

Discrimination case based on ethnic affiliation in the field of health care

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A member of the Roma ethnic community, currently retired, with high education, and a former schoolteacher, submitted a complaint against a doctor from a public health institution in Skopje due to discrimination on ethnic and racial grounds during the provision of health services.

The complaint states that the doctor, with whom the patient had a properly scheduled medical examination, hurt the patient's honour and reputation with insulting words due to her Roma origins. With this attitude of the doctor, anxiety and emotional stress was caused in the patient that contributed to deterioration of her health condition.

The complaint states that the doctor, a member of the majority ethnic community, immediately began to utter insulting words about the Roma population when the patient entered his office, saying that they were dirty and did not take care of hygiene.

To clarify the event in question, the Ombudsman addressed the director of the Skopje polyclinic, requesting an investigation of the entire case and consequently to undertake appropriate measures if it is determined that the doctor acted unprofessionally, unethically, with thoughtless actions and offensive words that contained prejudices, discrimination on ethnic and racial grounds against the patient.

At the same time, the Ombudsman indicated the need to establish an independent disciplinary commission to resolve this case and to interrogate all the witnesses present to obtain written statements. The Ombudsman pointed out that the case of discrimination against the Roma community in the public sector on the above grounds is not isolated but that the Ombudsman very often receives similar complaints, which is contrary to the code of ethics of the medical chamber and the Hippocratic oath that every doctor takes when receiving the work license.

The institution's director informed the Ombudsman within the legally stipulated period that he would review the event, and he ordered the disciplinary commission to review this case. During this review, the actors of this event were heard and confronted, and statements were also taken from the witnesses.

The health facility's disciplinary commission, acting on the complaint and the Ombudsman's submitted request, found that the doctor against whom the complaint was filed abused the rights of his patient, which is why it issued a measure of indication accepted by the director of the polyclinic.

Considering the outcome of the procedure and the determination of a violation of the patient's rights, the complainant is referred to seek compensation in a civil procedure for the discrimination she suffered on several grounds and for the mental and emotional pain she suffered, so the procedure before the Ombudsman is completed.