



Институт за човекови права

Strategic Plan for the period 2020-2024

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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 (RSM) 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 2020 to 2024 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.

Three years have passed since the adoption of the second Strategic Plan of the Institute for Human Rights in 2016 and, following the social trends and the development of the Institute, there is already a need for a new Strategic Plan with new and higher priorities.

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

The human rights challenges in the RSM are comprehensive, and in that direction, the Plan identifies priorities and goals that practically address these challenges. In this Strategic Plan for the next 4 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 2020-2024 will be supported by the Action Plan 2020-2021, 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 profession 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 RSM.

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 RSM 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. 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 Northern 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 Caca Nikolovska - Former judge of the European Court of Human Rights and current judge and vice president of the Constitutional Court of Bosnia and Herzegovina.

MISSION

Promotion, advancement and protection of human rights and freedoms through research, litigation, advocacy, 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 faced by our country in previous years have shown that both the basic functions and principle of separation of powers to the legislative, executive and judiciary branches are severely damaged.

The direct influence of political parties on the public administration, the inefficiency of the judiciary and the complete lack of control of the legislative power over the executive power have undermined the basic principles of the rule of law and seriously threatened the human rights in our country.

Namely, 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, the mistrust that is present amongst the citizens in our country 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. On the other hand, the corruption and influence of the party on both the administration and those who control the election and dismissal of judges and public prosecutors has become even more evident as a result of the party's widely publicized 2015 wiretapping scandal. This scandal and its subsequent political ramifications have further reduced the confidence of the citizens in both their judiciary and its independence.

Additionally, problems exist in the functioning of the Administrative Court and the Higher Administrative Court: 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; the failure to act on the clear instructions of these courts contained in their decisions, which means non-execution of court decisions; highlight and emphasize the 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 of the man and citizen who protects the constitution. Although the Constitution of RNM provides an opportunity for a 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. On the other hand, the professionalism and expertise of the judges from the last composition of the

Constitutional Court has been questioned as a result of several questionable decisions made by them, some of which are known to the general public.

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. However, in past years, the Judicial Council has not shown in practice an effective and pro-active fulfillment of its competences. On the contrary, the perception of its work is that this body is not independent in the exercise of its competencies. 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.

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 that 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 at sessions and an annual report for its work is submitted to the Parliament of the Republic of Northern Macedonia.

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 (претставки) 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.

State Attorney's Office of the Republic of North Macedonia

The State Attorney's Office of the Republic of North Macedonia is a body whose main priorities are taking measures and legal remedies for legal protection of the property rights and interests of the state. Despite the important role of this body, its work has rarely been exhibited in public, even though this body plays a crucial role in cases susceptible to corruption such as alienation of building land (this body gives an opinion that can be positive or negative), as well as in procedures for alienation of state property such as expropriation and denationalization.

HIGH LEVEL OF CORRUPTION IN THE PUBLIC SECTOR

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 a complete politicization. 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.

Particularly pronounced is influence of the political parties in the employment in the public sector which is based on political affiliation, whereby the principle of equal opportunities and merit of professionalism and expertise is completely violated and given insignificant importance.

It is with the same principle that other independent bodies and regulatory commissions are formed, in which most of the personnel that are performing the functions in these bodies and commissions do not have sufficient knowledge of the subject, which creates doubt surrounding their professionalism and independence as well as directly affecting (in a detrimental manner) the performance and quality of their work. Therefore, the personal responsibility of the managers doesn't function in procedures of official misconduct.

The institutions' lack of transparency is one segment that violates the law that allows citizens to be informed about the government's decisions and increases the chances for establishing a corruptive practice. Transparency, among other things, should enable building the capacities of the public for understanding public policies, the government's choices and increasing the credibility of the authorities' decisions.

A closer look is needed into the work of the State Commission for the Prevention of Corruption, which has the authority to determine measures for the 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. The effectiveness and transparency of this Commission is also of crucial value for the fight against corruption.

EMPHASIS ON HUMAN RIGHTS AND FREEDOMS

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.

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 tragedies in our present society stress the relevance of the Human Rights Based Approach and its mission. 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 of 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. Integrating the HRBA in the work of both private and public organizations will lead to analysis based and focused strategic interventions in the demands for social transformation.

The Law amending the Criminal Code from December 31, 2018, added Hate Crime in paragraph 42 in Article 122 which stipulates: *“Crime of hate explicitly foreseen by the provisions of this Code, 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.”* 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. However, the general public is well familiar with such crimes, sometimes supported with visual evidence such as the gruesome attack on the LGBTI Support Centre and attacks towards individuals of this marginalized community.

Harassment in the work place/mobbing presents a significant issue in the country. On the one hand it is widely present, whilst on the other it is not properly recognized by the relevant authorities, institutions and employers. Women undergo mobbing in the work place disproportionately more than men, which testifies to the gendered aspect of this issue. Hence, integrating a gender perspective is crucial in deconstructing the problem and proposing solutions. The Law on Protection against Mobbing in the Work Place is in the process of amendment since the current regulations have not brought sufficient and proper sanctioning for the harassers.

Advancing gender equality in the country is at a status quo. 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 UN HRBA and the EU integration of a gender perspective into the preparation, design, implementation, monitoring and evaluation of policies, regulatory measures and spending programmes, all with a goal of promoting equality between women and men and combatting discrimination (gender mainstreaming) are concepts 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 idea is to bring the journal to a scientific and sustainable level. Having this in mind, “Legal Dialogue” is intended to be published in electronic version on a bi-annual basis. Purchasing an international standard serial number eISSN in order to register the journal in the National University Library “Kliment Ohridski” is another aim. Additionally, part of this idea is to select a chief editor and editorial board of “Legal Dialogue” in order to establish a process of peer review. The editorial board would consist of distinguished professors, judges, lawyers, notable theoreticians and practitioners in the field of human rights and rule of law. At the same time, author guidelines for writing will be drafted in terms of specifying the citing rules, format and the length of the submitted papers. “Legal Dialogue” does not predict any costs for neither the submitting nor the publishing of the scientific papers in order to attract as many academic authors, judges, lawyers, theoreticians and practitioners as possible who show an interest in the field of human rights and rule of law. Particular focus will be placed on MA and PhD Students interested in the aforementioned topics. According to the plan, two open calls will be placed during the following 2020 year 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. Under the framework of each call for submitting papers, five to six topics relating to human rights and rule of law will be proposed, leaving potential authors with a wide choice in the field of their research and writing. The papers published in “Legal Dialogue” are expected to contribute to solving dilemmas related to concrete social issues on the national level. At the same time, the papers analyzing the court cases of the ECtHR will provide suggestions for the implementation of the provisions of the ECHR in the national legislation.

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, the 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.

UNEQUAL TREATMENT OF CITIZENS – DISCRIMINATION AND VIOLENCE

In the previous period, The Republic of North Macedonia successfully adopted and made changes in regulations relevant to social politics and non-discrimination, as well as increasing Access to Justice for

Marginalized People, aiming towards a clear respect for the fundamental rights of every citizen and improving the nation's overall quality of living.

These changes in regulations are a clear indication that the state authorities are making significant efforts to achieve progress in both the areas of improving the respect of fundamental human rights and freedoms and in harmonizing the domestic legislation of the Republic of North Macedonia with the legislation of the EU.

Apart from these theoretical changes, strong rule of law requires that these regulations and administrative provisions are enforced effectively, therefore the clear indicator for strengthening rule of law and respecting the human rights and freedoms would be the implementation of these regulations. The modifications of this Law are yet to be implemented.

2019 has been the year of passing the new Law on Prevention and Protection against Discrimination in North Macedonia. The new grounds on which citizens can claim they are being discriminated against include race, nationality, citizenship and, for the first time, the concepts of sexual orientation and gender identity are explicitly included as grounds upon which discrimination is legally recognized.

The new Law on Prevention and Protection against Discrimination in North Macedonia was adopted in May 2019 after long and serious discussions and, as of June 2019, is already encountering an attempt to obstruct the initiative in front of the Constitutional Court.

This happened both precisely and partly due to the newly added grounds of discrimination — sexual orientation and gender identity. The difficulties faced while adopting the new Law, mainly because of these two added grounds of discrimination, are 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.

At this moment, there have yet to be any initiated proceedings before domestic courts regarding sexual orientation and gender identity-based discrimination.

Among the changes in regard to this Law was the professionalization of the Commission for Prevention and Protection against Discrimination. The name itself “Commission for protection against discrimination” was changed into “Commission for Prevention and Protection against Discrimination” and is now envisaged to be constituted of professionals who have sound experience in the field of human rights, have no public function and will be hired as full time Commissioners.

In terms of judicial protection, it is now incorporating Actio Popularis —a lawsuit by third parties which pursue a justified interest in the protection of the interests of a particular group or within their activity they also deal with protection against discrimination, if they render it plausible that the conduct of the plaintiff led to the discrimination of a large number of people. With this amendment, non-governmental organizations, foundations and other organizations from the civil society, as well as informal groups who have justified interests for protecting a certain marginalized group can initiate court cases.

However, the new professionalized Commission for Prevention and Protection against Discrimination has yet to be realized. Even though it is a legal obligation for the Commission for Prevention and Protection against Discrimination to be consisted of members who have long-term experience in the field of

protection of Human rights, the new Law is not clear on what kind of specific experience is required for the position. Hence, there is a certain risk of forming a new commission who will follow the old problems. The Institute for Human Rights has capacity, expertise and experience in conducting educational workshops for building institutional capacities towards the recognition of all forms of discrimination, with a specific focus on discrimination based on sexual orientation and gender identity. In addition, the IHR has the capacity to monitor the work of the newly formed Commission for Prevention and Protection against Discrimination and to follow the implementation of the new Law on Prevention and Protection against Discrimination.

The scope of work of the Institute for Human Rights includes building a legal system without discrimination, segregation and violence prompted by discriminatory motives.

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 based on the grounds of sexual orientation, gender identity and disability 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

- **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 Republic of North Macedonia, 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, who through its expertise and professionalism will contribute towards positive social changes.

STRATEGIC PRIORITIES AND OBJECTIVES 2020 – 2024

Given that a unique and effective solution for the complex issues faced by the Republic of North Macedonia remains to be seen, the 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: INCREASED JUDICIARY INDEPENDENCE AND STRENGTHENING TRUST IN JUDICIARY

- Monitoring of the realization of the Strategy for Reforms in Judiciary System 2017-2022;
- Enhanced monitoring of the Judicial Council and Public Prosecutor Council's performance;
- Joint action for liability, effectiveness and transparency in the judiciary, precisely from judges and judicial staff;
- Monitoring of court procedures in specific fields, such as: anti-discrimination, mobbing and corruption;
- Lobbying and advocacy for law amendments in the field of mobbing (period for reporting of a case to be shortened, burden of proof, encouragement...) and strengthened monitoring of court cases on sexual harassment in the work place;
- Contribution towards securing effective access to justice for all Macedonian citizens;
- Publishing experts' opinions on final verdicts rendered by courts and decisions enacted by Constitutional Court in order for a more competent court practice to be achieved;
- Increased joint action of the professional associations of judges and judicial staff and their direct involvement in judicial reform processes;
- Monitoring of judicial staff's performance and strengthening their collaboration and capacities towards a more effective, accountable and transparent judiciary;
- Determination of problems raised in administrative procedures and administrative dispute procedures.

STRATEGIC PRIORITY 2: LEGAL CERTAINTY

STRATEGIC OBJECTIVE 2: ADVOCACY FOR STRENGTHENING LEGAL CERTAINTY

- 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 the ENER system;
- 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 PROIRITY 3: PROMOTION OF HUMAN RIGHTS AND FREEDOMS

STRATEGIC OBJECTIVE 3: PROTECTION AND ADVOCACY OF HUMAN RIGHTS AND FREEDOMS

- Promotion of Human Rights Based Approach (HRBA) and securing its implementation (in institutions, civil society organizations, businesses);
- 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";
- Education of citizens on human rights according to ECHR (pupils, students, professors in schools, judicial and administrative staff);
- Raising awareness and taking measures for promotion of right for education;
- 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;
- Support towards achieving human rights on local and national level through strengthening of the Ombudsman.

STRATEGIC PROIRITY 4: EQUALITY AND NONDISCRIMINATION

STRATEGIC OBJECTIVE 4: LEGAL REPRESENTATION OF CASES FOR PROTECTION OF DISCRIMINATION

- Litigation of cases for protection of discrimination;
- Legal representation of people with disabilities in the process of achieving their rights for social and health certainty and enabling access to justice;
- 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...);

- Initiating cases in front of the Commission for Promotion and Protection against Discrimination's performance;
- Initiating cases for infringement of the rights and freedoms guaranteed by the Constitution with initiating initiatives to the Constitutional court;
- Monitoring the Commission for Promotion and Protection against Discrimination's performance;
- NOTA BENE: discrimination based on not being part of any political party.

STRATEGIC PRIORITY 5. THE CONSTITUTIONAL COURT GUARANTEES THE PROTECTION OF HUMAN RIGHTS
STRATEGIC OBJECTIVE 5: STRENGTHEN PROTECTION OF HUMAN RIGHTS BEFORE 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 of man and citizen that protects the Constitutional Court.

STRATEGIC PRIORITY 6. FIGHTING 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
- Analysis of the functioning and effectiveness of (non) dependent commissions and bodies
- Increased transparency and accountability of the institutions regarding the spending of public money
- Monitoring of the State Commission for the Prevention of Corruption

STRATEGIC PRIORITY 7. PARTICIPATION IN THE PROCESS OF NEGOTIATIONS WITH EU
STRATEGIC OBJECTIVE 7: CONTRIBUTION TO THE PROCESS OF ACCESSION TO THE EU WITH SPECIAL REGARD TO CHAPTERS 19, 23 AND 24.

- 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.
- Institutions' transparency on the manner of conducting negotiations with the EU.
- Contribution to the negotiating structure for compliance with the Acquis.
- Strategic foresight.

STRATEGIC PRIORITY 8. INSTITUTIONAL AND ORGANIZATIONAL DEVELOPMENT OF IHR
STRATEGIC OBJECTIVE 8: 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 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.