



## Strategic Plan for the period 2022-2026

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## FOREWORD

The democratic development of a society is not assessed only through the norms that the state guarantees and ensures to the citizens for the fulfilment of their basic human rights and freedoms, but also on the functioning of the mechanisms for the protection of these rights.

The Institute for Human Rights advocates for the improvement of the human rights situation in the Republic of North Macedonia (RNM) and the surrounding region, by building a culture in which everyone can freely, dignifiedly and without discrimination, develop their potential.

The contents of this strategic document will be fully implemented and reflected in the practical functioning of the Institute. So far, for achieving this, extensive support from all those with whom we share the same vision and mission is needed in order to secure that human rights are the foundation of justice and the protection of human rights is based on both genuine democracy and, on the other hand, on the common understanding and respect for human rights, as it is actually stated in the European Convention on Human Rights.

President of the Institute for Human Rights

Margarita Tsatsa Nikolovska

## INTRODUCTION

The new strategic plan of the Institute for Human Rights (IHR) covers the period from 2022 to 2026 and is a result of the previous work and sincere efforts to continue the ongoing activities, as well as to encourage and initiate new changes that will increase the rule of law and the protection human rights and freedoms in our country and in the region.

During the process of preparation of the Plan all members of the Institute's executive office, advisory and executive bodies were included and made a significant contribution to its preparation.

The human rights challenges in the RNM are comprehensive, and in that direction, the Plan identifies priorities and goals that practically address these challenges. In this Strategic Plan for the next 5 years, we confirmed the already defined mission and vision, our values, current problems, as well as our goals and desired results. The implementation of the Strategic Plan will be supported by the Action Plan which sets out the measures and activities that will be undertaken to fulfil the strategic goals and achieve the desired results.

The success of these two documents and the achievement of the desired effect will be conditioned by the involvement of all constituents of IHR, the cooperation with citizens' associations and state institutions, donors, and all other partners to help us achieve positive changes in the legal system and in society in general.

## ABOUT US AND OUR WORK

The Institute for Human Rights (IHR) is a citizen association founded on 01.06.2009 with the aim of promotion, advancement and protection human rights and freedoms. It realizes its commitments through continuous education of the professional public, research and analysis, advocacy and litigation and organizing discussions within both the legal professionals and general public.

Within its strategic determinations and beliefs, IHR operates in several key segments:

- Monitor the situation regarding the enjoyment of human rights and freedoms through observation and analysis of all relevant processes in the country;
- Raise awareness among relevant institutions, organizations and other stakeholders about the necessity to establish and build an effective mechanism for the promotion, guarantee and protection of human rights and freedoms,
- Using strategic litigation as a tool for fighting against discrimination and informing citizens about their rights;
- Initiate discussions on relevant issues and problems that directly affect the enjoyment of the fundamental rights and freedoms of people and citizens in the RNM.

As their constituents, IHR has the citizens and the representatives of various professions and associations working in the fields of promotion, advancement and protection of human rights in the country. IHR realizes its activities both on the territory of RNM and in the region through the direct implementation of activities and through cooperation with international institutions, organizations and associations in the field of promotion and protection of human rights in the region.

IHR promotes its activities and findings to the citizens through public announcements through different public media, press conferences, social media platforms, forums and round tables, etc. At the same time, IHR publishes all relevant information on its website [www.ihr.org.mk](http://www.ihr.org.mk). In this way, IHR exercises its influence and opens the opportunity for public debate with all interested citizens.

The IHR membership is comprised of 64 members, including: legal and other professionals, doctorates, professors, attorneys, former judges of the Supreme Court of the Republic of North Macedonia, former public prosecutors, human rights advisers in relevant institutions and other personnel and civic activists who support the vision and mission of the organization.

Current President of the Institute for Human Rights is Margarita Tsatsa Nikolovska - Former judge of the European Court of Human Rights and current judge and former vice president of the Constitutional Court of Bosnia and Herzegovina.

## MISSION

Promotion, advancement and protection of human rights and freedoms through research, analysis, education and other means of action.

## VISION

Institute for Human Rights - credible and recognizable stakeholder in acting towards securing the promotion, advancement and protection of human rights and freedoms.

## VALUES

Within the framework of its mission, in implementing activities and in working with other relevant stakeholders, IHR will respect and implement the following principles and values:

- **Equality and non-discrimination** - we apply and promote the approach of equality and non-discrimination to all those who need support in the prevention, exercise and protection of human rights and freedoms, guided by the general principles and values of human rights;
- **Social cohesion** - we promote and strive for a cohesive society working towards the well-being of all its members, fighting exclusion and marginalization, creating a sense of belonging and inclusion, promoting interpersonal relationships that are based primarily on tolerance and respect for the individual;
- **Transparency and accountability** - we are committed to transparency and accountability in the work of the institutions in the state and other relevant stakeholders, and we are making efforts to be an example of continued transparency and accountability within the work of IHR;
- **Professionalism** - professionalism remains a top priority and a guiding principle for all members individually and of the IHR as a whole, keeping in mind a respect for both individual differences and attitudes on certain issues;
- **Democratic dialogue and governance** - we promote dialogue and understanding that will be the basis for all levels of counselling, management and implementation of activities.

## UNIQUENESS

Symbiosis of knowledge and experience in the field of human rights and freedoms and enthusiasm in implementing the vision and mission.

## IHR STRUCTURE

Assembly

Management Board

Advisory Board

President of IHR

Executive Office

Executive Director

Program Coordinators

Project Associates

Project Coordinators

Person for Public Relations

Project Assistants

Interns

## CONTEXT ANALYSIS

### JUDICIARY AND LEGAL (UN)CERTAINTY

The political and institutional crises with which our country was faced in the past years has prolonged its consequences in all areas including judiciary as the most important segment in enforcing laws and fighting against corruption in all forms. However, efforts are still needed to ensure systematic implementation of the updated action plan of the judicial reform strategy. Judicial institutions are implementing new rules for appointment, promotion, discipline and dismissal of judges and the Judicial Council has been exercising its role more pro-actively. As a result of the IHR work in monitoring the Judicial council, our country has established mechanisms to ensure judicial independence and accountability, such as rules on merit-based appointments, checking assets and conflicts of interest and disciplinary procedures. However much needs to be done in implementing the Effective implementation legal framework as well as increased efforts by all stakeholders to demonstrate their exemplarity will contribute to increasing public trust in the judiciary. In the states which respect the principles of the rule of law and separation of powers, the judiciary is the main holder of the protective function in the realization of the individual freedoms and rights of the person and citizen. This function and competence can only be achieved by the judiciary only if it is both based on and guided by the principles of constitutionality and legality and its independence and impartiality; both from an institutional and functional aspect.

Unfortunately, from many conducted research and surveys on national level, it can be concluded that the mistrust in the judiciary is still present amongst the citizens in our country and is reflected in the shortcomings of the judiciary. The disregard of the international principles and standards and the selective application of national regulations when selecting and promoting judges and public prosecutors has led to the selection of inadequate personnel and, furthermore, the dismissal of experienced cadres. Moreover the forthcoming vetting in the judiciary is not a guarantor for the efficiency of judiciary especially if it is not conducted upon detailed methodology and criteria and especially if it is politically motivated. Therefore monitoring of the implementation of the legislation and selection, promotion and dismissal of judges is important for proper implementation of the legislation.

Due to the COVID-19 outbreak, in 2020 the courts were closed for almost three months, thus, the problems with backlog of cases emerged into surface. Even afterwards, some of the court hearings were postponed due to positive coronavirus cases and all of this contributed to delays in the court hearings for several months. Additionally, problems exist in the functioning of the Administrative Court and the Higher Administrative Court regarding the violation of the legal obligations for meritorious resolution of the cases in the direction of their prompt and efficient operation; the untimely delivery of the requested documents from the state institutions to the Administrative Court prior to the decision of the Administrative Court, which results in the delay of the procedure. Furthermore, there is the failure to act on the clear instructions of these courts contained in their decisions, which means non-execution of court decisions and inefficiency and dysfunction of the judiciary.

The Constitutional Court as a sui generis institution, in recent years, has shown numerous weaknesses in its functioning. The Constitution of the RNM and the Rules of Procedure of the Constitutional Court do



not allow full protection of the freedoms and rights of the person and the citizen in proceedings before the Constitutional Court. Namely, what has been identified as a significant problem in this area is the absence of a constitutional complaint as such, the lack of expertise of the Constitutional Court and the narrow corpus of rights and freedoms that are protected by the Constitution. Although the Constitution of RNM provides an opportunity for submitting request for protection of the freedoms and rights of the person and the citizen before the court, the limited interpretation of the constitutional provisions and indecent practice of the Constitutional Court shows a complete absence in the practice of this request.

Such situations burdened additionally with the increasingly frequent amendment of the legislation, especially the amendment and adoption of laws in a shortened and urgent procedure, have led to legal uncertainty for the citizens.

Finally, the non-use of the subsidiary principle and the non-application of the practice of the European Court of Human Rights (ECtHR) speak to a weak judiciary in which legal practitioners are both not sufficiently aware of the subsidiarity principle and the reference to the ECtHR practice in court decisions is insignificant.

The decisions of the ECtHR are practically not enforced, especially those decisions of the ECtHR in which it is not possible to financially compensate for the injury and in particular those decisions of the ECtHR in which a systemic problem and subsequent human rights violations are identified, where the implementation of the decision means taking of individual and general measures, in order to eliminate the injury and the consequences arising from it, as well as the reasons that led to the filing of appeals before the Court and appropriate prevention of the same or similar violations.

### Judicial Council

Within the framework of its jurisdiction to ensure the independence of the judiciary, the Judicial Council of RNM should both initiate and lead a process of activities in order to promote an independent, responsible and high-quality judiciary, thus enabling an unbiased, effective and efficient administration of justice. In past years, the Judicial Council has not shown in practice an effective and pro-active fulfillment of its competences. The main problems noted in the work of the Judicial Council are in terms of the Council's transparency, accountability and the ability of the Council to effectively fulfill their competencies, primarily in the areas of the selection and dismissal of judges and presidents of courts, transparency and publication of reasoned decisions, and in playing a proactive role in ensuring the independence of the judiciary.

In the past, the perception of its work is that this body was not independent in the exercise of its competencies. However, recently the perception about the Judicial Council's performance is improving into quite positive showing the willingness of this institution to be more transparent, accountable and more efficient in conducting its obligations under the Constitution and the relevant laws. The IHR is continuously monitoring the Judicial Council's performance and significantly contributed towards improvement of the legislation and the transparency and effectiveness of the institution. The monitoring on the Judicial Council's sessions and drafting monitoring briefs about its performance by IHR will continue due to the fact that judiciary is very important strategic priority for the Institute.

## Judicial Administration

One of the key factors for effective justice sector reforms is qualified court administration. Although, the court administration plays an important role in the overall quality of the justice sector, its participation in the reform processes is extremely limited. On the other hand, the first contact of the citizens with the courts is usually through the judicial administration staff; for this reason, the judicial administration through their Association of judicial administration will be actively included in the process of monitoring and implementing justice sector reforms, which in turn will enable easier access to justice for the citizens of our country.

It is necessary to increase the transparency, accountability and efficiency of the justice sector as a whole, and in particular the employees in the court administration in order to enable the principle of "access to justice" of the ECtHR. Access to a court that is closely linked to access to information about the functioning of the court administration should increase public knowledge of court proceedings and should emphasize that public interests are best served by open courts and access to court administration.

An effective and accountable court administration is needed as well as an objective assessment of its work and an appropriate remuneration. Improved internal communication between court employees, greater technical equipment and technical support is also needed. Additionally, enhanced cooperation between judges and the court administration would improve the quality of access to justice in cooperation with the joint and participatory approach between judges and court administration employees aimed at providing the effective procedure in practice.

The justice system as a whole is in need of increasing its transparency, responsibility and effectiveness, especially concerning the employees of the judicial administration in terms of the "accessibility of the court" as a principle established by the ECHR. The court's accessibility is deeply connected with the availability of public information about the functioning of the judicial administration, the increase of the public knowledge about court procedures and emphasizing that open courts and accessible court administration are in line with the public interest.

An effective and responsible court administration is needed, as well as an objective assessment of its work and suitable reimbursement. Furthermore, the implementation of improved internal communication between the employees in the court, in addition to better technical equipment and support, is necessary in order to develop a practical and productive court administration. Moreover, the intensified cooperation between the judges and the court administration would give increased quality to the access to the justice system, and the collaborative approach between the judges and employees will ensure a more effective procedure in practice.

## Council of Public Prosecutors

The Council of Public Prosecutors of North Macedonia is an independent body that ensures and guarantees the independence of public prosecutors in the performance of their function and duties. Neutralizing any influences violating the laws that could possibly affect the public prosecutors is the main duty of the Council. Matters within the competence of the Council are usually discussed and decided upon

sessions and an annual report for its work is submitted to the Parliament of the RNM. The report contains various data such as the number of elected and dismissed public prosecutors, the number of prosecuted and completed disciplinary procedures, personnel situation in the public prosecutor's office, the material/financial state of the public prosecutor's office, data about complaints and suggestions submitted by citizens and legal entities and other data from the scope of the work of the Council.

The lack of precision that is present in the legal regulation fails to ensure complete and effective conduction of the procedure for complaints filed against the public prosecutors, due to the fact that the competences of the Council are still limited and crucial decisions are made within the offices of the Public prosecutor. In addition to the negotiations between the government and the opposition are the changes of the legislation that are in sight. The changes are in relation with the functioning of the Public Prosecutor and the Special Public Prosecutor and are going to directly impact the rankings, role and competences of the Council of Public prosecutors, which is why its inclusion in the process of making these changes is imperative.

### HIGH LEVEL OF CORRUPTION

The public sector, which should be characterized with professionalism and ethicality, but also should represent one of the key forces driving the development of the country, faces depoliticization. In other words, the inseparability of the state from the parties results in a condition where the institutions function in the interest of the parties, instead of the interest of the citizens. Consequently, this disrupts the principle of fairness and equality of treatment and results in inadequate public service for all citizens.

Combating corruption has always been a difficult task for North Macedonia. In order to successfully deal with corruption, a country needs a good legislation, but also effective implementation of the laws in practice. Transparency International's 2020 Corruption Perception Index ranks the country on 111<sup>th</sup> place out of 180 countries. At the regional level, North Macedonia is ranked at the bottom of the table along with Bosnia and Herzegovina. The general perception among the public points to the fact that bribery is considered as a normal task in order to accelerate some procedure on local level regarding but not limiting to procurement, construction procedures, health protection and other services.

The Law on Prevention of Corruption and Conflict of Interest adopted in January 2019 was a solid base for drafting the Anticorruption Strategy with a purpose to increase the transparency and accountability of state institutions, to strengthen their integrity, political liability and to prevent any kind of interference while in the same time preventing corruptive practices. The purpose of the Action 21 (consisted of 18 steps) is similar while more restrictive than the Strategy having in mind the fact that this action determines concrete measures and instruments that will strengthen the institution's capacity in mutual connection will ease the fight against corruption and will diminish corruptive practices through electronic connection of all anti-corruption institutions, their digitalization, introducing the platform E-inspector, a single register for state aid and other segments which will improve the functioning of the state institutions while combating corruption.

Having in mind the above mentioned as well as the fact that fighting corruption is one of the IHR's strategic priorities, the Institute will monitor the implementation of the National Strategy for Prevention of Corruption as well as the Government Plan Action 21. In the same time, IHR will monitor the work of the

State Commission for Prevention of Corruption that has the authority to determine measures for prevention of corruption in politics, in the performance of the authority and in the exercise of entrusted public authorizations, measures for the prevention of conflicts of interest, measures for the prevention of corruption when performing a duty of public interest and other activities of legal entities related to the exercise of power.

### ACCESS TO JUSTICE AND HUMAN RIGHTS PROTECTION

The realization of human rights enables people to participate in the making of social decisions that affect their lives and helps them resolve conflicts, improve living standards and provide an environment for prosperity. Access to justice in one country is a merit for the degree of respect of human rights and fundamental freedoms.

The new Law on free legal aid which was adopted in May 2019 provides a high spectrum for access to justice in forms of: (a) acquiring primary legal aid in forms of giving legal advice, information, completion of a request for secondary legal aid etc., and (b) acquiring secondary legal aid in form of representation before competent courts and institutions.

In 2020, the Institute for Human Rights was enlisted as a citizens association eligible for providing primary legal aid. In the following months, IHR received numerous messages for free legal aid. Many of the received questions were related to termination of employment and payment of salaries due to the pandemic caused by the COVID-19 for which IHR gave general legal information and general legal advice. Most of the questions from social protection were related to the conditions for acquiring minimal guaranteed aid and respective conditions. Furthermore, IHR received questions about the conditions for exercising the right to child allowance and care by another person. Furthermore, some of the questions were related to procedures before state institutions and judicial disputes and procedures. These issues were connected to the procedures how the people can complain for conducting of the procedures by the public prosecutors, judges, enforcement agents, notary public and lawyers. IHR has received questions from people how to act in situations when there is lack of response from state institutions, thus IHR advised the people to submit an “urgency” or to refer the subject matter to the State Administrative Inspectorate.

In the forthcoming period, IHR plans to strengthen the program for providing free legal aid especially with a focus to the vulnerable groups of people (people with low income, people with disability, LGBTI and Roma people)

Communities, the government and the international community should make efforts in combating violations of human rights leading to discrimination, marginalization, social exclusion and unjust access and distribution of public resources and services. The appearance of these issues and the deep poverty in our society stress the relevance of the implementation of the Human Rights Based Approach in all aspects of planning and programming for all stakeholders. The Human Rights Based Approach is a methodological framework aimed at integrating human rights perspective in all processes of programme and project development as well as in providing services. As a concept it provides significant and systematic participation while strengthening the agency of the most vulnerable categories of people. The wider acknowledgement of the benefits arising with the integration of this approach witnesses the need for its application in the work of both civil society organizations and public institutions as well as in the

business sector. Such a systematic integration of this approach in the work of all relevant stakeholders will advance the protection of human rights in the country. Moreover, the pandemic caused by the COVID-19 emphasized the importance of the Human Rights-Based Approach in monitoring the restrictions and enjoyment of the human rights such as: the right to life, health, health protection, education, freedom of movement, expression, peaceful assembly etc. Amendments to the Criminal Code adopted in December 2018 clarified provisions on hate crime and expanded the protected grounds. According to the Criminal Code, crime of hate shall be considered the crime against a natural person or a legal entity and associated persons thereto or a property which is committed wholly or partially due to a real or speculative (imaginary, assumptive) characteristic or association of the person and relates to the race, skin color, nationality, ethnic origin, religion or conviction, mental or bodily disability, sex, gender identity, sexual orientation and political conviction. However, people are still not adequately protected against hate speech and discriminatory speech. Non-systematic collection of data on hate speech remains an issue.

Despite including sexual orientation and gender identity as the grounds upon which a hate crime can be considered, there is not even one court case, let alone conviction, based on this crime.

Advancing gender equality in the country is at a status quo. The research analysis and reports show that all state institutions and municipalities on local self-government level do not implement the National Strategy for Gender Equality 2013-2020. Gender equality issues are not sufficiently addressed in the segment of gender budgeting, nor in the work of Commission for equal representation of women and men. The lack of gender equality including gender stereotypes can be noticed also in the schools where education should be a catalyst for social change and enhancement of human rights and prevention of gender imbalance. Moreover, the problems related to gender inequality in education can be considered as controversial issues because often they led to discrimination, thus meaning that teachers and professor are those who should strive towards achieving strategy for quality assurance that will enable to systematically reflect their status and progress in developing their own and their students' knowledge, understanding and planning activities.

Gender based violence has been gradually increasing in North Macedonia, accumulating towards the present high rates at which these crimes are committed. Despite the ratification of the Istanbul Convention on Preventing and Combating Violence against Women and Domestic Violence, the state authorities have made slow and insignificant efforts for harmonization of the national legislature and the Convention. An additional problem is the implementation of its regulations. Despite new national and international trends towards the advancement and promotion of gender equality, the Law on Equal Opportunities for Women and Men has not been amended since 2015. The EU integration of a gender perspective into the preparation, design, implementation, monitoring and evaluation of policies, regulatory measures and spending programmes, is with a goal of promoting equality between women and men and combatting discrimination (gender mainstreaming). These concepts are rarely known or applied in any sectors in the country. IHR considers to have the capacity to contribute into building capacities for suitable integration of these methodological frameworks and strategies.

Recent analyses by the IHR also demonstrate the need for certain modifications in the operation of its "Legal Dialogue" journal, mainly revolving around its writing, editing and publishing. The past years have shown that the journal has managed to promote as a highly qualified scientific law journal in the country. According to recent changes in the journal's politics, there is a possibility for submitting two modules of

papers: (1) Scientific papers reflecting theoretical aspects of topics related to human rights and rule of law in North Macedonia and other European countries; (2) Scientific papers focusing on the practical aspect of concrete court cases in front of the ECtHR and the European Court of Justice.

The vision of the Editorial Board is in the next years to expand the corpus of interested authors to publish their manuscripts in the journal. The goal will be to have authors from different spheres including but not limiting to undergraduate and postgraduate student, PhD students, law professionals, professors, judges, lawyers, experts in the area of rule of law and human rights. In order to electronically disseminate the issues, the law journal will be designed, the manuscripts will be proofread. Moreover, the received manuscripts are undergoing in-house assessment by the Editor in Chief and the Associate Editor. If approved they will be sent for a peer-review process by the members of the Editorial Board.

In 2020, the Institute established the IHR Academy for online learning. This Academy was designed as a place where the general public, students, law professionals and other interested participant through educative online courses can gather knowledge about human rights through different topics such as: the issues related to discrimination, strategic representation before the European Court of Human Rights, ending gender stereotypes in education and many other interesting issues. In future, the Institute aims to develop several other online courses where through educational lessons, questions and quizzes interested participants will learn more about the topic of their interest.

In order to strengthen its capacities, IHR plans to sign memorandum of understanding with several law faculties in the country. The aim is the members of the IHR Executive Office to prepare presentations on a topic of interest for the student and to educate them. On this way the IHR members will transfer their knowledge to students and it will strengthen their capacities in conducting research, preparation of educational materials etc.

Finally, the IHR aims to implement limited materials related to child and human rights into the education of minors, in an effort to raise awareness of human rights from the earliest age. Ideally, IHR sees the inclusion of child and human rights education in curricula as not just optional but necessary in order to create both a future and nation more supportive of equal rights for all citizens. Envisioned to be primarily conducted through informal education, the IHR hopes to eventually incorporate this subject within the formal education, establishing our belief that the IHR can be an educational advocate for both children and human rights within the educational institutions.

## EQUALITY AND NON-DISCRIMINATION

The new Law on Prevention and Protection against Discrimination in North Macedonia was adopted in May 2019. However, at the beginning, this law was faced with significant challenges due to the fact that the previous Commission for prevention of discrimination submitted an initiative before the Constitutional Court and disputed the Law because of lack of required majority for adoption of the Law.

Meantime, the Law was disputed due to some changes in the discrimination grounds, which included sexual orientation and gender identity, and they pose an indicator of the crucial problem that both state authorities and the general public do not recognize and accept all forms of discrimination, nor they believe in the judicial system in the country.



The Constitutional Court accepted the initiative and decided to annul the Law, thus once again, the country was left without a specific law that prohibits discrimination in all kinds and provides protection before the Commission. The text of the Law on Prevention and Protection of Discrimination was once again put on session before the Members of the Parliaments and adopted in October 2020. The Law offers new grounds for protection against discrimination including gender identity and sexual orientation as grounds for discrimination.

The experience and the expertise of the Institute for Human Rights is in the field of Human Rights and access to justice, in particular for marginalized groups of people, and our program is prepared to advance the protection of human rights and to combat discrimination in North Macedonia.

Through analysis of the national regulative we established that the existing mechanism for prevention and protection of discrimination is difficult to be implemented in practice.

Some of the most common problems that are encountered are the following:

- **Lack of social justice**  
The system does not provide adequate protection of these particular marginalized groups for a dignified life
- **Indirect and hidden discrimination (Political, gender based, sexual)**  
There is an indirect discrimination, especially in the field of promotion at work
- **Insufficient recognition of discrimination**  
Both state authorities and the general public neither recognize nor accept all forms of discrimination, nor do they believe in the judicial system in the country
- **Lack of trust in the judiciary for initiating legal procedures on different discrimination basis**  
The 'modest' court practice in the country shows that many judges are not familiar with the Law for Prevention and Protection against Discrimination, while the delivered judgments shows that the lawsuits were rejected, or the court did not found discrimination beside submitted evidence.
- **Inefficient bodies for prevention and protection of discrimination**  
The existing institutions are not qualified enough to recognize the „ new ” forms of discrimination and to act accordingly
- **Inefficient mechanisms for prevention of gender-based violence, as well as mobbing**  
The existing legal frame is both inefficient and inapplicable and the implementation of international standard is non-existent
- **Violence based on discriminatory motives is not liable to a sanction**  
The Institutions and other state bodies don't make efforts for proper sanctioning of violence towards marginalized groups of people, such as LGBTQI community, women, children, Roma people etc.

As a result of these kinds of socio-political happenings in the country, The Institute of Human Rights in the following period will work towards strategic goals that will contribute towards the return of the rule of law principles and the prevention and protection of human rights in the Republic of North Macedonia.

In addition, IHR will strengthen its impact by building the institutional capacities in order to become an important centre, that through its expertise and professionalism will contribute towards positive social changes.

## STRATEGIC PRIORITIES AND OBJECTIVES 2022 – 2026

Given that a unique and effective solution for the complex issues faced by the Republic of North Macedonia remains to be seen, IHR, within its capacities and possibilities, defines its Strategic Plan as a path in the right direction over the course of the next four years.

The strategic priorities, objectives and measures determine the IHR's aspirations and ambitions for dealing with crucial societal issues in the ultimate aim towards the enhancement of human rights and freedoms in the country.

Through different activities, analyses, discussions, lobbying and advocacy, we are committed to work in the following fields:

### STRATEGIC PRIORITY 1: JUDICIARY AND ACCESS TO JUSTICE

#### STRATEGIC OBJECTIVE 1: ENABLING EASIER ACCESS TO JUSTICE

- Providing Free legal aid program to vulnerable groups of people (people with low income, people with disabilities, LGBTI, Roma people etc.) by giving primary legal aid
- Monitoring of the realization of the Judiciary reforms;
- Monitoring of the Judicial Council and preparation of monitoring briefs about the findings that will arise from the continuous monitoring;
- Monitoring of court procedures in specific fields, such as: anti-discrimination, mobbing and corruption;
- Advocacy for enabling effective access to justice for all citizens;
- Increased initiatives for broader civic engagement with a main impact of improved life of citizens through organizing focus groups, providing explanations about the free legal aid and developing litigation program;
- Monitoring of judicial staff's performance and strengthening their collaboration and capacities towards a more effective, accountable and transparent judiciary;

### STRATEGIC PRIORITY 2: HUMAN RIGHTS PROTECTION

#### STRATEGIC OBJECTIVE 3: PROMOTION, EDUCATION AND ADVOCACY FOR HUMAN RIGHTS PROTECTION

- Promotion of Human Rights Based Approach (HRBA) implementation for public institutions, CSOs and business sector;
- Advocate HRBA implementation especially during the COVID-19 outbreak and the imposed restrictions on several human rights due to declared state of emergency and lockdowns;
- Publishing of academic publications which would reflect theoretical and practical aspects of human rights and rule of law topics, as part of the electronic legal journal "Legal Dialogue";



- Enhancing the knowledge about human rights by using the IHR Academy for Human Rights for online learning which represents a platform with online courses with different topics on human rights.
- Preparation on several online courses on the IHR Academy covering certain aspects related to human rights, access to justice and rule of law;
- Education of citizens on human rights (pupils, students, professors in schools, judicial and administrative staff);
- Education about the European Convention of Human Rights and the case law of the European Court of Human Rights;
- Conducting lectures by IHR Executive Office members to students from the law faculties in the country on different topics related to human rights, access to justice and rule of law;
- Organizing focus groups, surveys and local meetings with citizens about issues related to human rights and fundamental freedoms;
- Raising awareness and taking measures for promotion of right of education;
- Raising awareness about gender equality and ending gender stereotypes;
- Raising awareness and taking measures for promotion of rights in the field of environmental protection and sustainability;
- Raising awareness and taking measures for promotion of labor rights;
- Collaboration and networking with organizations on regional and international level towards enhanced promotion of human rights;

### STRATEGIC PROIRITY 3: IMPLEMENTATION OF THE EU ACQUIS AND INTERNATIONAL STANDARDS IN HUMAN RIGHTS PROTECTION

#### STRATEGIG OBJECTIVE 3: TO ADVOCATE PROPER LEGISLATION REGARDING HUMAN RIGHTS PROTECTION

- Monitoring the implementation of EU acquis regarding rule of law and fundamental rights;
  - To advocate proper legislation and policies regarding human rights protection and rule of law
  - Consultative externally or directly participating in meetings of the working groups, independently or as part of a network of civil society organizations, within the aforementioned chapters;
  - Monitoring the institutions' transparency on the manner of conducting negotiations with the EU;
  - Following the issued opinions and reports by the Venice Commission on certain laws which are area of interest for IHR;
  - Analysis and suggestions on compatibility of national law with international standards;
  - Evidence based suggestions on avoiding selective implementation of laws in individual cases;
  - Initiating a wider public debate before laws' adoption in the Parliament (for laws in the field of IHR interest) and monitoring and commenting on the ENER system;
  - Monitoring the implementation
  - Education and raising awareness among legal practitioners for the importance of the principle of subsidiarity and ECtHR practice;
- Monitoring and enforcement of ECtHR decisions in collaboration with the Bureau for representation of Macedonia before the ECtHR and increased information for general public.

**STRATEGIC PRIORITY 4: EQUALITY AND NON-DISCRIMINATION****STRATEGIC OBJECTIVE 4: LITIGATION OF CASES FOR PROTECTION OF DISCRIMINATION**

- Development of litigation program for cases where evident discrimination practices are noted before competent courts;
- Submitting complaints on different discrimination basis to the Commission for Prevention and Protection against Discrimination
- Preparing requests for protection of human rights in accordance with Article 110 para.3 from the Constitution before the Constitutional Court of North Macedonia
- Lobbying and advocacy for the interests of marginalized groups (LGBTI, women, children, people with disabilities, people with rare diseases, elders, Roma and others) in collaboration with partner organizations;
- Raising awareness for understanding and recognition of discrimination with special approach to indirect discrimination (political, sexual, gender...);
- Monitoring of Commission for Prevention and Protection against Discrimination's performance;

**STRATEGIC PRIORITY 5. THE CONSTITUTIONAL COURT GUARANTEES THE PROTECTION OF HUMAN RIGHTS****STRATEGIC OBJECTIVE 5: IMPROVED ACCESS TO JUSTICE IN FRONT OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF NORTH MACEDONIA**

- Monitoring of the work of the Constitutional Court regarding its competence and deciding; in particular on initiatives for the protection of human rights guaranteed by the Constitution
- Monitoring the sessions and the work of the Constitutional Court
- Monitoring the implementation of the constitutionally-guaranteed competences of the legislative, executive and judicial authorities
- Monitoring and publishing comments (remarks) on the decisions of the Constitutional Court
- Lobbying for expanding the corpus of rights and freedoms that protects the Constitutional Court.

**STRATEGIC PRIORITY 6. ANTI-CORRUPTION****STRATEGIC OBJECTIVE 6: CONTRIBUTION TO THE REDUCTION OF CORRUPTION**

- Monitoring the implementation of the legal procedure and criteria for employment in the public sector and improving the availability of information to the citizens regarding the protection of their rights
- Monitoring the work of the Government and State Commission for Prevention of Corruption in respect of implementation of the National Strategy on Anticorruption and the Government Plan Action 21

- Analysis of the functioning and effectiveness of regulatory commissions and bodies
- Increased transparency and accountability of the institutions regarding the spending of public money
- Monitoring the implementation of the National Strategy for prevention of corruption and conflict of interests 2020-2024 which should be adopted by the State Commission for Prevention of Corruption and afterwards by the Assembly of North Macedonia

**STRATEGIC PRIORITY 7. INSTITUTIONAL AND ORGANIZATIONAL DEVELOPMENT OF IHR**  
**STRATEGIC OBJECTIVE 7: CAPACITY BUILDING, INVESTMENT AND DEVELOPMENT OF IHR'S HUMAN POTENTIAL**

- Advancing IHR's systems and procedures
- Continuous upgrade of the successful functioning between the Management and Advisory Board, the Executive Director and the Executive Office in order to monitor the situation in the areas of strategic priorities for IHR, consulting and reacting in a timely manner.
- Strengthening of the internal capacities for advocacy of individual cases in cases of human rights violation.
- Strengthening the IHR capacities in form of writing research analysis, policy papers on current human rights issues as well as submitting initiatives and requests for protection of human rights and fundamental freedoms before the Constitutional Court;
- Strengthening advocacy in order to accomplish the IHR strategic priorities and to further develop the IHR potential;
- Training for capacity building investment and development of IHR potential
- Strengthening the positions of IHR in the region and networking with similar organizations.
- Sharing of experiences and successful practices with foreign organizations that share a similar mission and vision in order to improve the functioning of the IHR and implement positive examples in our country.
- Continuous training of the members of the executive office in the areas of project and financial management, drafting project applications and office work.
- Preparation of advocacy plan as well as the monitoring and evaluation of its activities using the HRBA;
- Development of a communication and visibility plan for this strategic plan.