



FIFTH OPINION ON NORTH MACEDONIA

Advisory Committee
on the Framework
Convention for
the Protection of
National Minorities
(ACFC)

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SUMMARY OF THE FINDINGS

1. North Macedonia has made significant progress in the legal protection of the rights of persons belonging to national minorities, notably in the field of anti-discrimination and the use of the Albanian language. At a policy level, the Strategy “One Society for All” provides a valuable roadmap towards an integrated multi-ethnic society and is in line with the principles of the Framework Convention insofar as it promotes respect for diversity through intercultural dialogue. However, the practical implementation of legislation and policies on national minorities needs to be improved.

Scope of application, census

2. North Macedonia continues to apply the Framework Convention primarily to the national minorities listed in the constitution (Albanians, Bosniaks, Roma, Serbs, Turks, and Vlachs), though some flexibility is applied with regard to non-recognised groups. The census process in 2021 was implemented without major problems, though minor irregularities were reported. Transparency in processing the collected data will be key in ensuring trust in the census results once they are published.

Anti-discrimination and equality

3. The legal protection against discrimination has significantly improved through the new Law on the Prevention and Protection against Discrimination, which also provides for a more independent equality body with a strengthened mandate. However, neither this body nor the Ombudsperson have been equipped with the adequate resources to fulfill their mandates effectively. Lack of documentation continues to be a major obstacle for Roma in accessing their rights as the measures undertaken in the last years haven't yet yielded the desired results.

Promotion of national minority cultures

4. There continues to be no earmarked funding for national minority cultures, meaning that minority associations have to compete with other cultural actors for the same limited funds. The Strategy “One Society for All” introduced an inclusive approach to cultural policy. This is also reflected in the new cultural concept for the city of Skopje, which gives room to the capital's rich ethnic and linguistic diversity.

Tolerance and intercultural dialogue

5. Though inter-ethnic relations appear to have improved compared to the last monitoring cycle, ethnic, religious and linguistic dividing lines continue to exist and regularly come to the surface in moments of crisis. To ensure sustainability of the Strategy “One Society for All”, more high-level political support, solid financing, and outreach to practitioners on the ground is required.

Protection from hostility and violence

6. The legal framework on combating hate speech and hate crime was further improved, but its application continues to be unsatisfactory and hate speech, particularly online, is a serious problem. There were several cases of human rights violations by police authorities, including border and prison police. Proper investigations into such cases or sanctions against members of the police are rare.

Media

7. A public radio and TV channel each was established broadcasting fully in Albanian, resulting from the previously existing channel for all minorities. Broadcasting time also increased significantly for other minority languages. This increase was, however, not matched with adequate resources, which negatively affects the quality of programmes. Coordination between the separate minority language newsrooms and continued support to bi- and multilingual programme formats is needed to create a common media space necessary for the integration of society.

Linguistic rights

8. The new Law on the Use of the Languages adopted in 2018 extends the rights of Albanian speakers both at national and local levels. However, there is a considerable gap between the law's ambitions and the practical situation. Considerable investment in training and recruitment of translators and interpreters as well as bilingual staff is needed to effectively ensure the proper implementation of the law.

Education

9. Concepts and teaching materials promoting intercultural education have been developed, but in practice mixed school and classroom environments remain the exception. Despite a moderate increase in enrolment rates and decrease in attendance of special schools, Roma children continue to have significantly lower educational outcomes. Instruction in Bosnian has been made available. Take-up of elective teaching of minority languages is low, as the threshold for opening a class is too high and parents are not appropriately informed. The quality and availability of minority language teaching materials is unsatisfactory.

Participation

10. Steps towards making the system of equitable representation in the public sector more merit-based and efficient have been taken, but the shares of numerically smaller minorities and women needs to be increased. The socio-economic participation of persons belonging to minorities who live in rural areas is characterised by high unemployment, lack of access to education and infrastructure and depopulation. Roma are victims to structural discrimination in the employment, housing, and health sectors and have been hit particularly hard by the effects of the Covid-19 pandemic.

RECOMMENDATIONS

11. The Advisory Committee considers that the present concluding remarks and recommendations could serve as the basis for the resolution to be adopted by the Committee of Ministers with respect to the implementation of the Framework Convention by North Macedonia.

12. The authorities are invited to take account of the detailed observations and recommendations contained in the present opinion of the Advisory Committee. In particular, they should take the following measures to improve further the implementation of the Framework Convention:

Recommendations for immediate action

13. The Advisory Committee urges the authorities to take further steps towards the promotion of an integrated society that is based on respect and trust between the various communities. To ensure sustainability of the Strategy “One Society for All”, the authorities should provide high-level political support, solid financing and outreach to practitioners in education, media and civil society as well as the general public. Furthermore, the authorities are urged to implement an intercultural approach to education through allocating adequate resources, continuing to review teaching materials, and training teachers and other education staff on the cultures, history and present situation of the different minorities. More regular contacts among pupils with different ethnic backgrounds should be ensured, including by providing for mixed school and classroom environments.

14. The Advisory Committee urges the authorities to increase efforts to prevent human rights violations against persons belonging to national minorities by the police. Furthermore, they should ensure that the oversight mechanisms within the Ministry of the Interior, the Public Prosecutor’s Office and in the Ombudsperson’s Office are effective and that alleged cases of police misconduct are investigated and adequately sanctioned.

15. The Advisory Committee urges the authorities to improve access of Roma children to quality education by strengthening good practices such as education mediators, scholarships and education allowances and making these known to Roma parents. The authorities should also increase the enrolment in preschools, and resolutely address *de facto* segregated education. Furthermore, the authorities are urged to ensure Roma have in practice access to the legally guaranteed free health care services, including to diagnosis, treatment and vaccination related to Covid-19. Particular attention should be paid to access to reproductive health services and information for Roma women. The authorities should invest more in recruiting and training Roma health mediators and medical practitioners, especially from among women.

Further recommendations¹

16. The Advisory Committee calls on the authorities to provide the necessary resources for the Commission on Protection and Prevention against Discrimination and the Ombudsperson so they can independently and effectively fulfil their mandates.

17. The Advisory Committee calls on the authorities to provide earmarked and sustainable funding at a level that meets the cultural needs of persons belonging to national minorities and continue to pursue efforts to strengthen an inclusive approach to cultural policy.

18. The Advisory Committee calls on the authorities to ensure that incidents of hate crime and hate speech are promptly identified, recorded and effectively investigated and that those responsible are brought to justice. Existing initiatives against online hate speech such as the Council on Media Ethics and the Registry of Professional and Ethical Online Media should be given all necessary support.

19. The Advisory Committee calls on the authorities to allocate sufficient resources to the minority language newsrooms in the public broadcaster. The authorities should also ensure that public broadcasting consistently promotes intercultural respect and understanding, thereby contributing to the integration of society. They should consider providing support to print or online media outlets for numerically smaller minorities.

20. The Advisory Committee calls on the authorities to improve the implementation of the Law on the Use of Languages through increasing considerably their investment in the training and recruitment of translators and interpreters and to continuously evaluate its impact. The law’s provisions on the language rights of numerically smaller national minorities should be clarified.

21. The Advisory Committee calls on the authorities to improve conditions for the teaching in and of minority languages. The minimum number of pupils for opening a minority language class should be lowered and awareness raising and surveys on requests conducted regularly well ahead of each school year. The authorities should look into possibilities of fostering knowledge of minority languages, particularly Albanian, among children from the majority.

22. The Advisory Committee calls on the authorities to increase socio-economic participation of persons belonging to national minorities living in rural areas through investing in infrastructure and employment opportunities and targeted support for minority youth. Effective participation of the communities concerned should be ensured.

¹¹ The recommendations below are listed in the order of the corresponding articles of the Framework Convention.

23. The Advisory Committee calls on the authorities, in close cooperation with Roma representatives, to increase the participation of Roma in the labour market through programmes that are specifically tailored towards the respective target groups, including Roma women, and to ensure that the Covid-19 pandemic does not disproportionately affect the socio-economic participation of Roma.

Follow-up to these recommendations

24. The Advisory Committee encourages the authorities to organise a follow-up event after the publication of this fifth cycle Opinion. It considers that follow-up dialogue to review the observations and recommendations made in this opinion would be beneficial. Furthermore, the Advisory Committee stands ready to support the authorities in identifying the most efficient ways of implementing the recommendations contained in the present opinion.

MONITORING PROCEDURE

Follow-up activities related to the recommendations of the Fourth Opinion of the Advisory Committee

25. The Advisory Committee regrets that the authorities have not translated the Fourth Opinion of the Advisory Committee into Macedonian, nor into minority languages. Furthermore, no information was provided if and how the Opinion was publicised among national minorities and no follow-up meeting with the participation of the Advisory Committee was organised.

Preparation of the state report for the fifth cycle

26. The state report was received on 24 June 2020. The Advisory Committee is not aware that any organisations representing and promoting the rights of persons belonging to national minorities were consulted in its preparation. In its letter to States Parties dated 5 July 2018 announcing the fifth monitoring cycle, the Advisory Committee asked member states to pay particular attention to gender equality in their reporting. No particular gender-related aspects of minority rights were addressed in the state report.

Country visit and adoption of the Fifth Opinion

27. This fifth-cycle opinion on the implementation of the Framework Convention for the Protection of National Minorities (hereinafter "the Framework Convention") by North Macedonia was adopted in accordance with Article 26(1) of the Framework Convention and Rule 25 of Resolution (2019)49 of the Committee of Ministers. The findings are based on information contained in the fifth state report, other written sources, as well as information obtained

by the Advisory Committee from governmental and non-governmental sources during its visit to Skopje, Bitola, Struga, Debar and Centar Župa from 8 to 12 November 2021. The Advisory Committee expresses its gratitude to the authorities for their excellent co-operation before, during and after the visit and to the other persons it met during the visit for their valuable contributions. The draft opinion, as approved by the Advisory Committee on 3 February 2022 was transmitted to the authorities of North Macedonia on 10 February 2022 for observations, according to Rule 37 of Resolution (2019)49. Observations were received by the Secretariat on 11 April 2022.

* * *

28. A number of articles of the Framework Convention are not covered in the present opinion. Based on the information currently at its disposal, the Advisory Committee considers that the implementation of these articles does not give rise to any specific observations. This statement is not to be understood as signalling that adequate measures have now been taken and that efforts in this respect may be diminished or even halted. Rather, the Advisory Committee considers that the obligations of the Framework Convention require a sustained effort by the authorities. Furthermore, a certain state of affairs which may be considered acceptable at this stage may not necessarily be so in further cycles of monitoring. Finally, it may be that issues which appear at this stage to be of relatively minor concern prove over time to have been underestimated.

ARTICLE-BY-ARTICLE FINDINGS

Scope of application (Article 3)

29. The Framework Convention continues to be applied to persons belonging to the six national minorities enumerated in the preamble of the constitution, namely Albanians, Bosniaks, Roma, Serbs, Turks and Vlachs.² Although the preamble also mentions “others”, the relevant legislation on minority rights only applies to the groups explicitly mentioned. As in the last cycle, several other communities request that those rights be extended also to them. They ask for a recognition of equal rights of all communities at constitutional level as well as for their inclusion into legislation regulating census, public holidays, media, education, consultation mechanisms and representation in public administration.³ While no legislative changes to this effect were made during the monitoring period, the authorities have recently applied some flexibility. For instance, they consulted with representatives of these communities in the preparation of the 2021 census (see below) and granted some of them funding for cultural activities (see Article 5).

30. The Advisory Committee reiterates that it has consistently encouraged authorities to take an open and inclusive approach and consider on an article-by-article basis which rights should be made available to whom. It further reaffirms its view that establishing a closed list of national minorities falling under the protection of the Framework Convention is not in line with the right to individual free self-identification.⁴ At the same time, it is of the view that the application of the provisions of the Framework Convention with respect to a group of persons does not necessarily require its formal recognition as a national minority. The Advisory Committee therefore welcomes the pragmatic approach taken towards non-recognised communities in some areas but considers it insufficient. It finds it particularly important to consider the article-by-article application of the Framework Convention to those communities in areas such as non-discrimination

(Articles 4 and 6), education about national minorities (Article 12), and participation in public affairs (Article 15).

31. The Advisory Committee encourages the authorities to pursue a flexible approach to requests for the enjoyment of minority rights under the Framework Convention and extend the possibility of applying its provisions to persons belonging to non-recognised communities on an article-by-article basis.

Census (Article 3)

32. A population and housing census was conducted from 5 to 30 September 2021; results were published in March 2022. Respondents were able to – voluntarily – indicate their ethnic affiliation, mother tongue, language primarily spoken in their household, and religious affiliation. Enumerators were supposed to ask open questions and write down the response manually if it did not match any of the pre-defined fields.⁵ Census forms were available in the languages of the six recognised minorities. Enumerators were recruited from all six minorities so that persons belonging to national minorities could be interviewed in their respective language. The recognised minorities, but also non-recognised communities, were consulted in the preparation of the census. As a result, “Egyptian” and “Torbesh” were included for the first time as options for ethnic affiliation and their numbers, as well as those of other numerically smaller groups, were published.⁶

33. Interlocutors of the Advisory Committee expressed relief over the fact that, despite some technical problems, the census process was implemented without major problems. The political stakes around the census were high, also because a number of minority rights are linked to reaching a 20% threshold. Politicisation, however, was less intense than during the 2011 census, which had to be

² This opinion uses the terminology of the Framework Convention and therefore uses the term “national minorities” when referring to these officially recognised groups, which in Macedonian legislation are referred to as “communities”.

³ See written submission by the “Network for a Multicultural Society”, which represents Armenians, Balkan Egyptians, Croats, Hungarians, Montenegrins, Russians, Ukrainians, and Slovenes. The Advisory Committee also met with representatives of persons identifying as Torbesh, who voiced similar demands for recognition and representation.

⁴ ACFC [Thematic Commentary No. 4](#), The Framework Convention: a key tool to managing diversity through minority rights. The scope of application of the Framework Convention for the Protection of National Minorities, adopted on 27 May 2016, para. 7.

⁵ State Statistical Office (February 2021), [Methodology for preparing, organising and conducting the census of population, households and dwellings in the Republic of North Macedonia, 2021](#).

⁶ Among the population residing in North Macedonia, 1 073 299 persons (58.44%) declared themselves as Macedonians, 446 245 (24.30%) as Albanians, 70 961 (3.86%) as Turks, 46 433 (2.53%) as Roma, 23 847 (1.3%) as Serbs, 16 042 (0.87%) as Bosniaks, 8 714 (0.47%) as Vlachs, 4 175 (0.23%) as Torbesh, and 2 406 (0.13%) as Egyptians. See State Statistical Office 30 March 2022), [Census of Population, Households and Dwellings in the Republic of North Macedonia, 2021 - first dataset+](#), pp. 168-169. For data on languages, see p. 199.

stopped due to irregularities.⁷ There were some attempts by both Macedonian and Albanian political parties to obstruct the census law and boycott the census earlier in the year, but no major boycott movement had formed once the census was conducted in September.⁸ In their exchanges with the Advisory Committee, representatives of national minorities mentioned occasional irregularities such as enumerators who would encourage interviewees to indicate another ethnic affiliation or not ask the question at all. NGOs also reported a shortage of Roma enumerators and suggested that not all Roma dwellings have been visited.⁹ Although such irregularities were not of a systematic character, representatives of most national minorities expressed a lack of trust in the forthcoming census results. Some interlocutors criticised the fact that it was not possible to indicate more than one ethnic affiliation.

34. The Advisory Committee reaffirms its view that reliable information about the ethnic composition of the population is an essential condition for implementing effective policies and measures to protect minorities, for helping to preserve and assert their identity as well as for addressing their needs. It therefore welcomes the fact that finally a census took place, that open and voluntary questions on ethnic and religious affiliation and languages were included in the questionnaire and that responses could be given in all major minority languages. It welcomes that, in line with the wishes of minority representatives and announcements by the authorities, data on affiliations with non-recognised communities were made publicly available for each community separately.

35. The Advisory Committee regrets that there have been attempts to obstruct the census and the lack of trust in the results expressed by minority representatives. Analysing and addressing the reasons for this distrust through continuous dialogue with minority representatives will be important to avoid exploitation of the census for political gains.

36. Finally, the Advisory Committee regrets that there was no possibility to express more than one ethnic affiliation. This would give for instance persons born to parents of different ethnicities the possibility to express this multiple affiliation. It would also make it possible for persons who self-identify both as Macedonians and as belonging to a minority to do so. Thus, the rich multi-ethnic character of North Macedonia's population would be better reflected.¹⁰

37. The Advisory Committee encourages the authorities to engage in a dialogue with representatives of national minorities expressing distrust in the census results. For the next census, the authorities should consider providing the possibility for multiple affiliation.

Legal and institutional framework on non-discrimination (Article 4)

38. A new Law on the Prevention and Protection against Discrimination entered into force on 30 October 2020.¹¹ The law covers a comprehensive set of grounds including race, skin colour, national or ethnic origin, language and citizenship, and applies to public and private entities. Different from the previous law, it explicitly prohibits intersectional discrimination and defines segregation as a form of discrimination. The new law also clarified the preconditions for a shift in burden of proof and allows for situation testing as a means for proving discrimination. Finally, associations now have full legal standing to represent victims of discrimination in court and can file discrimination complaints in the public interest (*actio popularis*).

39. The new anti-discrimination law also provides for the establishment of a Commission on Prevention and Protection against Discrimination (CPPD), an equality body composed of seven members appointed by the Parliament with five-year mandates. The CPPD's mandate is broader than that of its predecessor¹² and there are more

⁷ Balkan Insight (20 September 2021), [North Macedonia's Sensitive Census 'On Track for Success'](#) and Eurasia Review (18 October 2011), [Macedonia Census Stopped Due To Irregularities](#).

⁸ AFP (26 September 2021), [North Macedonia holds first high-stakes census, first in 20 years](#).

⁹ See website of the Roma NGO "Avaja" ("Avaja action on census manipulations with Roma throughout the country", in Macedonian), available at https://avaja.org/reakcija_popisni_manipulacii_nepravilnosti/.

¹⁰ See also United Nations Economic Commission for Europe (2015), Conference of European Statisticians Recommendations for the 2020 Censuses of Population and Housing, paras. 708 and 725.

¹¹ The English version of the law is available on the website of the Venice Commission: [www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-REF\(2019\)040-e](http://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-REF(2019)040-e). For a detailed analysis of the law and the protracted adoption process, see the [Country report North Macedonia \(2021\)](#) and the Flash Report "[New Law on Prevention and Protection against Discrimination adopted](#)" of 3 June 2019 by the European network of legal experts in gender equality and non-discrimination.

¹² According to Article 21 of the Law on Prevention and Protection against Discrimination, the CPPD can issue recommendations and conclusions (no sanctions) on individual cases of discrimination, bring discrimination complaints on behalf of identified as well as of non-identified victims to court, intervene as *amicus curiae*, initiate *ex officio* proceedings, provide opinions on legal proposals and propose legislative changes, collect and publish statistical data, and conduct research, awareness raising and education activities.

safeguards to ensure independence.¹³ While the appointment procedure, professionalism, and integrity of both compositions of the previous equality body had raised serious concerns,¹⁴ interlocutors of the Advisory Committee were more optimistic about the new body.¹⁵ The mandate of the preceding equality body ended in August 2019, but the current CPPD has only taken up its work in early 2021, leaving the country with a year and a half without equality body. At the time of the monitoring visit, the CPPD still lacked one member, had only three staff, and was struggling with insufficient budget. Despite these difficult circumstances, the CPPD has started using various aspects of its mandate. It found, for instance, discrimination against Roma in access to public transport in two cases. In one of them it found intersectional discrimination as it involved a Roma woman who had a child with a disability. The CPPD also used its mandate to act *ex officio* in one case of alleged discrimination against Roma. Furthermore, it issued an opinion on a legislative proposal on the mandatory recording of ethnic affiliation in ID cards, which it found problematic in terms of the right to free self-identification, data protection and equality.¹⁶

40. Non-discrimination and equal treatment by state institutions also fall within the mandate of the Ombudsperson. The mandate of the institution was broadened in a new law in 2016, adding the possibility to act as *amicus curiae*, as well as responsibilities on monitoring trafficking in human beings and the UN Convention on Persons with Disabilities.¹⁷ Since 2019, the Ombudsperson has a special department, including representatives of three civil society organisations, working as Civil Control Mechanism on complaints about criminal offences committed by the police (see Article 6). The mandate was strengthened also to comply with Paris principles, but so far, the Ombudsperson has not yet applied to get A-status. However, the broadened mandate was not matched with appropriate additional resources; only less than half of the available positions are filled. Much to the Advisory Committee's regret, there is still only one staff member

dealing with all cases related to discrimination, a situation criticised already in the last Opinion.¹⁸

41. The Advisory Committee reaffirms its view that full and effective equality for persons belonging to national minorities as enshrined in Article 4 of the Framework Convention requires a functioning anti-discrimination framework with institutions that are independent, adequately resourced, and have a broad enough mandate to effectively support victims in achieving legal remedy. The new comprehensive non-discrimination legislation and the stronger mandates of the equality body and the Ombudsperson constitute significant progress in this regard. The active role taken by the newly established Commission on Prevention and Protection against Discrimination in protecting minority rights, including through opposing the proposal of mandatory recording of ethnicity in ID cards, is praiseworthy.¹⁹ The Advisory Committee is very concerned, however, that neither the CPPD nor the Ombudsperson have been equipped with proper financial and human resources to appropriately fulfil their respective mandates.

42. The Advisory Committee calls on the authorities to provide the necessary resources for the Commission on Protection and Prevention against Discrimination and the Ombudsperson so they can independently and effectively fulfil their mandates.

Access to rights – risk of statelessness (Article 4)

43. Responding to recommendations by the Advisory Committee and other international bodies,²⁰ the authorities initiated in 2018 and 2019 a campaign to identify and register persons who lacked birth certificates or other civil documentation. As a result, approx. 750 people without documents and thus potentially at risk of statelessness were identified; most of them were Roma. In February 2020, the Law on Undocumented Persons in the Birth Registry Book was adopted, on the basis of which these persons can receive personal documentation. Following an

¹³ See for example provisions on the CPPD's budget (Article 15), election procedure (Articles 17-18) and incompatibility with other public offices and political party functions (Article 19).

¹⁴ See Fourth Opinion of the Advisory Committee, paras. 19-22.

¹⁵ For a detailed description of the CPPD appointment procedure, see European network of legal experts in gender equality and non-discrimination, [Flash report \(29 March 2021\)](#), [New equality body - establishing and setbacks](#).

¹⁶ See Commission for Prevention and Protection against Discrimination (June 2021), 1st Quarterly Report, January-May 2021 (in Macedonian), p. 12. On the proposal to include ethnicity in ID cards, see also Slobodenpecat.mk (20 February 2021), [Helsinki: Introducing a column for ethnicity undermines civic identity at the expense of ethnicity](#).

¹⁷ For more information see the website of the European Network of National Human Rights Institutions on North Macedonia, available at <http://ennhri.org/rule-of-law-report-2021/north-macedonia>.

¹⁸ See Fourth Opinion of the Advisory Committee, paras 21 and 23.

¹⁹ See also ACFC [Thematic Commentary No. 4](#), para 11.

²⁰ See Fourth Opinion of the Advisory Committee, para. 29 and, *inter alia*, Committee on the Elimination of Discrimination against Women (14 November 2018), Concluding observations on the sixth periodic report of the former Yugoslav Republic of Macedonia, [CEDAW/MKD/CO/6](#), para. 32.

extension of the deadline due to the Covid-19 pandemic, 318 persons have applied and of these 292 have been registered in the Special Registry of Births. These persons have obtained a temporary ID, which should facilitate their access to education, employment, health, and social services. However, according to the authorities this ID is so far not accepted by all responsible institutions due to technical reasons.

44. New legislation was also adopted to facilitate the regularisation of stateless persons who are long-term residents. In 2019, a possibility of obtaining permanent residence was introduced under the Law on Foreigners, which also applies to citizens of former Yugoslavia who continue to live in North Macedonia without acquiring any nationality. In July 2021, the Parliament adopted amendments to the Law on Citizenship, which allow former Yugoslav citizens who have resided in North Macedonia to acquire citizenship if they meet certain evidentiary requirements.²¹ The number of stateless persons registered by UNHCR decreased from some 800 in 2015 to 557 by the end of 2020.²²

45. Civil society organisations estimate the actual number of undocumented and stateless persons to be higher. They see the above-mentioned legal measures as steps in the right direction, but consider the requirements needed to obtain documentation to still be too burdensome, including for obtaining birth certificates.²³ Also, civil registration procedures for newborns continue to be complex and evidentiary requirements ill-defined, which can constitute an obstacle for Roma parents to register their children.²⁴

46. The Advisory Committee welcomes the efforts made during the monitoring period in improving the legal basis for acquiring documentation. It is concerned, however, that the official number of undocumented persons is still high, and that this situation disproportionately affects Roma. The fact that only half of persons identified as lacking documents applied for a temporary ID is worrying and could be due to a lack of awareness raising or the fact that only a temporary and no permanent ID is issued. In view of the crucial disadvantages suffered through lack of documentation and given the risk of statelessness, possible denial of access to health care, education and other public

services, it finds that more resolute action is required to swiftly put this legislation in practice.

47. The Advisory Committee strongly encourages the authorities to strengthen their efforts to resolve the problem of statelessness and lack of documentation among Roma and remove administrative and technical barriers in the implementation of the respective legislation. The authorities should ensure the immediate registration for all children born on the territory irrespective of the documentation status of parents.

²¹ Law on Citizenship, of the Republic of North Macedonia, Official Gazette of the Republic of North Macedonia n.67/1992, n.8/2004, n.98/2008 & n.158/2011, Art. 7(a). In 2020, North Macedonia also acceded to the Convention on the Reduction of Statelessness.

²² UNHCR, Global Trends 2020, Annex table: Persons under UNHCR's statelessness mandate, available at: www.unhcr.org/2020-global-trends-annex-table-statelessness. For 2015 data, see Fourth Opinion of the Advisory Committee, para. 26.

²³ Macedonian Young Lawyers Association et al. (13 August 2021), [Joint Submission to the Human Rights Committee](#), 133rd Session, 1 October – 5 November 2021.

²⁴ Ibid, paras. 16-25. See also Ad Hoc Committee of Experts on Roma and Traveller Issues (CAHROM) (2018), [Thematic Report on solving the lack of identity documents and statelessness of Roma](#), pp. 30 ff.

Promotion of minority cultures (Article 5)

48. Both the legal basis and the practice of supporting national minority cultures has remained largely unchanged. The Ministry of Culture has no separate funding line for national minorities but supports some minority cultural activities through the general “National call for financing of cultural needs” published annually.²⁵ In 2021, for instance, the Ministry of Culture spent approx. 1.5 million MKD (€24 000) each on Turkish and Roma cultural projects. Smaller amounts (usually between €1 500 and €6 000 annually) were provided for the promotion of Bosniak, Croat, Jewish, Serb and Vlach cultures during the past years.²⁶ In addition, the authorities increased support of the Turkish Theatre in Skopje. Several theatres, art galleries and other cultural institutions function entirely in Albanian (e.g. Gostivar Theatre or the Tetovo Art Gallery) or in Albanian and Macedonian languages, such as the National Gallery in Skopje. Support to artists and cultural workers from the Albanian and other minorities was also provided in the framework of relief packages in the context of the Covid-19 pandemic.²⁷ Nevertheless, the fact that minority associations have to compete with other cultural actors for the same very limited funds demands a certain level of professionalisation and constitutes a problem of capacity for the numerically smaller minorities.

49. The Agency for Community Rights Realisation issued in 2021 an annual call for general support to numerically smaller (i.e. non-Albanian) national minorities with a total amount of 2 million MKD (€32 500). The procedure is set out in detail in the new Law on the Agency adopted in 2020. According to the authorities, four out of the 15 associations who obtained the grants work in the field of culture.²⁸ As overall levels of funding are low, however, minorities that have “kin-states” tend to have recourse to foreign funding. The Advisory Committee is not aware of any systematic funding provided by municipalities.

50. Based on the “Strategy for development of the ‘One society for all’ concept and interculturalism” (hereafter “the Strategy”, see Article 6 below), efforts were made to mainstream a more inclusive approach into national and local cultural policy. A first report on the implementation of this strand of the Strategy was published in 2021.²⁹ The Strategy aims at supporting cultural programmes countering nationalism, xenophobia and discrimination and increasing

the number of intercultural projects at central and local levels. This approach is reflected, for instance, in the new “Strategy for the Development of Culture of the City of Skopje 2021-2030”, which stresses that the “different communities and ethnicities with their own tradition, with their specifics, altogether build the cultural core of Skopje”.³⁰ The Advisory Committee welcomes this approach, which appears to give more room to the capital’s rich cultural diversity than the “Skopje 2014” programme described in its previous Opinion as endorsing mainly the ethno-cultural identity of the Macedonian majority.³¹ The report on the Strategy also mentions initiatives to establish a Turkish cultural centre and a Roma theatre and cultural centre. The Advisory Committee would strongly welcome the realisation of such projects.

51. The Advisory Committee also notes that North Macedonia has neither signed nor ratified the European Charter for Regional or Minority Languages, a treaty designed to protect traditionally used minority languages as part of Europe’s cultural heritage.³² It contains practical promotional measures for minority languages in different fields and could help the authorities to promote in a structured way the conditions necessary for persons belonging to national minorities to develop their language and culture as essential elements of their identity.

52. The Advisory Committee calls on the authorities to provide earmarked and sustainable funding at a level that meets the cultural needs of persons belonging to national minorities and continue to pursue efforts to strengthen an inclusive approach to cultural policy.

53. The Advisory Committee invites the authorities to consider ratifying the European Charter for Regional or Minority Languages.

²⁵ For a detailed description of the application system and the problems it constitutes for national minorities, see Fourth Opinion, para. 37.

²⁶ Written submission by the authorities, November 2021.

²⁷ Ibid.

²⁸ Ibid. The website of the Agency for Community Rights Realisation is available at <https://aopz.gov.mk/>.

²⁹ Semi-annual report (January-June 2021) on the “National Strategy for Development of the Concept ‘One Society for All and Interculturalism’, Strategic Area: Culture.

³⁰ Ibid, p. 2.

³¹ Fourth Opinion, para. 36.

³² North Macedonia committed to ratifying the European Charter for Regional or Minority Languages when acceding to the Council of Europe and signed it in 1996. See [Opinion 191 \(1995\)](#) of the Parliamentary Assembly of the Council of Europe on the Application by the former Yugoslav Republic of Macedonia for membership of the Council of Europe, para. 9.6, and [Resolution Res\(95\)23](#) of the Committee of Ministers of the Council of Europe adopted on 19 October 1995.

Tolerance and intercultural dialogue (Article 6)

54. With a view to addressing ethnic divisions in society and promoting intercultural dialogue, the government adopted in 2019 the “Strategy for development of the ‘One society for all’ concept and interculturalism”.³³ The document makes explicit reference to the Advisory Committee’s fourth cycle recommendation under Article 6 and is based on the principle of non-discrimination and the interculturalism approach. It outlines a broad range of measures to be taken over a course of three years in the areas of culture, media, education and youth, and social cohesion, and is accompanied with an action plan. According to the authorities, the implementation was slowed down by the Covid-19 pandemic but is overall on a good track; concrete measures flowing from the Strategy have for instance been adopted in the areas of culture (see Article 5) and education (see Article 12).

55. According to surveys, a certain improvement of inter-ethnic relations compared to the previous monitoring cycle can indeed be observed. Opinion polls show increased trust between persons identifying as Macedonians and those identifying as Albanians. Albanians and members of other ethnic groups tend to perceive the last years more positively than persons identifying as Macedonians.³⁴ However, ethnic cleavages still come to the surface in situations such as elections, political crises or high-profile court cases with an ethnic component.³⁵ During its visit, the Advisory Committee could witness that the ethnic factor also played a role during the local elections and the census in 2021 as well as in the context of the Covid-19 pandemic.³⁶ There continues to be considerable interethnic distance between Albanians and Macedonians. The fact that most political parties still function along ethnic lines tends to cement rather than overcome divisions.³⁷ As regards Macedonian-Albanian relations, some interlocutors pointed out a need for society to deal in a more constructive way with the historic experience of the conflict in 2001. 20 years after the conflict, the exact number of victims is still unknown, some displaced people have not returned to their original homes, and there is no societal consensus whether

alleged atrocities have been sufficiently investigated and sanctioned.³⁸

56. Religious intolerance towards Muslims has decreased compared to several years ago, but according to interlocutors is still present and manifests itself in occasional protests against the building of mosques, women wearing hijab in public, or statements in social media, including in the context of the Covid-19 pandemic.³⁹ Making a clear distinction between ethnic and religious intolerance is difficult because the two in many cases go hand in hand due to the fact that religious and ethnic differences in North Macedonia almost coincide.

57. As regards the Strategy, most interlocutors of the Advisory Committee perceived it as an important step in the right direction. Some said that its implementation is hampered by a lack of high-level political support and that it could particularly benefit from more buy-in by Albanian political parties. The Advisory Committee was informed that the Strategy was prepared by a broad coalition of majority and minority representatives, which created a broad ownership. However, it also observed that it is not sufficiently known by multipliers in the field such as teachers, members of local inter-ethnic commissions and civil society organisations, or media workers.

58. The Advisory Committee reiterates that it “considers questions surrounding the formulation and implementation of effective integration strategies as one of its important concerns. It is essential that all segments of society, majorities and minorities alike, are addressed in order for integration strategies to effectively facilitate the formation of societal structures where diversity and respect for difference are acknowledged and encouraged as normal, through recognition, mutual accommodation and active engagement on all sides.”⁴⁰ With this in mind, the Advisory Committee welcomes the adoption of the “Strategy for development of the ‘One society for all’ concept and interculturalism”, which is fully in line with the principles of the Framework Convention and in particular its Article 6. The strategy’s multi-ethnic and intercultural approach is all

³³ Strategy for development of the “One society for all” concept and interculturalism, July 2019. See also a database on international legal documents and jurisprudence of the European Court of Human Rights relevant to the Strategy, available at <https://ednoopstestvo.vlada.mk/> (in Macedonian).

³⁴ See NDI Macedonia and Team Institute (2020), [Socio-political opinion research report](#), p. 17, and written submission by the European Policy Institute of November 2021.

³⁵ Balkan Insight (28 December 2018), [Macedonia: PM’s ‘One Society for All’ Promise Tested](#).

³⁶ At the beginning of the COVID-19 pandemic, public discourse associated a surge in cases and the noncompliance with lockdown measures with predominantly Albanian regions. See Freedom House, [Nations in Transit 2021: North Macedonia](#).

³⁷ However, for the first time in the country’s independent history, an ethnic Albanian party (Besa) and an ethnic Macedonian party (the SDSM) fielded a joint list of candidates in the July 2020 elections.

³⁸ Balkan Insight (22 January 2021), [20 Years On, Armed Conflict’s Legacy Endures in North Macedonia](#).

³⁹ Vesna Nikodinoska and Jane Dimeski (2021), *Hate narratives and disinformation in online media and social networks. North Macedonia*. Publishers: SEENPM, Tirana, Peace Institute, Ljubljana and Macedonian Institute for Media, Skopje, p. 17.

⁴⁰ [ACFC Thematic Commentary No. 4](#), paras. 53-54.

the more important as representatives of other minorities tend to feel sidelined by a certain focus on the rights of the largest minority, Albanians.

59. However, the Advisory Committee is concerned that ethnic, and partially religious, dividing lines continue to exist very strongly in Macedonian society and come to the surface in moments of crisis. These divisions are exacerbated by the fact that political power is divided along ethnic lines and can be easily exploited by populist politicians against a background of economic stagnation and the delay of an EU-accession perspective. The fact that different narratives over the root causes of the 2001 conflict continue to exist in the Macedonian and Albanian communities may also entail risks for inter-ethnic relations in the long term. Attempts to engage in an open societal debate about transitional justice and reconciliation are mainly limited to individual projects but would need to be given more public support.⁴¹

60. Finally, implementation of the Strategy has so far been focusing on central institutions while there is too little awareness of it on the ground. For the Strategy to be sustainable, strong support at highest political level, solid financing of the measures it envisages, and decisive awareness-raising among local players are therefore necessary to achieve integration of society.

61. The Advisory Committee urges the authorities to take further steps towards the promotion of an integrated society that is based on respect and trust between the various communities. To ensure sustainability of the Strategy “One Society for All”, the authorities should provide high-level political support, solid financing and outreach to practitioners in education, media and civil society as well as the general public.

Protection from hate crime and hate speech (Article 6)

62. The Criminal Code provides comprehensive provisions on hate crime and hate as aggravating circumstance. Amendments to the Code were adopted in 2018 and entered into force in 2019, which, *inter alia*, clarified the definition of hate crime. Between 23 and 33 cases of alleged hate crimes per year were recorded by the police according to the data submitted to ODIHR, many of them with a racist or xenophobic bias motivation. The

ODIHR methodology differs from that of the authorities, who provided higher figures to the Advisory Committee for the same period (between 29 and 51 cases). Civil society organisations, however, recorded an even higher number of alleged hate crimes (between 70 and 144 per year).⁴²

63. Official data also shows that a number of indictments were filed, and convictions passed for crimes involving a bias motivation. There is, however, no integrated data collection system available, which would allow to assess trends in hate crime against persons belonging to national minorities and the way they have been addressed by the competent authorities. The Advisory Committee was informed by civil society representatives that, as already the case during the fourth monitoring cycle, the police rarely investigate potentially bias-motivated crimes and there are hardly any cases where sanctions were imposed. While welcoming the improved legal basis, the Advisory Committee regrets that the proper and timely recognition and registration, investigation and sentencing of hate crimes by the respectively responsible authorities is still unsatisfactory.

64. The Criminal Code lists several hate speech crimes, including those committed online. The Law on Audio and Audio-visual Media Services bans broadcasting of media content that incites or spreads discrimination, intolerance or hatred. The Law on Protection and Prevention from Discrimination prohibits incitement to discrimination and harassment on discriminatory grounds.

65. In 2019, the Agency for Audio and Audio Visual Services and other government authorities together with professional associations of journalists and civil society signed a joint declaration and set up a Network against Hate Speech in Media. While the Agency for Audio and Audio Visual Services deals only with TV and radio broadcasting and has not recorded any cases of hate speech, the Council on Media Ethics, a new self-regulatory body, is becoming increasingly effective as watchdog for online media.⁴³ In 2020, a Registry of Professional and Ethical Online Media Outlets was set up.⁴⁴

66. Hate speech, particularly online, was reported to the Advisory Committee as an extremely worrying trend, which reportedly remains unsanctioned. Ethnicity is the main bias ground, and most victims and perpetrators are young people.⁴⁵ Hate speech across ethnic lines was particularly prominent in the context of the Covid-19 pandemic, including from politicians.⁴⁶ Antisemitic speech and

⁴¹ See for example the activities of the “Center for Research and Policy Making” in this area, available at www.crpm.org.mk/transitional-justice.

⁴² See OSCE ODIHR Hate Crime Reporting, available at <https://hatecrime.osce.org/index.php/north-macedonia>.

⁴³ See website of the Council of Media Ethics, available at www.semm.mk/en/.

⁴⁴ Marko Pankovski and Misha Popovikj (2021) [Hate speech as a currency of nationalism: institutional response in North Macedonia](#), pp. 13-14.

⁴⁵ Helsinki Committee for Human Rights (2021), [Annual Report on Hate Crime 2020](#), p.31.

⁴⁶ Helsinki Committee for Human Rights (8 June 2020), [The health crisis must not turn into interethnic issue](#).

incidents occur rarely in North Macedonia; when these do occur, it is usually on social media.⁴⁷

67. The Advisory Committee reiterates that “ethnically based violence must be recognised as an especially nefarious form of violence that concerns and threatens society as a whole and must thus be resolutely opposed and prevented. In order to address hate crime in a comprehensive manner, (...) law enforcement agents should be appropriately trained to ensure that racially or ethnically motivated attacks and discrimination are identified and recorded, as well as duly investigated and punished through targeted, specialised and prompt action.”⁴⁸ A continuation and further strengthening of the above-mentioned initiatives, coupled with criminal sanctions where applicable, is therefore necessary.

68. The Advisory Committee calls on the authorities to ensure that incidents of hate crime and hate speech are promptly identified, recorded and effectively investigated and that those responsible are brought to justice. Existing initiatives against online hate speech such as the Council on Media Ethics and the Registry of Professional and Ethical Online Media should be given all necessary support.

Law enforcement and respect for human rights (Article 6)

69. According to the authorities, the Department of Internal Control, Criminal Investigations and Professional Standards (DICCIPS) in the Ministry of the Interior received a total of 31 complaints on alleged police brutality against members of the Roma Community during the monitoring period. Out of these, two were considered well-founded and 15 “partially well-founded”.⁴⁹ In the two cases considered well-founded, the respective officials were suspended until the end of a disciplinary procedure, which resulted in a fine.

70. To complement the DICCIPS and better address impunity of law enforcement personnel for ill-treatment

criticised by the Advisory Committee and other international bodies,⁵⁰ a Department for Investigation and Prosecution of Criminal Offences Committed by Persons with Police Powers and Prison Police was set up at the Public Prosecutor’s Office in 2018.⁵¹ Data disaggregated by ethnic affiliation is not available, but the overall number of reports to this body as well of investigations and indictments has increased. In 2020, the Department opened 80 new cases against 143 officials. As a result of investigations, ten indictment proposals and four criminal orders proposals were submitted, one police officer was indicted, and first-instance verdicts against ten persons were issued.⁵²

71. In addition, a Civil Control Mechanism for civil oversight of the police, including prison police, was set up in 2019 in the Ombudsperson’s Office. The mechanism includes three representatives from civil society organisations. The first one-year mandate of these representatives had ended in 2021, with reappointment of new members still pending. In 2020, the Civil Control Mechanism acted upon 21 complaints and submitted ten requests to the Public Prosecutor’s Office to initiate a procedure for determining criminal responsibility, which led to two indictments against members of the police.⁵³

72. The authorities furthermore reported that human rights and non-discrimination are an integral part of initial and on-going training for the police. Trainings for law enforcement officials as well as staff of above-mentioned oversight bodies have also been organised in the framework of international projects.⁵⁴

73. While acknowledging the above-mentioned steps as progress, NGOs maintain that police brutality and other ill-treatment against Roma is still not adequately prosecuted and that not enough is done to prevent such cases. In 2017, four Romani men died under suspicious circumstances in different prisons. The European Roma Rights Centre took the cases to the European Court of Human Rights. In 2021, the Court struck out three of the four communicated cases after a settlement agreement was reached between the

⁴⁷ International Republican Institute (2021), [Antisemitic Discourse in the Western Balkans: A collection of case studies](#), pp. 127-128.

⁴⁸ ACFC [Thematic Commentary No. 4](#), para. 56.

⁴⁹ Written submission by the Ministry of the Interior on complaints received between January 2015 and November 2020.

⁵⁰ Fourth Opinion of the Advisory Committee, paras. 48 and 51; Report to the Government of “the former Yugoslav Republic of Macedonia” on the carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT), [CPT/Inf \(2017\)30](#), pp. 6-7.

⁵¹ State report, p. 13.

⁵² European Commission (19 October 2021), [North Macedonia 2021 Report](#) accompanying the Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, p. 26. For figures for previous years, see the respective European Commission reports for [2018](#) (p. 27), [2019](#) (p. 25), and [2020](#) (p. 38). See also the Fourth Periodic Report submitted by North Macedonia on the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, [CAT/C/MKD/4/14](#), October 2020, pp. 16-17.

⁵³ European Commission (19 October 2021), [North Macedonia 2021 Report](#), p. 26.

⁵⁴ See for instance Council of Europe (15 October 2021), [Key actors of the External Oversight Mechanism in North Macedonia trained on independent investigation and discussed challenges](#).

family members and the government on the payment of damages to the young men's families.⁵⁵

74. In two further cases of police violence, one of them regarding Roma minors, the European Court of Human Rights found a violation of Article 3 of the Convention (prohibition of torture or to inhuman or degrading treatment or punishment) for failure of the authorities of the respondent State to investigate the applicant's allegations of racially motivated police brutality.⁵⁶

75. In September 2020, an NGO released a video on social media showing police officers physically abusing Roma citizens in Bitola. Disciplinary action was taken against the involved police officers and criminal charges were filed. The Minister of the Interior publicly condemned the incident.⁵⁷ NGOs also reported on incidents of excessive use of violence by the police against Roma in the context of alleged violations of curfew rules or bans on social gatherings related to Covid-19 emergency measures.⁵⁸

76. While North Macedonia's legislation is in line with European standards and police officers are trained in human rights, cases of racial profiling against Roma by border authorities, both at land borders and Skopje airport are still reported. Some cases were successfully litigated before domestic courts, others were brought to the European Court of Human Rights and were resolved through friendly settlements.⁵⁹ In one case in 2020, a Roma woman with a disability was reportedly prevented from travelling abroad for medical treatment.⁶⁰ Based on a database of individual cases and situation testing, the European Roma Rights Centre and other NGOs observe a pattern of Roma being refused to leave the country as they are suspected of seeking asylum abroad.⁶¹

77. The Advisory Committee reaffirms its view that police misconduct vis-à-vis persons belonging to national minorities are not only clearly in breach of the human rights of the victims but also feed distrust of minorities towards the police. Minorities who lack confidence in the police due to such misconduct or racial profiling practices will be reluctant to turn to the latter in cases where they have been victims of racist offences, meaning that such crimes may go unpunished.

78. While commending the authorities for the establishment of independent oversight mechanisms during the monitoring period, the Advisory Committee is concerned that human rights violations by law enforcement officials vis-à-vis Roma, including racial profiling, continue to be frequent and there is still not enough done to prevent and investigate such cases. It considers that the involvement of civil society organisations in the Civil Control Mechanism in the Ombudsperson's Office is a good practice, but finds that the short mandate of one year risks affecting negatively the effectiveness of the mechanism.

79. The Advisory Committee urges the authorities to increase efforts to prevent human rights violations against persons belonging to national minorities by the police. Furthermore, they should ensure that the oversight mechanisms within the Ministry of the Interior, the Public Prosecutor's Office and in the Ombudsperson's Office are effective and that alleged cases of police misconduct are investigated and adequately sanctioned.

Media in minority languages (Article 9)

80. Amendments to the Law on Audio and Audiovisual Media Services in 2018 brought about a reorganisation of public broadcasting in minority languages. The second TV channel, which used to broadcast in the languages of all six recognised minorities, is now fully in Albanian. Programmes in Bosnian, Romani, Serbian, Turkish and Vlach are broadcast by a separate fourth TV channel.

81. The reform resulted in significantly increased broadcasting hours for all national minorities, which interlocutors welcomed. Vlach representatives, for instance, reported that while there used to be three programmes in Vlach language per week, this has now increased to three per day. However, the increased broadcasting times were not matched with an appropriate increase in human and financial resources. According to interlocutors, the fourth TV channel lacks staff in the ethnic minority newsrooms. The Vlach newsroom, for example, has only two staff. The Turkish newsroom is larger, but a network of Turkish correspondents that used to deliver news from the regions has been disbanded and only a few journalists continue on

⁵⁵ See *Sofia Djafer v. North Macedonia*, no. [4378/20](#), *Nehru Redjepov and Djemile Redjepova v. North Macedonia*, no. [30415/18](#), and *Mizafer Jusinova v. North Macedonia*, no. [59492/18](#). See also European Roma Rights Centre (12 February 2021), [North Macedonia to pay settlement to families of Roma who died in prisons](#).

⁵⁶ *Memedov v. North Macedonia*, no. [31016/17](#) and *X and Y v. North Macedonia*, no. [173/17](#)

⁵⁷ AP (26 September 2020), [North Macedonia: Roma protest against police brutality](#).

⁵⁸ European Roma Rights Centre (September 2020), Roma rights in the time of Covid, pp. 32-34.

⁵⁹ European Roma Rights Centre (13 December 2019), [Dželadin v. North Macedonia and two other cases \(third party intervention\)](#).

⁶⁰ The European Roma Rights Centre communicated the case to the UN Committee on the Rights of Persons with Disabilities and considers it a case of intersectional discrimination.

⁶¹ See the Third Party Intervention by the European Roma Rights Centre before the European Court of Human Rights regarding application numbers 43440/15, 44027/16, and 16460/17.

a voluntary basis. As a result, much of programming are re-broadcasts from Türkiye rather than own productions about the situation of the Turkish minority in North Macedonia.⁶²

82. The Strategy “One Society for All” acknowledges, furthermore, that the minority language programmes function as separate parallel newsrooms, which tend to perceive events through the prism of their respective ethnic background. To address this divided media space, which also exists in private media, the Strategy foresees the fostering of an intercultural approach in public broadcasting, capacity-building for journalists in private media, and support for media content covering ethnic diversity in an inclusive way.⁶³ Some first steps in realizing these objectives can be observed in the programming of the 4th TV Channel, which however does not seem to be widely viewed.

83. The Advisory Committee reaffirms its view that adequate support needs to be granted both to the media and programmes for, by, and about national minorities in minority and majority languages, as well as in bilingual or multilingual formats. While strongly welcoming the increased broadcasting hours for national minorities, the Advisory Committee therefore deplores the lack of resources of the respective newsrooms. Understanding that those newsrooms are separate by minority, the Advisory Committee further encourages a close co-ordination between those and the continued production of bi- and multilingual formats in order to create a common media space.⁶⁴

84. There are several commercial TV and radio outlets broadcasting exclusively in Albanian (4 TV, 11 radio) or together with Macedonian and/or Turkish (12 TV, 2 radio). In addition, there is one TV channel each using Bosnian, Romani and Serbian along with Macedonian.⁶⁵

85. There is no earmarked funding for community radio, print or online media in minority languages. Some Albanian-language print media, however, received support through a general programme dedicated to print media. The share of subsidies for media in minority languages is slightly higher than for Macedonian-language media (50% vs. 40% of printing and distribution costs).⁶⁶ Reaffirming that the availability of print, broadcast and electronic media in minority languages has an emblematic value for national minorities,⁶⁷ the Advisory Committee considers that such support would be helpful in particular for numerically smaller

minorities, including those not mentioned in the Constitution.

86. The Advisory Committee calls on the authorities to allocate sufficient resources to the minority language newsrooms in the public broadcaster. They should also ensure that public broadcasting consistently promotes intercultural respect and understanding, thereby contributing to the integration of society. The authorities should consider providing support to print or online media outlets for numerically smaller minorities.

⁶² See programme of the 4th Channel at <https://tvprofil.com/mk/tv-raspored/#!datum=2022-01-26&kanal=mrt-4-mk> (in Macedonian).

⁶³ Strategy for development of the “One society for all” concept and interculturalism, July 2019, pp. 37-47.

⁶⁴ See ACFC [Thematic Commentary No. 4](#), para. 70.

⁶⁵ State report, p. 15.

⁶⁶ Written submission by the authorities of January 2022.

⁶⁷ ACFC [Thematic Commentary No. 4](#), para. 69.

Use of minority languages in contact with administrative authorities and the judiciary (Article 10)

87. A new Law on the Use of Languages was adopted in March 2018 and entered into force on 15 January 2019. It replaced the 2008 law regulating that matter and considerably extends the use of the Albanian language both at national and local levels.⁶⁸ Article 1(3) provides that Albanian, in addition to the Macedonian language, is also an official language “in all state administration bodies in the Republic of Macedonia, central institutions, public enterprises, agencies, directorates, institutions and organizations (...), and other institutions”. All laws, bylaws and other regulations of these organs shall be published in Albanian and Macedonian, and so shall their websites, names, stamps, and other official documents. Albanian is to be used in the communication of citizens with these organs, no matter the place of residence of the person concerned, and in the official communication between “elected and appointed officials” working for them. The same rules for communication in Albanian apply at local level in Skopje and in all municipalities where at least 20% of the citizens speak Albanian. Civil registries are to be kept in both languages and bilingual ID cards and passports are issued for Albanian speakers *ex officio*, while persons belonging to other national minorities can choose whether they want a bilingual edition.

88. In the field of justice, judicial proceedings before courts and public prosecutors, regardless of the location of the institution, are to be conducted in both languages if this is requested by one of the participants of the proceedings, e.g. by one of the parties, a judge, or the prosecutor. This entails that all the decisions, written submissions and other materials related to the proceedings must be issued in both languages and simultaneous/consecutive interpretation assured free of charge throughout the proceedings. A failure to ensure translation and interpretation required by the law constitutes a ground for reversal of a judicial decision.

89. Fines are to be issued to public organs and officials for violations of provisions of the law. An “Agency on the implementation of the language that is spoken by at least 20% of the citizens of the Republic of Macedonia”

(hereafter: Language Implementation Agency) is responsible for the uniform use of the language and for providing support to institutions in the implementation of the law.⁶⁹ An Inspectorate on the Use of Languages is tasked with the oversight of the implementation.⁷⁰

90. Some provisions of the law also apply to languages spoken by persons belonging to other national minorities under the condition that they constitute at least 20% of citizens in a given municipality, or, if they constitute less than 20% of the population, the municipal council decides on their use. Article 21 contains a general obligation of the government and public institutions to promote the use of smaller minority languages.

91. Following intense political debate around the adoption of the law and a complaint before the constitutional court, the government asked the Venice Commission to prepare an opinion on the law shortly after it entered into force in January 2019.⁷¹ The Venice Commission praised the willingness of the authorities to improve the linguistic situation of national minorities. However, it found that it imposed in certain areas “what proved to be unrealistic legal obligations on the public institutions” and particularly on the judiciary. The full implementation of the law in this field would risk slowing down the functioning of the entire judicial system.⁷² The Venice Commission further noted the law’s ambiguity about which provisions apply to other minority languages spoken by at least 20% of citizens at a municipality level and the discretion given to the municipal councils in deciding on the use of languages spoken by less than 20% of the citizens at the local level.

92. The Advisory Committee wishes to emphasise that it has always encouraged maximum implementation of the possibilities provided by law to allow the use of minority languages in contacts with administrative authorities and the judiciary. It reiterates that “[a]uthorities should support and actively encourage such measures by creating an environment that is conducive to the use of minority languages, including through the allocation of necessary financial and human resources.”⁷³

93. The Advisory Committee therefore welcomes the commitment by the authorities to improve language rights

⁶⁸ For a description of the 2008 law (full title: Law on Use of Languages Spoken by at least 20% of the Citizens of North Macedonia and in the Units of Local Self-government), see Third Opinion of the Advisory Committee, paras. 116-117. For an English translation of the new Law on the Use of Languages adopted in 14 March 2018, see <http://api.gov.mk/wp-content/uploads/2019/06/the-law-on-the-use-of-languages-pdf.pdf>.

⁶⁹ Fines for public organs amount to between € 4000 and € 5000 and 30% of the prescribed fine within this range can be imposed on the official in charge of the respective institution. The website of the Language Implementation Agency is available in English at <https://api.gov.mk>.

⁷⁰ The website of the Inspectorate on the Use of Languages is partially available in English at <https://iuj.gov.mk>.

⁷¹ European Commission for Democracy through Law (Venice Commission), North Macedonia. [Opinion on the Law on the Use of Languages](#), CDL-AD(2019)033, adopted at its 121st Plenary Session, 6-7 December 2019.

⁷² *Ibid.*, para. 100.

⁷³ [ACFC Thematic Commentary No. 3](#), The language rights of persons belonging to national minorities under the Framework Convention, adopted on 24 May 2012, paras. 52 and 58.

and enhance Macedonian-Albanian bilingualism in a broad spectrum of public life. The information received on the law's practical implementation, however, shows that the gap between the law's ambitions and the practical situation is considerable. While the Language Implementation Agency reports that progress has been made, its representatives also admitted that the implementation of the law is far from satisfactory. The law exacerbates the significant shortage of qualified translators, interpreters and other bilingual staff in the public administration. This problem was already at the origin of the uneven application of the 2008 legislation and rather a question of financing and education (see Article 14)⁷⁴. In practice, the level of bilingualism applied still depends to a great extent on the political will within the respective institutions or municipalities.⁷⁵ The Advisory Committee observes that the disconnect between the advanced legislation on the one hand and inconsistent implementation on the other creates frustration and disappointment among members of the Albanian minority. Finally, while welcoming the provision of bilingual identity documents for Albanians, the Advisory Committee wishes to emphasise the need to ensure the right to free self-identification through the explicit consent of the person concerned.

94. It is too early to assess the law's possible effects on the judiciary, both regarding the aim to improve the use of the Albanian language in courts and concerning potential delays in proceedings. Continuous evaluation of the level of implementation of the relevant provisions and their effects on the functioning of the judiciary would therefore be required.

95. According to information available to the Advisory Committee, the possibility of administering fines has so far not been used. In this context, the Advisory Committee wishes to stress that it deems it important to give promotional measures preference over those of a punitive nature.

96. As the 2008 Law on Languages, the new law also provides some provisions protecting numerically smaller minority languages. However, in some of the provisions regarding the use of minority languages at local level, it appears that the provisions apply only to the Albanian

language, not to other languages reaching the 20% threshold in the respective municipality.⁷⁶ In any case, the Advisory Committee considers the 20% threshold too high for minority rights to be granted at local level and notes that some national minorities can actually not benefit from this law at all. In practice, however, the Advisory Committee is pleased to note that Turkish is recognised as official language in 10 municipalities, including, upon a decision by the municipal council, in six municipalities where the 20% threshold is not met.⁷⁷ Vlach continues to have the status of official language in Kruševo, and Romani in Šuto Orizari.

97. The Advisory Committee calls on the authorities to improve the implementation of the Law on the Use of Languages through increasing considerably their investment in the training and recruitment of translators and interpreters and to continuously evaluate its impact. The law's provisions on the language rights of numerically smaller national minorities should be clarified.

Display of minority language signs and topographical indications (Article 11)

98. Article 16 of the new Law on the Use of Languages provides that names of streets, squares, infrastructure objects and road signs shall be written in Macedonian and Albanian in all municipalities that meet the 20% threshold. Though the wording of the article is ambiguous, the provision applies also to other minority language where the threshold is met.⁷⁸ Bilingual Macedonian-Albanian signposting is also to be used at airports and border crossings as well as for buildings of national public institutions.

99. According to the Language Implementation Agency, the Albanian language is not yet consistently present on buildings of national public institutions, in road signs and in municipalities with predominantly Albanian population. In a survey of public institutions conducted in 2019, for instance, 36 out of 183 responding institutions replied that they have not yet complied with their obligations to replace the boards

⁷⁴ See Fourth Opinion of the Advisory Committee, paras. 60-64.

⁷⁵ As an example for the incoherent approach among public institutions see the websites of the Ministry of Political System and Inter-Community Relations (<https://mpsoz.gov.mk>, by default in Albanian but is also available in Macedonian), and the Constitutional Court (<http://ustavensud.mk>, available only in Macedonian and English).

⁷⁶ The 2008 Law on Languages explicitly provides a number of rights at local level for persons speaking a minority language meeting the 20% threshold in a given municipality. See for instance Article 4 (use of minority languages with public authorities at local level), Article 15 (possibility to make statements under oath in courts), and Article 20 (local electoral lists in minority languages). In the 2018 Law on Languages, these rights seem to be provided only for Albanian.

⁷⁷ Şener Aktürk and Ildir Lika (2020), [The puzzle of Turkish minority representation, nationhood cleavage, and politics of recognition in Bulgaria, Greece, and North Macedonia](#), in: *Mediterranean Politics*, p. 19.

⁷⁸ European Commission for Democracy through Law (Venice Commission), North Macedonia. [Opinion on the Law on the Use of Languages](#), CDL-AD(2019)033, adopted at its 121st Plenary Session, 6-7 December 2019, para. 59.

at their buildings with bilingual inscriptions.⁷⁹ There are also cases of vandalism of Albanian language plaques at public buildings.⁸⁰ Reiterating that “bilingualism in signposts should be promoted as it conveys the message that a given territory is shared in harmony by various population groups”,⁸¹ the Advisory Committee regrets that the legal provisions in this respect are not fully implemented. On a positive note, the Advisory Committee observed topographical signage in Turkish in municipalities where most of the population identifies as Turkish.

100. The Advisory Committee encourages the authorities to ensure proper implementation of the legislation pertaining to signs and topographical indications in minority languages and to take measures to prevent their vandalism.

Intercultural education and teaching about national minorities (Article 12)

101. According to information provided by the authorities, the Ministry of Education has taken steps to promote intercultural education through training teachers on intercultural competences, providing grants to schools for intercultural projects, developing new teaching and learning materials, and reviewing textbooks with a view to eliminating stereotypical portrayal of national minorities.⁸²

102. In exchanges with interlocutors on the spot, the Advisory Committee learned that some schools, for example in Struga, no longer run separate morning/afternoon shifts for Macedonian and Albanian pupils. They instead separate shifts by grades or vocational programmes, which gives pupils from different ethnic backgrounds the possibility to at least meet during breaks. Efforts to promote intercultural understanding also take place in rural areas, as the Advisory Committee could learn in a school teaching in Turkish and Albanian (in separate tracks) in Centar Župa. Furthermore, some schools offer integrated education projects supported by international donors, where students from different ethnic backgrounds attend joint classes on subjects such as Sports, Arts or English.⁸³ Non-formal education promoting intercultural understanding is also offered by local civil society actors, as the Advisory Committee could witness in Struga.

103. However, intercultural education approaches continue to be the exception rather than the rule. Many schools continue to divide their morning and afternoon shifts according to pupils’ ethnic background. Pupils receiving instruction in different languages are also often located in different school buildings.⁸⁴ Joint classes exist only occasionally at a project level and thanks to international donors; bilingual or immersive teaching does not exist at all. The project grants provided by the Ministry of Education for intercultural projects are very low (500 EUR per year per school). Carrying out such projects and attending the related training is left to the individual initiative of teachers or headmasters. Small local clubs or associations offering non-formal education struggle to receive even minimal financing by local authorities.

104. The Advisory Committee reiterates that “all aspects and elements of education should ensure a climate of tolerance and dialogue. Such dialogue is hardly possible if persons belonging to different groups never meet even when they live in the same city, village or region. Nor can tolerance be promoted if majorities and minorities know nothing about the everyday experiences and about the elements of identities of each other.”⁸⁵ Article 12(2) therefore calls for the development of intercultural exchanges and competencies through the facilitation of “contacts among students and teachers of different communities”.⁸⁶ Against this background the Advisory Committee finds the continued existence of separate shifts and the few opportunities for pupils from different ethnic backgrounds to meet in an education context highly problematic.

105. Finally, the Advisory Committee emphasises its view that curricula and teaching materials for schools should pay adequate attention to the cultures and identities of the different minorities, including the numerically smaller ones. It therefore commends the authorities for the efforts made to review textbooks for stereotypical and negative portrayal of minorities, which Albanian and Turkish interlocutors reported as having improved. However, problems reportedly still exist with stereotypical portrayal of Bosniaks and Muslims in general as well as with the portrayal of Roma.

106. The Advisory Committee urges the authorities to implement an intercultural approach to education through

⁷⁹ See [Annual Report on the work of the Language Implementation Agency of the Republic of North Macedonia for the year 2019](#), p. 21.

⁸⁰ For a case in 2021 in Prilep, see Publikum.mk (24 November 2021), [Вандализам во Прилеп – искршени двојазични табли на повеќе државни институции](#) (Vandalism in Prilep - broken bilingual boards of several state institutions).

⁸¹ [ACFC Thematic Commentary No. 3](#), The language rights of persons belonging to national minorities under the Framework Convention, adopted on 24 May 2012, para. 67.

⁸² State report, pp. 5-6. See also EURYDICE (31 March 2021), [National Education Systems, North Macedonia](#).

⁸³ See for instance projects conducted by the Macedonian Civic Education Centre, available at www.mcgo.org.mk/.

⁸⁴ In at least 97 out of 238 primary schools organised in two shifts, pupils receiving instruction in different languages attend school at different times (Written submission by the authorities of January 2022).

⁸⁵ [ACFC Thematic commentary No. 1](#), Education under the Framework Convention for the Protection of National Minorities, adopted on 2 March 2006, p. 16.

⁸⁶ [ACFC Thematic Commentary No. 4](#), para. 59.

allocating adequate resources, continuing to review teaching materials, and training teachers and other education staff on the cultures, history and present situation of the different minorities. More regular contacts among pupils with different ethnic backgrounds should be ensured, including by providing for mixed school and classroom environments.

Equal access to education (Article 12)

107. During the monitoring period, a new Law on Primary Education was adopted and several amendments to the Law on Secondary Education were made.⁸⁷ The 2019 Law on Primary Education attempts to address a number of obstacles to Roma children's access to education raised by the Advisory Committee in its Fourth Opinion.⁸⁸ The law prohibits discrimination, formalises the role of educational mediators, modifies the allocation system in school catchment areas, and prescribes inclusion of children with special educational needs into mainstream education. The law further demands a proactive role by schools and municipal authorities and enumerates concrete measures such as home visits to families whose students are not enrolled, cooperation with civil organisations, education for parents, and other activities. Special supportive measures are foreseen for children who were absent from the education for a longer period such as Roma returnees from abroad or children who used to live on the street. Finally, with a view to preventing dropouts due to child marriages, the law stipulates that the reasons for a pupil leaving school prematurely must be registered.⁸⁹ Amendments of the Law on Secondary Education provide for inclusive education also at secondary level. The authorities also took a range of measures to mitigate the effect of Covid-19 related school closures on Roma children such as the distribution of internet vouchers and cash allowances for the purchase of school supplies.

108. Data provided by the authorities shows a moderate increase of Roma children's enrolment rates in primary, secondary and higher education, and a decrease in attendance of special schools. Most observers attribute this progress to the education allowance introduced in the 2019 social protection reform (see Article 15), the work of Roma education mediators,⁹⁰ and the increased number of scholarships financed by the Roma Education Fund and other donors.

109. Compared to the majority population, however, Roma children continue to have significantly lower educational outcomes. For instance, the authorities reported that 24% of Roma did not continue to secondary school after the 9-year primary school in 2020/21, down from 31% four years before. The national average for dropping out after primary school, however, is only 16%. In a context of a general lack of preschools, enrolment in preschools is significantly lower than average for Roma children, despite a programme granting exemption from

⁸⁷ Primary education comprises grades 1-9. Secondary education is also compulsory and last another 2-4 years.

⁸⁸ Fourth Opinion of the Advisory Committee, paras. 72-74.

⁸⁹ In addition, the Criminal Code was amended in 2018 raising the age limit for sanctioning "extramarital communities" from 16 to 18 years. For a summary of the Roma-related provisions on the Law on Primary Education with regard to Roma, see European Policy Institute Skopje (2021), [Franet National contribution to the Fundamental Rights Report 2020](#), North Macedonia, p. 10.

⁹⁰ About 35 Roma education mediators are currently employed by the Ministry of Education.

preschool fees for about 400 Roma children in 19 municipalities per year.⁹¹ Roma children were also affected disproportionately by the fact that due to Covid-19 group sizes in preschools were temporarily reduced and attendance limited to children whose parents are employed. Despite the efforts made by the education authorities, Roma pupils were hit much harder by the school closures during the pandemic as many had no appropriate access to IT devices and internet.⁹²

110. Another problem the Advisory Committee could witness during its visit is the widespread *de-facto* segregation in schools located in Roma neighbourhoods. In the Gjorgi Sugarev Primary School in Bitola, for instance, all first graders enrolled in September 2021 were Roma. The Advisory Committee was informed that this was also due to the fact that non-Roma parents in the school's catchment area managed to enroll their children in other schools, a possibility not given to Roma parents. A case on alleged discrimination brought by Roma families from Bitola as well as a similar one in Štip was dismissed by the Constitutional Court and is currently pending with the European Court of Human Rights.⁹³ The Advisory Committee reiterates that segregated education is one of the most extreme examples of the precarious position of Roma parents and pupils.⁹⁴ It notes that segregation is prohibited by law (see Article 4) and observes that the *de-facto* segregation in such schools is portrayed as a consequence of Roma families' desire to settle in common neighbourhoods and the fact that non-Roma parents withdraw their children from those schools ("white flight"). However, given the high risk of discrimination and lower educational outcomes associated with segregated education, the Advisory Committee finds that this situation needs to be proactively addressed as a matter of priority.

111. There are also other practical obstacles encountered in the implementation of the above-mentioned legislation. While the education allowance was praised by teachers and Roma representatives, they criticised that it was not paid when a pupil repeats a class, which often happens when children return from countries their families had migrated to for work. Also, in the above-mentioned primary school in Bitola, only about half of potential first graders had been enrolled in September 2021. The remaining children were only enrolled after, upon the initiative of Roma civil society activists, teachers and the headmaster had gone from door to door and spoken to families. While welcoming the proactive attitude of teachers and the cooperation with civil society, the Advisory Committee considers that such targeted awareness-raising measures should be systematically provided in a joint effort by education and municipal authorities, civil society and schools, as provided by the law.

112. The Advisory Committee urges the authorities to improve access of Roma children to quality education by strengthening good practices such as education mediators, scholarships and education allowances and making these known to Roma parents. The authorities should also increase the enrolment in preschools, and resolutely address *de facto* segregated education.

Teaching in and of minority languages (Article 14)

113. Instruction in minority languages continues to be provided in Albanian, Serbian and Turkish as well as since 2018 also in Bosnian. According to official data, the take-up remained stable for Albanian and Serbian and increased slightly for Turkish.⁹⁵ In the 2020/21 school year, approximately 58 200 pupils (32,1% of all pupils) received education in Albanian, and about 6 900 in Turkish (3,8% of all pupils). Only 263 pupils received instruction in Bosnian⁹⁶ and 156 pupils in Serbian.⁹⁷

114. While the offer of instruction in Albanian appears to meet the demands, representatives of numerically smaller minorities such as Turks said that children sometimes must commute far in order to receive instruction in the minority language. Serious concerns were expressed about the

⁹¹ The programme has been running with the assistance of donors for more than 10 years, but was scaled up by the government in 2019 and now extends to 19 municipalities.

⁹² See UNICEF (June 2021), [The social and economic effects of COVID-19 on children in North Macedonia: an update](#), and written submission by the European Roma Rights Centre, Skopje of November 2021.

⁹³ Applications nos. [11811/20](#) and [13550/20](#) *Seriha Elmazova and Others against North Macedonia and Divan Jasharov and Others against North Macedonia* lodged on 28 February 2020 and 6 March 2020 respectively communicated on 30 August 2021.

⁹⁴ [ACFC Thematic commentary No. 1](#), Education under the Framework Convention for the Protection of National Minorities, adopted on 2 March 2006, p. 21.

⁹⁵ Written submissions by the authorities of November 2021 and January 2022.

⁹⁶ In Saraj and Veles.

⁹⁷ In Staro Nagoricane, Čučer – Sandevo and Kumanovo.

quality and availability of teaching materials. For Bosnian, Serbian and Turkish, a shortage of qualified teachers was reported. Specific teacher training in these languages exists only in Albanian.

115. Bosnian, Romani, Serbian, Turkish and Vlach can also be taught as an elective subject on “language and culture” as of the third grade for one hour, and as of the fourth grade for two hours per week. However, this possibility appears to be rarely used. According to the authorities, in the 2021/22 school year, 2 080 pupils studied Romani language and culture, 823 Bosnian, 382 Vlach, 228 Turkish, and 128 Serbian.⁹⁸ Some minority associations provided lower figures, though. New curricula for all subjects are currently being developed on the basis of the new concept for primary education. Once these are approved, the authorities intend to develop the corresponding teaching materials.⁹⁹

116. Representatives of national minorities reported that the possibility for elective classes is rarely used, due to a number of obstacles. First, the minimum number of 15 pupils to form a class constitutes a relatively high threshold. Second, surveys among parents as to the wish to benefit from such teaching are not systematically offered in a timely manner before the beginning of each school year. Turkish representatives also reported a certain hesitation by Turks outside the core settlement areas to ask for Turkish language teaching. Third, there is a serious shortage of qualified teachers. Finally, the lack of appropriate teaching materials makes the choice of such an elective subject less attractive.

117. The Advisory Committee reaffirms its view that one of the purposes of minority language education is to maintain or inculcate a degree of fluency and literacy which enables the learner to use the language in public and private life and to pass it on to the next generation. The present conditions in which the optional teaching of a minority language is provided are unlikely to achieve this objective. The Advisory Committee also regrets the limited take-up of this option and considers that more awareness raising on the benefits of minority language teaching among parents should be undertaken.

118. The Advisory Committee deplores the serious problems encountered regarding the quality and availability of minority language teaching materials. It was therefore pleased to learn that new teaching materials in all languages have been developed for first and fourth graders, with other grades to follow. However, the teaching materials are meant to be used online, which appears maladapted to the socio-economic circumstances particularly in rural and poorer areas, where school staff reported a lack of the necessary IT devices and access to internet. While the

Ministry of Education tried to ensure also that children from disadvantaged backgrounds will have access to the new materials through disseminating tablets, representatives of national minorities remained sceptical towards the process and regretted that their views were taken into account for the content of the materials, but not the design of the material for digital use.

⁹⁸ In the 2021/22 school year, 2 080 pupils studied Romani language and culture, 823 Bosnian, 382 Vlach, 228 Turkish, and 128 Serbian (Written submission by the authorities of January 2022).

⁹⁹ State report, p. 26.

119. In addition to the optional teaching of minority languages mentioned above, an optional course in Albanian for non-Albanian speakers can be chosen as of the sixth grade. In the 2021/22 school year, only 1 337 pupils used this opportunity. The Advisory Committee emphasises that the optional learning of a minority language is not only a valuable possibility for children belonging to the respective minority who cannot access instruction in the language. It can also be a way for children from the majority to obtain knowledge about minorities and their language and increase inter-ethnic understanding. It is therefore regrettable that no further efforts are made to foster the learning of the Albanian language among Macedonian pupils, at least in regions with significant Albanian populations. Not least with a view to the Macedonian-Albanian bilingualism required in many sectors of the public administration by the 2018 Law on the Use of Languages (see Article 10), the Advisory Committee finds that it would be important to create incentives for children whose first language is Macedonian to learn the language of the country's largest minority.

120. Albanian pupils, as those receiving instruction in other minority languages, learn Macedonian only from the fourth grade on, and in the form of a foreign language, i.e. three hours per week. The Advisory Committee reiterates that lack of knowledge of the official language can limit possibilities of equal participation in society, which is why minority language schools must provide an adequate development of the speakers' proficiency in the official language.¹⁰⁰ It may therefore be advisable to evaluate whether pupils of schools providing instruction in Albanian acquire a sufficiently high level of Macedonian in order to fully participate in an integrated society.

121. The Advisory Committee calls on the authorities to improve conditions for the teaching in and of minority languages. The minimum number of pupils for opening a minority language class should be lowered and awareness raising and surveys on requests conducted regularly and well ahead of each school year. The authorities should look into possibilities of fostering knowledge of minority languages, particularly Albanian, among children from the majority.

Participation in public affairs (Article 15)

122. No significant legal changes have occurred regarding the participation in elected and consultative bodies for national minorities. Following the 2020 parliamentary elections, 31 out of the 120 deputies identify as Albanians, including the speaker of Parliament. There are also three members of Parliament identifying as Turkish, two as Serbs, as well as one as Bosniak, Roma, and Vlach, respectively. Only 10 out of the 39 members affiliating with national minorities are women, which is below the average share of women in the Parliament (42%).¹⁰¹ Some members of Parliament also identify with communities not mentioned in the Constitution such as the Egyptian and Jewish communities. This is the result of the regular electoral outcome as no special measures provide for facilitated or guaranteed representation. About half of the ministers in the government cabinet formed in January 2021 are Albanians.¹⁰²

123. At least at national level, most Roma representatives met by the Advisory Committee felt that the level of participation in political and administrative decision-making on issues affecting them has improved over the monitoring period. This may also be due to the fact that persons affiliating with the Roma community are employed in relevant entities of ministries. The fact that a Deputy Ombudsperson and a member of the Commission for the Prevention and Protection against Discrimination identify as Roma is also positively noted. The Advisory Committee is not aware of a systematic evaluation of the Strategy for Roma 2014-2020 involving Roma representatives. For the development of a new 2022-2030 Strategy on Roma, a participatory process was devised that was led by the government Advisor for Roma Inclusion as a National Contact Point for Roma in cooperation with the Ministry of Labor and Social Policy. It included consultations with civil society on all planned priority areas of the Strategy and an online consultation of the draft text.¹⁰³

124. At local level, persons belonging to national minorities are supposed to be consulted through Commissions for Inter-Community Relations, which were established following the Ohrid Framework Agreement.¹⁰⁴ According to reports by minority representatives, only some of these commissions fulfill their functions as they should. Many municipalities do not use the potential of the commissions to consult with minority representatives and involve them in decision-making. Obstacles reported

¹⁰⁰ [ACFC Thematic Commentary No. 3](#), The language rights of persons belonging to national minorities under the Framework Convention, adopted on 24 May 2020, para. 68.

¹⁰¹ See written submission by the authorities of January 2022 and the website of the International Institute for Democratic and Electoral Assistance, available at www.idea.int/data-tools/data/gender-quotas/country-view/207/35.

¹⁰² See website of the government, available at <https://vlada.mk/sostav-na-vladata?ln=en-gb>.

¹⁰³ See description of the process (in Macedonian) on the website of the Department for Co-operation with Non-Governmental Organisations, available at www.nvosorobotka.gov.mk/?q=mk/node/503. The draft of the 2022-2030 (in Macedonian) is available and was open for comments until 31 December 2021 on the web portal for electronic consultations, available at <https://ener.gov.mk/Default.aspx?item=newdocumentdetails&detailid=29>.

¹⁰⁴ Commissions for Inter-Community Relations that are to be established in line with the Ohrid Framework Agreement in all municipalities where communities constitute at least 20% of the population. See also Fourth Opinion, para. 82.

included unclarity about the commissions' mandates, lack of funding for those bodies and qualification of their members, and opaque appointment procedures. Municipalities usually do not publish open calls but local councils nominate commission members directly, either upon proposals from NGOs or directly from elected members of the respective minority. The insufficient transparency of the process results in a lack of legitimacy of the bodies' compositions. The Advisory Committee regrets that the full potential of these commissions, which could potentially also function as a transmission belt for the Strategy "One Society for All" and help improve inter-ethnic dialogue (Article 6), is not used.

125. The Advisory Committee strongly encourages the authorities to strengthen the local Commissions for Inter-Community Relations through clarifying their mandate, equipping them with a budget, providing training to members, and improving the appointment process.

Equitable representation in the public sector (Article 15)

126. The legal basis for equitable representation of national minorities in the public administration as enshrined in the 2001 Ohrid Framework Agreement and subsequent legislation is still in place.¹⁰⁵ To ensure the objective of equitable representation is not reached at the expense of an ever growing public work force, the government adopted in 2016 the "Methodology for Planning of Employments in the Public Sector in Accordance with the Principle of Equitable Representation", whereby, institutions are obliged to plan employments based on a realistic needs assessment.¹⁰⁶ In addition, efforts have been made to redeploy the approximately 1 500 employees recruited as of 2011 to improve the equitable representation, many of whom received salaries without actually working.¹⁰⁷ According to officials, almost all of them have now been transferred successfully to posts within different branches of the administration. Responsibility for equitable representation used to lie with the Secretariat for the Implementation of the Ohrid Framework Agreement (SIOFA), which since 2020

was transformed into the "Ministry for Political Systems and Inter-Community Relations".¹⁰⁸

127. The Ombudsperson monitors the share of persons from different national minorities in the public sector and publishes annual reports. According to the last such report, the share of persons identifying as Albanian employed in the public sector increased between 2015 and 2020 from 18.8% to 20.1% and that of Turks from 1.9% to 2.1%. The respective shares of other national minorities remained stable. Measured against figures from the last census, which however dates 20 years back (see Article 3), this means that the representation of all national minorities except for Bosniaks and Vlachs still remains below their share in the population.¹⁰⁹ Roma employed in the public sector tend to work disproportionately in low-skilled jobs. In a survey of Roma employees in the public administration who had secondary or university education, 83% of respondents felt that the assignments they are given are less demanding due to their ethnic affiliation and not in balance with their education.¹¹⁰

128. While most interlocutors did not question the principle of equitable representation as such and appreciated that some progress was made, the system still has many flaws: The principle of merit is reportedly still often circumvented, even though the authorities point out this is no longer the case. Cases where applicants changed ethnic affiliation to increase their chances in application processes were also reported, and the authorities admit that the possibility to change one's ethnic affiliation with every new application procedure is problematic. Another criticism is that persons affiliating with minorities and particularly the numerically smaller ones are not proportionally represented in managerial positions. Women from national minorities also tend to be underrepresented, particularly in leading positions. In higher positions there is also a high degree of politicisation, which according to some interlocutors means that applications need to have both the "right" ethnicity and political affiliation.¹¹¹ Finally, persons belonging to communities not mentioned in the Constitution such as Egyptians and Torbesh complained that the system did not apply to them.

¹⁰⁵ See First Opinion, paras. 97-98 and Third Opinion, paras. 169-171.

¹⁰⁶ Ministry of Information Society and Administration (2018), [Public Administration Reform Strategy 2018-2022](#), p. 25.

¹⁰⁷ See Fourth Opinion of the Advisory Committee, paras. 86-87.

¹⁰⁸ The website of the Ministry of Political Systems is available at <https://mpsoz.gov.mk>. See Fourth Opinion, paras. 86-89.

¹⁰⁹ In 2020, the share of Turks was 2.1% (2002 census: 25.2%), of Roma 1.3% (2002 census: 2.7%), of Serbs 1.4% (2002 census: 1.8%), of Vlachs 0.7% (2002 census: 0.5%) and of Bosniaks 0.5% (2002 census: 0.8%). See the "Report on monitoring the situation with the application of the principle of adequate and equitable representation for 2020 according to ethnicity" (in Macedonian), available at [Омбудсман \(ombudsman.mk\)](#).

¹¹⁰ David Berat and Agus Demirovski (2020), [Discrimination against Roma employees in the public administration in the Republic of North Macedonia](#), in: South East European University Review.

¹¹¹ On the need for depolitization of the administration and enhanced application of the principles of merit and equal opportunities, see also Ministry of Information Society and Administration (2018), [Public Administration Reform Strategy 2018-2022](#), p. 24.

129. The Advisory Committee reiterates that public administration should, to the extent possible, reflect the diversity of society. However, “[m]easures which aim to reach a rigid, mathematical equality in the representation of various groups, which often implies an unnecessary multiplication of posts, should be avoided. They risk undermining the effective functioning of the State structure and can lead to the creation of separate structures in the society.”¹¹² Furthermore, while “a person’s free self-identification may only be questioned in rare cases (...), identification with a national minority that is motivated solely by the wish to gain particular advantages or benefits, for instance, may run counter to the principles and purposes of the Framework Convention.”¹¹³ Consequently, the Advisory Committee praises the efforts undertaken during the monitoring cycle to improve the implementation of the principle of equitable representation while striving to achieve at the same time a merit-based and efficient public administration. To achieve the objective of a professional and diverse public sector workforce, particular attention needs to be paid to the representation of persons belonging to numerically smaller minorities and minority women in leading positions.

130. The Advisory Committee strongly encourages the authorities to further improve the equitable representation of persons belonging to national minorities in the public administration with a view to upholding the principle of merit and increasing the representation of numerically smaller minorities and women belonging to national minorities at the managerial level.

Socio-economic participation of national minorities living in rural areas (Article 15)

131. A large part of persons belonging to national minorities, particularly Albanians and Turks, live in North Macedonia’s rural areas, which are characterised by lower opportunities for socio-economic participation. Rural areas have higher unemployment and poverty rates, worse infrastructure (like stable power supply) and access to broadband internet, and less access to public services such as preschools. The rural poor are also more at risk to be affected by climate change and natural disasters.¹¹⁴ The lack of opportunities results in high emigration rates

particularly of people in working age and the depopulation of villages.

132. Minority representatives in rural areas told the Advisory Committee their biggest concern was the lack of economic opportunities in their region, which forces young people to seek work in large cities or abroad. They also said their communities lacked public spaces for young people to socialise such as youth centres or sports facilities. North Macedonia also has a large rural-urban gap in education outcomes, which translates into lower socio-economic opportunities.

133. There is a severe lack of data on socio-economic participation of other ethnic groups than Roma, but data from the 2017 Survey of Quality of Life suggests that poverty and unemployment rates are higher than average also among Albanians and other minorities. For instance, ethnic Albanians and Turks of both genders are more likely than Macedonians to be unemployed.¹¹⁵ Ethnic Albanian children also have below-average enrolment in preschool and university education and are more likely to lag behind their Macedonian peers.¹¹⁶ The exact reasons for these differences are not known due to a lack of research but it is likely that the fact that many Albanians live in rural areas is one of the explaining variables.

134. The Advisory Committee reiterates that effective participation in line with Article 15 also requires “that State Parties promote participation of persons belonging to national minorities in economic and social life and in benefits and outcomes in the social and economic spheres.” It emphasises that disaggregating social and economic statistics by ethnic group and rural/urban divides facilitates evidence-based policymaking, increases accountability, and can help to build trust across ethnic lines. While the 2021 census is likely to provide some socio-economic and household data disaggregated by ethnicity, the Advisory Committee considers it important that these be complemented by regular surveys.

135. The Advisory Committee calls on the authorities to increase socio-economic participation of persons belonging to national minorities living in rural areas through investing in infrastructure and employment opportunities and targeted support for minority youth. Effective participation of the communities concerned should be ensured.

¹¹² [ACFC Thematic Commentary No. 2](#), The effective participation of persons belonging to national minorities in cultural, social and economic life and in public affairs, adopted on 27 February 2008, paras. 120 and 123.

¹¹³ [ACFC Thematic Commentary No. 4](#), para. 10.

¹¹⁴ The World Bank (2018), [Seizing a brighter future for all](#). Former Yugoslav Republic systematic country diagnostic, pp. 26, 31, 110, 114, 130, 179 and 253.

¹¹⁵ The World Bank (2018), [Seizing a brighter future for all](#). Former Yugoslav Republic systematic country diagnostic, pp. 25 and 150.

¹¹⁶ OECD (2019), [Reviews of Evaluation and Assessment in Education: North Macedonia](#), Chapter “Assessment and Recommendations”.

Socio-economic participation of Roma (Article 15)

136. According to a 2019 Social Mapping Report produced for the Ministry of Labour and Social Policy, the socio-economic situation of Roma continues to be significantly worse than that of the population in general. Only 23% of Roma in working age are in formal employment, compared to 44% among the population in general. The rate of Roma women in formal employment rate is as low as 8%. About a quarter of Roma are in informal employment, usually in low-paid and unskilled jobs. As a result of unemployment and low income, about half of Roma families receive social welfare assistance, which however barely covers living costs.¹¹⁷

137. A reform of the social protection system was conducted in 2019 with the adoption of a new Law on Social Protection and amendments to the Child Protection Law and the Law on Social Insurance of the Elderly.¹¹⁸ The reform introduced a means-tested guaranteed minimum assistance (GMA) which is supposed to meet subsistence needs. Beneficiaries of the GMA who are able to work must register with the employment office and accept employment services and re-training.¹¹⁹ Furthermore, the eligibility for child and education benefits was extended to families receiving social assistance, who had not benefitted from them before. In 2020, the authorities lowered the threshold for receiving the guaranteed minimum assistance for people who had lost their jobs during the pandemic.¹²⁰

138. Limited data are available to evaluate progress in socio-economic participation during the monitoring cycle. The government's revised employment and social reform programme concluded in 2019 that no significant progress could be recorded on most of the indicators compared to 2015.¹²¹ The number of Roma registered as active employment seekers and thus benefiting from integration measures has increased.¹²² However, many active labour market measures such as (re-)training, subsidised employment or support for business start-ups are not targeted specifically at Roma and participation rate in those are increasing only slowly.¹²³ The high rate of informal

employment made Roma particularly vulnerable to the effects of the Covid-19 pandemic.¹²⁴ The interruption of informal work caused a major economic drop on household incomes particularly for families who were already poor.

139. The Advisory Committee reiterates that effective participation in social and economic life requires, *inter alia*, that State Parties remove barriers which prevent persons belonging to national minorities from having equal access to various spheres of economic life and social services and to promote their equal access to employment.¹²⁵ Consequently, it welcomes that the 2019 reform of the social protection system aimed at both increasing cash transfers to persons affected by poverty and strengthening employability of job seekers. The Advisory Committee takes positive note of the progress made on its 4th cycle recommendation to increase the number of Roma registered as active job seekers. The expansion of child and education benefits to families receiving social assistance can be expected to benefit many Roma families as about half of them fall within that category.¹²⁶ It further welcomes that access to benefits was facilitated during the Covid-19 pandemic.

140. However, the Advisory Committee regrets that progress in strengthening the participation of Roma in the labour market and in active labour market measures is still slow. Also, for some Roma the registration with the employment agency is impossible due to lack of documents or the non-acceptance of temporary IDs (see Article 4). In order to reach out more effectively to unemployed Roma in working age, including to women, more programmes should be tailored specifically to these target groups and to local job market needs. With respect to the new GMA, which is dependent upon participation in such measures, the Advisory Committee stresses the importance of maintaining the principle of non-conditionality of social assistance for other family members and in particular children. Not least because of the pandemic, combating poverty among Roma will have to remain a high priority.

¹¹⁷ [Social Mapping Report](#), EuropeAid/132633/C/SER/multi, Final Draft, July 2019, pp. 18-22.

¹¹⁸ Government of the Republic of North Macedonia (2019), [Revised employment and social reform programme 2022](#).

¹¹⁹ Mutual Information System on Social Protection of the Council of Europe (MISSCEO) (20 December 2019), [Overview of recent trends and developments in social protection in MISSCEO countries](#), pp. 10-11.

¹²⁰ Written submission by the authorities, November 2021.

¹²¹ Government of the Republic of North Macedonia (2019), [Revised employment and social reform programme 2022](#), pp. 104-105.

¹²² The Fourth Opinion (para. 37) mentions 1 750 persons in 2015 whereas more than 9 000 were registered in 2019. See Institute for Research and Policy Analysis – Romalítico (2020), Shadow report – the Implementation of the Strategy for Roma in 2019, p. 9.

¹²³ For the targets, see [Strategy for the Roma 2014-2020](#), pp. 34-39, for an independent evaluation see Institute for Research and Policy Analysis – Romalítico (2020), Shadow report – the Implementation of the Strategy for Roma in 2019, pp. 4-11.

¹²⁴ According to a 2020 survey, as many as 74% of the respondent Roma women in Skopje claimed to not have enough funds due to interruption of the informal economy or part-time work. See: European Policy Institute Skopje (2021), [Franet National contribution to the Fundamental Rights Report 2021](#), North Macedonia, p. 12.

¹²⁵ [ACFC Thematic Commentary No. 2](#), para. 26.

¹²⁶ According to the 2019 [Social Mapping Report](#) (p. 21), 48% of Roma Families receive Social Assistance.

141. The Advisory Committee calls on the authorities, in close cooperation with Roma representatives, to increase the participation of Roma in the labour market through programmes that are specifically tailored towards the respective target groups, including Roma women, and to ensure that the Covid-19 pandemic does not disproportionately affect the socio-economic participation of Roma.

Housing conditions of Roma (Article 15)

142. The Strategy for Roma 2014-2020 states that housing conditions of many Roma are characterised by substandard quality, overcrowding, unclear ownership status, and a lack of access to drinking water, sanitation, infrastructure and utilities. About 18% of households have no access to sewage systems and 10% no access to drinking water within the house. Most Roma live in urban areas, often in segregated neighbourhoods at the peripheries of cities.

143. According to the Strategy for Roma 2014-2020, the situation shall be improved through the provision of social housing, the implementation of infrastructure and urban regeneration programmes, and the legalisation of settlements. Some investments in infrastructure projects in Roma neighbourhoods and social housing have been made, both with government funding and through international donors. However, assessing progress is barely possible as the Strategy lacked baseline indicators and little ethnically disaggregated data is provided by municipalities, who are responsible for housing issues.¹²⁷ As a result of the pandemic, the funding for the implementation of the Strategy for Roma for 2020 was cut by 34%, which is likely to also affect this sector.¹²⁸

144. In August 2016, the authorities demolished makeshift dwellings in the “Polygon” area in Skopje, which had been tolerated for several years. Approximately 130 persons were evicted, including six pregnant women. The UN Committee on the Elimination of Discrimination against Women (CEDAW) recommended the authorities to provide the pregnant women with reparation.¹²⁹ Despite efforts to legalise informal housing described in the Fourth Opinion, almost one third of dwellings of Roma are still not legalised.¹³⁰ Roma representatives informed the Advisory Committee that the administrative procedures were too heavy and not enough information was provided. A new draft law on legalisation of such buildings has been prepared but was met with criticism by civil society organisations, who say they were not sufficiently consulted.¹³¹

145. The Advisory Committee regrets that there was no significant improvement during the monitoring period as regards the provision of better infrastructure and social housing for Roma and that the corresponding budget was

¹²⁷ Institute for Research and Policy Analysis – Romalítico (2020), Shadow report – the Implementation of the Strategy for Roma in 2019, p. 12.

¹²⁸ European Policy Institute Skopje (2021), [Franet National contribution to the Fundamental Rights Report 2021](#), North Macedonia, p. 10.

¹²⁹ Committee on the Elimination of Discrimination against Women (24 February 2020), Views adopted by the Committee under article 7 (3) of the Optional Protocol, concerning communications [No. 107/2016](#) and [No. 110/2016](#). A complaint by a group of other evicted persons to the European Court of Human Rights was declared inadmissible due to failure to exhaust domestic remedies (*Bekir and others v. North Macedonia*, No. [46889/16](#), 24 June 2021).

¹³⁰ See [Social Mapping Report](#), EuropeAid/132633/C/SER/multi, Final Draft, July 2019, p. 15. On lack of access to water and sanitation see also European Social Policy Network (2020), Access to essential services for low-income people. North Macedonia, p. 13.

¹³¹ Institute for Research and Policy Analysis – Romalítico (2020), Shadow report – the Implementation of the Strategy for Roma in 2019, p. 14.

cut because of the Covid-19 pandemic. It further regrets that the risk of evictions persists due to the lack of progress in legalising informal dwellings or in rehousing Roma families.

146. The Advisory Committee strongly encourages the authorities to provide better infrastructure and expand social housing for Roma and to swiftly adopt and implement legislation on the legalisation of informal housing in close co-operation with Roma representatives.

Effective access to health care for Roma (Article 15)

147. According to the Law on Health Care and other relevant legislation, citizens are entitled to health insurance and most primary care services are free of charge. However, while health insurance coverage for Roma is comparable to that of non-Roma, the services they receive are usually of a lower quality, discrimination is frequent, and health outcomes such as life expectancy, infant mortality and vaccination rates are less favourable than in the average population.¹³²

148. During the monitoring visit, the Advisory Committee was informed that there is a large gap between the legal provisions on health care and the situation in practice. Whereas most primary care and maternal care services are supposed to be free for insured persons and for uninsured with low income, they have in practice often to be paid or co-paid. During the Covid-19 pandemic, the government has made diagnosis and treatment related to Covid-19 free of charge for persons without health insurance.¹³³ However in practice, the waiting time for a medical appointment to obtain a prescription for a PCR test, for instance, was so long that people were forced to pay for their tests. This situation was particularly severe in Roma neighbourhoods such as Šuto Orizari, which have a severe shortage of doctors. Though official health data is not disaggregated by ethnicity, civil society organisations estimate that Roma face obstacles in obtaining appropriate treatment for Covid-19 and vaccinations.¹³⁴ In March 2020, a pregnant Roma woman died of her pregnancy-related complications whilst she was waiting for the results of a Covid-19 test for more than six hours outside the hospital doors.¹³⁵ The case illustrates that the pandemic has exacerbated existing systemic problems faced by Roma in North Macedonia.

149. The Advisory Committee was further informed that Roma women face barriers in their access to gynaecological health care such as payments required for services that

should be free of charge. For almost two years an estimated 8 000 Roma women in reproductive age in Šuto Orizari had no access to a gynaecologist in the local clinic and had to travel for one hour to access one outside in another neighbourhood. Local NGOs also reported a lack of information among Roma women about their sexual and reproductive rights, as well as insufficient access to pre- and post-natal care. Roma mediators play an important role, but the number of mediators recruited is much lower than the target of 30 foreseen for 2020 by the National Action Plan for Roma Health.¹³⁶ Despite the positive effect of scholarships for Roma students (see Article 12), there is insufficient medical personnel with a Roma background.

150. The Advisory Committee reiterates that difficulties in the access to health care have a negative impact on the participation of persons belonging to national minorities in socio-economic life.¹³⁷ It therefore deplores the continued inequality in access to health care experienced by Roma and in particular by Roma women. It considers the consistent practice of payments for services that should be free of charge untenable, even more so in the context of the Covid-19 pandemic. Roma health mediators but also medical practitioners identifying as Roma can help to reduce institutional barriers to accessing healthcare and raise awareness about health rights.

151. The Advisory Committee urges the authorities to ensure Roma have in practice access to the legally guaranteed free health care services, including to diagnosis, treatment and vaccination related to Covid-19. Particular attention should be paid to access to reproductive health services and information for Roma women. The authorities should invest more in recruiting and training Roma health mediators and medical practitioners, especially from among women.

Bilateral and cross-border relations (Articles 17-18)

152. A number of bilateral agreements with neighbouring and other states exist that further co-operation on issues pertaining to national minority protection, in particular in the fields of culture and education. The authorities did not report on any activities in the framework of these agreements during the monitoring period, though.

153. In 2021, North Macedonia joined with Albania and Serbia in an initiative aiming to remove barriers for free movement across the countries' borders. The Advisory

¹³² Minority Rights Group International (2018), *Roma in the Republic of Macedonia: Challenges and Inequalities in Housing, Education and Health*, pp. 6-8. The state report does not provide information on measures undertaken to address these issues.

¹³³ European Social Policy Network (2021), *Social protection and inclusion policy responses to the COVID-19 crisis. An analysis of policies in 35 countries*, p. 71.

¹³⁴ European Public Health Alliance (3 May 2021), [The barriers facing Roma in accessing COVID-19 vaccines in North Macedonia](#).

¹³⁵ European Roma Rights Centre (2000), [Roma Rights in the Time of Covid](#), pp. 29-30.

¹³⁶ European Policy Institute Skopje (2021), [Franet National contribution to the Fundamental Rights Report 2020](#), North Macedonia, p. 11.

¹³⁷ [ACFC Thematic Commentary No. 2](#), para. 66.

Committee welcomes efforts to facilitate free contacts across frontiers of persons belonging to national minorities.

and promote close co-operation and co-ordination within the region pertaining to minority protection.

154. The Advisory Committee encourages the authorities to continue to maintain a spirit of good neighbourly relations

The Advisory Committee on the Framework Convention for the Protection of National Minorities is an independent body that assists the Committee of Ministers of the Council of Europe in evaluating the adequacy of the measures taken by the Parties to the Framework Convention to give effect to the principles set out therein.

The Framework Convention for the Protection of National Minorities, adopted by the Committee of Ministers of the Council of Europe on 10 November 1994 and entered into force on 1 February 1998, sets out principles to be respected as well as goals to be achieved by the states, in order to ensure the protection of national minorities. The text of the Framework Convention is available, among other languages, in English, French, Macedonian, Albanian, Bosnian, Romani, Serbian, and Turkish.

This opinion contains the evaluation of the Advisory Committee following its 5th country visit to North Macedonia.

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