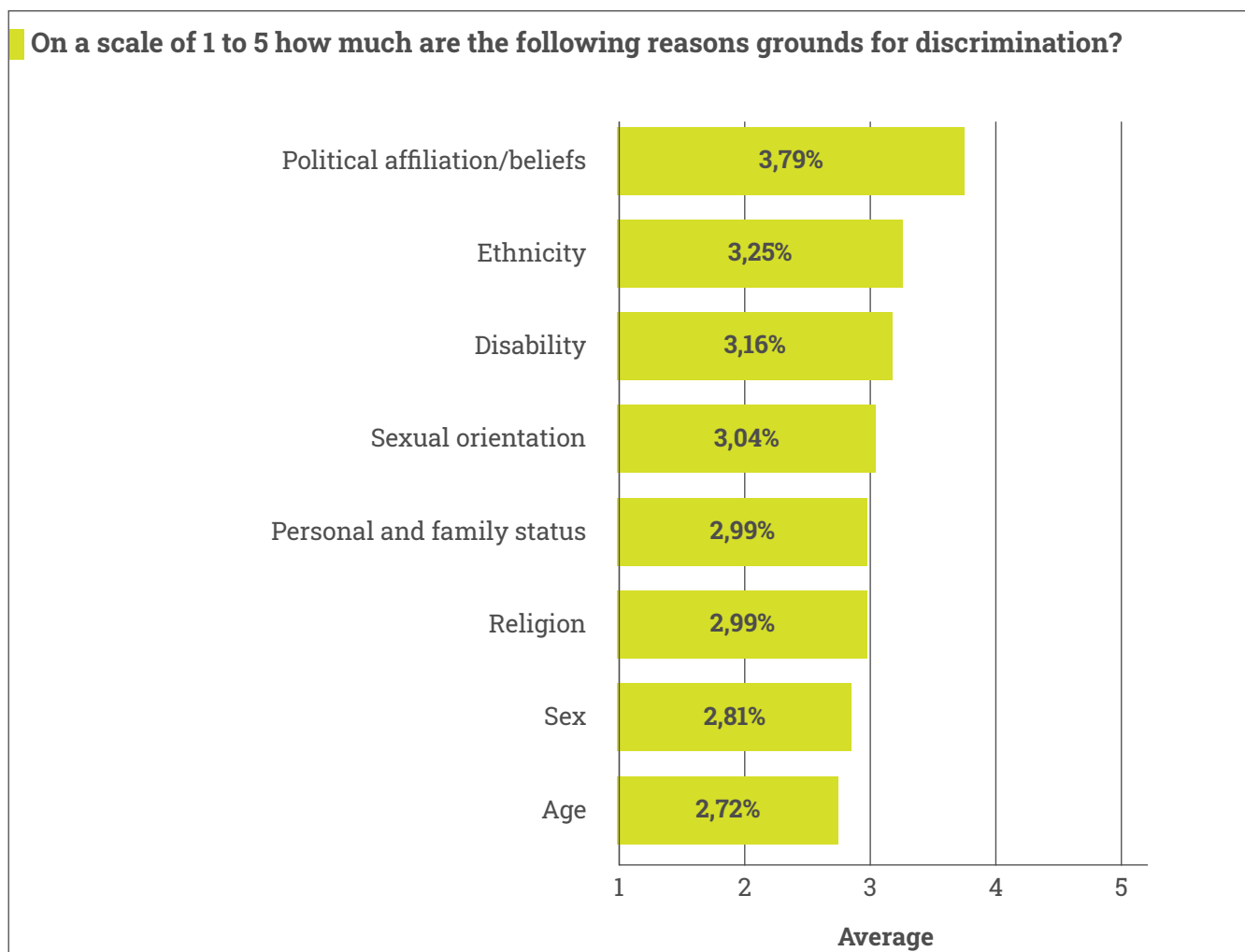


There were no significant differences in the answers to this question by gender, age, ethnicity, education or place of residence of respondents.

## VII. Reasons for discrimination

Citizens were also asked about the reasons for discrimination, or which grounds for discrimination are most present (gender, ethnicity, religious affiliation, disability, age, personal and family status, sexual orientation and political affiliation/beliefs).

**It is interesting that citizens put political affiliation/beliefs at the top of the list of reasons for discrimination.** The fact that political affiliation is considered the main or most common cause of discrimination in Macedonian society shows at least two things. First, it is an indicator of the full political polarization of Macedonian society and its effect on the average citizens. This is generally well known and the results only further confirm this axiom. In doing so, by political divergence we mean intra-ethnic division within the same ethno-political bloc. Secondly, this indirectly shows the relatively low awareness of the average Macedonian citizen concerning the reality of discrimination in the Macedonian society and in general. This conclusion is based on the evaluations that average citizens believe that discrimination on the grounds of disability or sexual orientation is considered to be less significant.



The findings regarding **disability** as grounds for discrimination are also interesting, as there are differences between citizens. While some see this as an important reason for discrimination, others believe it is not. With regard to **sexual orientation** as grounds for discrimination,

over 200 respondents did not answer this question. **Age** as grounds for discrimination is ranked at the bottom of the scale. This is consistent with the results of other surveys and generally accepted arguments in this area.

A comparison of responses by gender shows that men and women have almost similar attitudes. The comparison of results by ethnicity is similar. Again, there are generally smaller differences with a few expected exceptions. For example, Albanians mostly view ethnicity to be of a greater extent a cause for discrimination compared to Macedonians. Differences in terms of religious beliefs as grounds for discrimination are similar.

## VIII. Knowledge of discrimination protection mechanisms

About ¼ of the surveyed citizens believe that they are familiar (17.4%) or that they are well familiar (8.5%) with the mechanisms for protection against discrimination, while 12.7% wrote that they are not familiar at all and 24.1% that they are not familiar with them. **We can conclude that in the Macedonian society the knowledge of the mechanisms for protection against discrimination is relatively low. Younger citizens feel they know the mechanisms a little better, but as the age of respondents becomes higher, the grade given due to their subjective self-assessment becomes lower.**

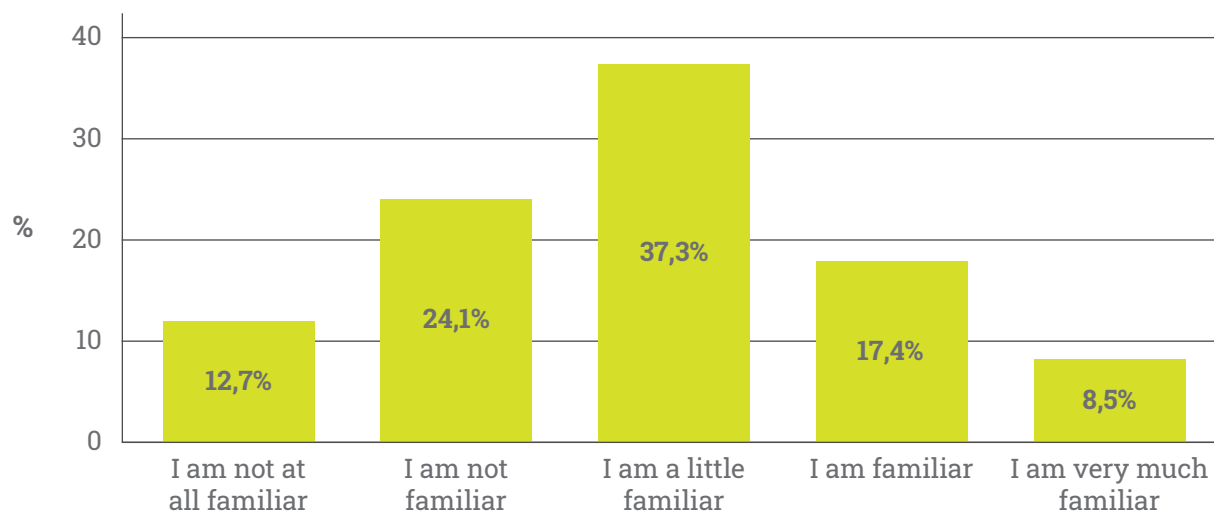
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After self-assessing their knowledge of discrimination mechanisms, citizens were asked where they would go if discrimination occurred. The question was an open one, in order the respondents to write their answer. The most common answers included: the police, a lawyer, competent institution, Ombudsman (sometimes referred to as the Public prosecutor), courts, Centre for Social Work, home, to friends or relatives. Some of the citizens indicate that they would turn to civil society organizations, most often pointing to the Helsinki Committee.

Many citizens say they do not know where they would go if discriminated against, and some feel that even knowing where to go would be in vain.

■ On a scale of 1 to 5 how familiar are you with the discrimination protection mechanisms?



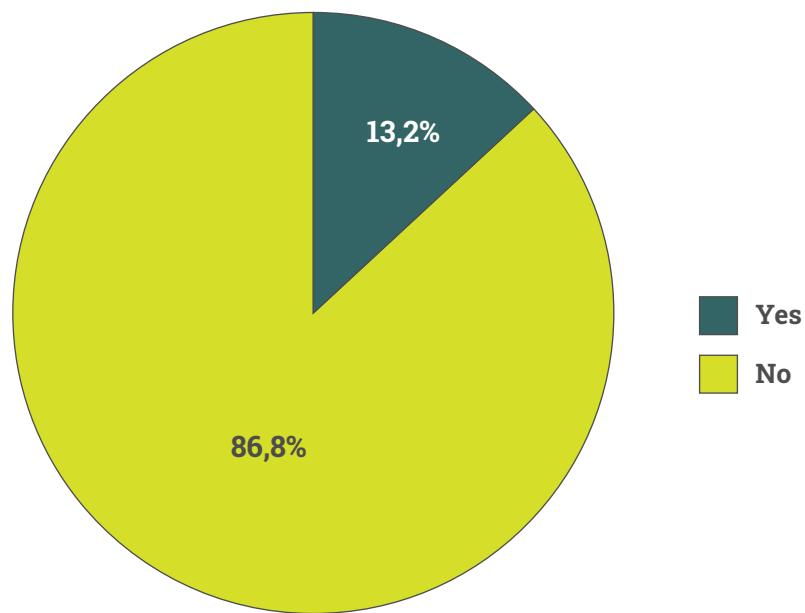
## IX. Discrimination experience

13.2% of citizens surveyed replied that they had been discriminated against in the past 3 years.

Persons with higher education have more frequently stated that they have been discriminated against, which means that **sensitivity to discrimination grows with the level of education.**

It is clear that this is not an objectively higher occurrence of discrimination against persons with higher education, but a subjective assessment that depends on the sensitization (recognition) of the concept.

■ Have you been discriminated against in the past 3 years?



The respondents who declared that they had been discriminated against in the past 3 years were then asked what the specific event that involved discrimination was.

- Several respondents indicated discrimination in relation to the workplace (e.g. they did not get a job or lost a job due to political or ethnic affiliation). Some of them have stated that they have been subjected to mobbing at the workplace.
- Ethnic discrimination is often indicated.
- There are several answers concerning disability, for example, not receiving a disability pension, which they thought they were entitled to, etc.
- There are several answers stating that respondents have been discriminated against because they were not from the capital but from a smaller town or village.

**In summary, most of the reported cases of discrimination are related to work/workplace and to political affiliation.**

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