

AN OVERVIEW OF THE NORTH MACEDONIAN NON-DISCRIMINATION LAW

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"No one is born hating another person because of the color of his skin, or his background, or his religion. People must learn to hate, and if they can learn to hate, they can be taught to love, for love comes more naturally to the human heart than its opposite." Nelson Mandela

Research Question: Today, it is undeniable fact that the prohibition of discrimination and the principle of equality represent the basic foundations of the legal state and the rule of law principle. The first Law on Prevention and Protection against Discrimination, as a *lex specialis* law, in North Macedonia was adopted in 2010. Since this Law was not fully aligned with European standards and ECtHR jurisprudence, ten years later, in 2020, a new Law on Prevention and Protection against Discrimination was adopted.

Purpose: The main goal of this paper is to provide an answer to the following questions: Is North Macedonian Law aligned respectably with European standards in the field of prevention and protection against discrimination? Is there an effective and efficient application of non-discrimination legislation in practice? Is it necessary to supplement and amend this legislation in the direction of improving the protection of basic human rights and freedoms in North Macedonian society and in which trend?

Method: For the purpose of this paper, several methods will be applied: method of normative analysis, empirical research, using survey data from 315 citizens, statistical data published by relevant institutions, method of comparison, method of analogy, and case law method.

Results: The respondents' perception is that discrimination is present in the Republic of North Macedonia, and it is most prevalent in the field of labor relations. Respondents are not sufficiently familiar with the legal means available to them and do not trust the institutions. It is necessary to amend the Law, especially in the direction of greater efficiency of the misdemeanor procedure conducted by the Commission for Prevention and Protection against Discrimination.

Organization: The results obtained from the conducted research indicate the fact that institutions and organizations are not efficient and proactive enough in preventing discrimination in individual sectors.

Society: The respondents' perception is that North Macedonian society faces discrimination in all areas and that efficient mechanisms are needed to minimize the number of cases of discrimination and to implement efficient procedures in which responsibility will be individualized.

Originality: The research presents new and original data related to empirical research and recommendations related to the new North Macedonian non-discrimination legislation, appropriate for future comparison.

Limitations / further research: The research was conducted using an online survey, so as limiting factors we would mention all the weaknesses of this type of research, compared to the survey in person. A limiting factor is the fact that there are not enough cases related to the new Law, so in the future, the focus should be put on the judicial practice and the Commission's practice related to discrimination.

Keywords: Commission, discrimination, equality, human rights, Law, non-discrimination, survey.

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