

# ASSESSMENT

OF GENDER AND DIVERSITY DIMENSION  
IN THE WORK OF THE ACADEMY FOR  
JUDGES AND PUBLIC PROSECUTORS



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2022

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OSCE Mission to Skopje

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Polyesterday, Skopje

ISBN: 978-92-9271-050-7



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**About the use of the old name of the country in this publication:**

The country officially changed its name in 2019 in accordance with the Prespa agreement. Most of the legal acts were created before the change of the name of the country, they are still in force, and they contain the previous name of the country in their titles. The previous name of the country is used in this document for reasons of legal precision.

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## LIST OF ABBREVIATIONS:

<b>OSCE</b>	Organization for Security and Co-operation in Europe
<b>ODIHR</b>	OSCE Office for Democratic Institutions and Human Rights
<b>UN</b>	United Nations
<b>UNDP</b>	United Nations Development Programme
<b>CEDAW</b>	Convention on the Elimination of All Forms of Discrimination Against Women
<b>CRPD</b>	Convention on the Rights of Persons with Disabilities
<b>AJPP</b>	Academy for Judges and Public Prosecutors
<b>ECHR</b>	Convention for the Protection of Human Rights and Fundamental Freedoms (also, European Convention on Human Rights)
<b>ECtHR</b>	European Court of Human Rights

## INTRODUCTION

Gender and diversity are intertwined with every sector in society and they are of crucial importance in every society. Consequently, they are also important for the judicial system, as a segment of the social system. The concepts of gender and diversity are very broad. The term *diversity* not only includes gender as a wider concept than the number of women and men, but it also enables different groups of people to be recognised as an important part of society. The international legal framework on equality and non-discrimination is very comprehensive and well-developed at different levels (for example: the UN system, the Council of Europe, the OSCE, etc.). Women and different minorities (for example: ethnic or religious minorities, persons with disabilities, etc.) have been facing discrimination and lack of participation in the public sphere throughout history. The unfavourable position of these groups is reflected in the judicial systems of the OSCE Participating States. In the main findings of a study conducted by ODIHR entitled “Gender, Diversity and Justice”<sup>1</sup>, it is stated that even in the OSCE Participating States, despite the gender parity among the justice system actors, gender-based barriers to promotion and career advancement persist. Moreover, ethnic minorities, especially the Roma community, remain underrepresented in the justice system even in the OSCE Participating States, despite the high rate of ethnic minority representation. Finally, this study finds that persons with disabilities are also underrepresented among men and women working as judges and prosecutors throughout the OSCE region.

Article 13 of the Convention on the Rights of Persons with Disabilities not only confers rights to the parties in legal proceedings as is generally the case with the procedural provisions of international law on human rights, but it also broadens the rule to include the procedural harmonization with the other participants in these proceedings, such as judges, jury members, court officials, witnesses, lawyers, and employees.

The ODIHR document “Gender, Diversity and Recommendations” provides an analysis and recommendations for building a more inclusive justice system in the OSCE region, drawing on the results of the Needs Assessment Study conducted by ODIHR in 2017. This document outlines the challenges identified by the Needs Assessment Study and proposes solutions, such as good practices that can be used to resolve those challenges. However, data reflecting on gender and diversity in the judicial system are still difficult to obtain. To raise the awareness about the issues of gender, diversity, and justice, and especially having in mind the fact that North Macedonia was not included in the 2017 ODIHR Study, the OSCE Mission to

<sup>1</sup> OSCE-ODIHR, Gender, Diversity and Justice: Overview and Recommendations, 2019

Skopje prepared a groundwork study addressing this issue. The goal of this study is to influence the national understanding of the role of women in the judiciary system from an international perspective, as well as to provide relevant data and analysis on gender and diversity (ethnicity, disabilities, age, social status, religion, or convictions).

The study reflects the current situation in North Macedonia and provides recommendations that could serve as a solid base for future sustainable fact-based interventions, in accordance with the solutions based on the good practices highlighted in the ODIHR document.

Considering the important role of this institution in the process of recruitment and education of judges and public prosecutors, several of the recommendations of the study refer to the Academy for Judges and Public Prosecutors (AJPP). One of the key recommendations suggests assessing gender and diversity integration in the overall operations of the AJPP.

The OSCE Mission to Skopje noted the intention of the AJPP to enhance the gender equality and diversity integration in its work. The AJPP intends to take into consideration the findings and recommendations provided in the groundwork study, and to review its activities and policies from an intersectoral perspective. Furthermore, the OSCE Mission to Skopje supported the early activities of the AJPP for assessing the extent to which gender equality and diversity are mainstreamed in the implementation of activities of the AJPP.

The Assessment comprises the internal and external assessments of the activities and the structure of the AJPP. The internal assessment is focused on evaluating the decision-making processes, the management bodies, and the structure of the employees. This also includes the assessment of the training needs of management bodies and the employees of the AJPP, to raise their knowledge about diversity and gender equality. Moreover, the assessment will provide an additional insight on whether the internal bylaws consider diversity and gender equality concepts in the functioning of the institution. The analysis of the external activities assesses whether diversity and gender equality are included in the overall training conducted at the AJPP, including the bylaws for initial and continuous education and training, as well as the annual curriculums for initial and continuous education and training. The analysis included an assessment of the understanding and knowledge of trainers about diversity and gender equality during the trainings design and delivery. The evaluation is expected to positively contribute to the construction of a more inclusive and gender aware AJPP, which will in turn strongly contribute to the construction of a more inclusive judicial system, based on the principle of equality.

## METHODOLOGY

The methodology of the assessment strived to guarantee participation in order to provide ownership of the process to the AJPP and future implementation of the reports' results. Hence, the process was given a certain flexibility to adapt to the needs and time constraints of the AJPP, while managing to consider the views of those who are closely involved in the work of the AJPP. The Management of the AJPP (the Director, the Deputy Director, and the Management Board) and the Programme Council were consulted in all stages of the assessment preparation. The assessment was conducted by three national consultants, supported by the team of the OSCE Mission to Skopje. The assessment and the process of its preparation were conducted in Macedonian language, in the period from March to June 2022.

The applied methodological techniques provided both quantitative and qualitative data, that contribute to the resolution of the issues under consideration:

- Available legislative and regulatory instruments, including the internal regulations<sup>2</sup> (the AJPP Statute, the Rulebook for Written Examination, the Rulebook for Initial Education/Training, the Rulebook for Continuous Education/Training, the Rulebook for Systematisation of Work Positions, the Rulebook for the Internal Organization of the AJPP, the Work Programmes of the AJPP for 2019 – 2022, the Functional Analysis of the AJPP); statistical data, annual reports, reports from national and international organisations, functional analysis, analysis of the current position of the AJPP in the system and its role in the training of court staff;
- Analysis of the process of selection of trainers in the AJPP (selection criteria and gender/diversity), training programs and curricula and training for judges and prosecutors), analysis of the bylaws/rulebooks from a gender and diversity perspective;
- Individual interviews with the Director of the AJPP, the Deputy Director, the Management Board, and the employees (Sector Managers)<sup>3</sup>;
- Online questionnaires consisted of quantitative and qualitative questions for:
  - Employees;
  - Members of the Management Board;
  - Members of the Programme Council;

2 All internal regulations of the AJPP are available on the following link: **ASJO Statute:** [https://jpacademy.gov.mk/wp-content/uploads/2022/08/Statut\\_na\\_ASJO\\_precisten\\_tekst.pdf](https://jpacademy.gov.mk/wp-content/uploads/2022/08/Statut_na_ASJO_precisten_tekst.pdf), **Rulebook on entry exam:** [https://jpacademy.gov.mk/wp-content/uploads/2022/08/Pravilnik\\_priemen\\_ispit\\_2015\\_12052015.pdf](https://jpacademy.gov.mk/wp-content/uploads/2022/08/Pravilnik_priemen_ispit_2015_12052015.pdf), **Rulebook on initial training:** [https://jpacademy.gov.mk/wp-content/uploads/2022/08/Pravilnik\\_pocet-na\\_2017.pdf](https://jpacademy.gov.mk/wp-content/uploads/2022/08/Pravilnik_pocet-na_2017.pdf), **Rulebook on continuous training:** [https://jpacademy.gov.mk/wp-content/uploads/2022/08/Pravilnik\\_za\\_kontinuirana\\_2015.pdf](https://jpacademy.gov.mk/wp-content/uploads/2022/08/Pravilnik_za_kontinuirana_2015.pdf), **Rulebook on internal organisation:** [Pravilnik-za-sistematizacija-na-rabotni-mesta.pdf](https://jpacademy.gov.mk/wp-content/uploads/2022/08/Pravilnik-za-sistematizacija-na-rabotni-mesta.pdf), **Job classification rulebook:** [Pravilnik-za-sistematizacija-na-rabotni-mesta.pdf](https://jpacademy.gov.mk/wp-content/uploads/2022/08/Pravilnik-za-sistematizacija-na-rabotni-mesta.pdf), **AJPP 2019-2022 programs:** <https://jpacademy.gov.mk/reports/>, **AJPP functional analysis:** <https://jpacademy.gov.mk/library/>

3 Owing to the tight timeframe, an interview was conducted only with the AJPP Director.

- Lecturers for the initial and the continuous education/training;
- Candidates for judges and public prosecutors;
- Judges and public prosecutors who participated in the Continuous Education/training Programme in 2020 and 2021;
- The Programme Council;
- Members of the Examination Revision Commission;
- Members of the Entrance Exam Commission.

It is important to note that the questionnaires include a series of questions that are identical for all groups of respondents, but they also include questions aimed for a specific group of respondents, due to the different relations those groups have with the work of the AJPP.

- An on-line focus group with civil sector representatives, who work with women, disadvantaged or marginalised groups at national and local level, was attended by 7 (seven) participants from 7 (seven) citizens' associations, out of which 1 (one) was a man and 6 (six) were women, and of them 1 (one) was a woman with disabilities;
- Preparation of the first Draft-Report and receiving comments from the AJPP during the formulation of the recommendations;
- Preparation of the final assessment report.<sup>4</sup>

## INTERNATIONAL AND NATIONAL LEGAL FRAMEWORK

The Judiciary, as one of the three branches of government, is a pillar of the constitutional order according to the Constitution of the Republic of North Macedonia, and therefore the courts (should) watch over the uninterrupted rule of law and protect the basic freedoms and human rights. However, in the process of alignment and bringing the country closer to the EU, a series of weaknesses and shortcomings were detected in the judiciary system, therefore, the country shall invest serious efforts into the process of their removal.

<sup>4</sup> Answers were obtained to a large extent from less than 50% of the total number of members of the groups of respondents, except for the respondent groups of employees, candidates, lecturers, and mentors, where answers were provided by more than 50%.

## INTERNATIONAL CONTEXT

### OSCE Commitments

In the last three decades, the OSCE has shown significant commitment to the principles of non-discrimination and gender equality, including in the judicial system. The OSCE supported its Participating States in the fulfilment of their obligations to adhere to the internationally recognised standards, referring to the independence of judges and law practitioners and to the unbiased work of the court authorities, to ensure that the independence of the judiciary is guaranteed and contained in the Constitution or the laws of the country, and that this principle is also followed in practice. Special attention was dedicated to the Basic Principles of the Independence of the Judiciary, that among other things, guarantee that judges have the adequate qualifications and training and that they are selected with no discrimination on any grounds.<sup>5</sup>

Additionally, the OSCE supported the Participating States in promoting gender equality, stating that the complete and true equality between men and women is the main attribute of a fair and democratic society based on the rule of law. The OSCE calls its Participating States to recognise that the overall development of a society and the wellbeing of all its members necessitate equal opportunities for full and equal participation of men and women. In this context, among other things, they stimulate and promote equal opportunities for full participation of women in all spheres of the political and public life, in the decision-making processes, and in international cooperation.<sup>6</sup> Furthermore, the OSCE supported its Participating States in the implementation of the relevant commitments for promotion of equality between women and men.

Just as for the participation of women and men, the participation of minorities in the judiciary is an important aspect of diversity. In 2006, in an effort to fight intolerance and discrimination and to promote mutual respect and understanding, the OSCE Participating States recognised the positive contribution that all persons can make towards a harmonic pluralistic nature of our societies, through promotion of policies focused on equal opportunities, rights, access to justice and to public services, as well as for stimulating a dialogue and effective participation.<sup>7</sup> Additionally, in 2012, the ODIHR issued Recommendations on Judicial Independence, which comprise the

<sup>5</sup> Document of the Moscow Meeting of the Conference on the Human Dimension of the CSCE, Moscow, 10 September to 4 October 1991, indents 19.1. and 19.2 (iv), available at: <https://www.osce.org/files/f/documents/2/3/14310.pdf>

<sup>6</sup> Ibid, paragraph 40 and 40.8

<sup>7</sup> Decision n. 13/06, Combating Intolerance and Discrimination and Promoting Mutual Respect and Understanding, Ministerial Council of the OSCE, Brussels, 5th December 2006, available at: <https://www.osce.org/files/f/documents/f/a/23114.pdf>, Paragraph 3.



participation of minorities in the judiciary system in the countries of the OSCE region.<sup>8</sup> One of the recommendations states that the composition of the judiciary system in the countries of the OSCE region reflects the composition of the entire population. In order to increase the representation of minorities in the justice system, the less represented groups shall be encouraged to obtain the qualifications necessary for becoming a judge, and no one shall be excluded on the grounds of being a member of a certain minority.<sup>9</sup>

In the Ljubljana Guidelines from 2012<sup>10</sup>, it is recommended that the public administration and the national services should include diversity in the structures and mechanisms of their work, including by employing members of minorities.

Regarding persons with disabilities and their inclusion, the OSCE Participating States in 1991 undertook the obligation to protect the human rights of persons with disabilities and to take steps to provide equal opportunities for persons with disabilities to participate fully in social life.<sup>11</sup>

Finally, it needs to be noted that women and men are complex identities that are not defined only by their gender, therefore the intersection of different personal characteristics may lead to different forms of discrimination and marginalisation..

## United Nations

In the General recommendation n. 25 on the Temporary Special Measures of CEDAW,<sup>12</sup> the CEDAW Committee underlined that a purely formal legal approach is not sufficient to achieve substantive equality between women and men. The biological, as well as socially and culturally constructed differences between women and men must be considered, and there might be a need for a non-identical treatment of women and men in order to resolve those differences. In order to achieve substantive equality, there is a need for an efficient strategy directed towards overcoming the low representation of women, and reallocation of resources and

8 Kyiv Recommendations on Judicial Independence in Eastern Europe, South Caucasus and Central Asia, Max Planck Minerva Research Group on Judicial Independence of the OSCE/ODIHR, June 2010, available at: <https://www.osce.org/files/f/documents/a/3/73487.pdf>

9 Ibid, p. 24

10 The Ljubljana Guidelines on Integration of Diverse Societies, High Commissioner on National Minorities, 2012, available at: <https://www.osce.org/files/f/documents/O/9/96883.pdf>

11 Document of the Moscow meeting of the Conference on the Human Dimension of the CSCE, Moscow, 1991, paragraph 41.2.

12 General recommendation n. 25 of CEDAW on article 4, paragraph 1 of the Convention on temporary special measures of CEDAW, (CEDAW/C/GC/25) 2004, available at: [https://www.un.org/womenwatch/daw/cedaw/recommendations/General%20recommendation%2025%20\(English\).pdf](https://www.un.org/womenwatch/daw/cedaw/recommendations/General%20recommendation%2025%20(English).pdf)

division of power between men and women.<sup>13</sup> Additionally, the CEDAW Committee recognised that certain groups of women can suffer from multiple discrimination and called for temporary special measures to eliminate those additional forms of discrimination against women and their compounded negative impact on women.<sup>14</sup>

Furthermore, in the General Recommendation n. 33 of CEDAW,<sup>15</sup> on Women's Access to Justice, the CEDAW Committee noted many obstacles and limitations that impede women to fulfil their right of access to justice based on equality, and these obstacles appear in a structural context of discrimination and inequality caused by factors such as: gender stereotypes, discriminatory laws, intersectional or complex discrimination, procedural and evidentiary requirements and practices, etc. All these obstacles constitute a constant violation of women's human rights<sup>16</sup> and need to be appropriately addressed and resolved. Additionally, the CEDAW Committee recommends that Member Countries oppose and remove the obstacles to the participation of women as professionals in all bodies and at all levels of the judicial and quasi-judicial systems and services related to justice, and to take steps, including temporary special measures, to make sure women are equally represented in the judiciary and in the other law enforcement mechanisms such as: judges, prosecutors, public defenders, lawyers, administrators, mediators, law enforcement officers, court and penal officers and expert practitioners, as well as in other professional roles.<sup>17</sup>

Regarding the judiciary and the participation of persons with disabilities, Article 13 of the CRPD guarantees the access to justice, and in correlation with Article 5 (equality and non-discrimination), Article 8 (raising public awareness), Article 9 (right of accessibility) and Article 29 (participation in the political and public life), it provides a complete legal framework for the participation of persons with disabilities in all functions of all court proceedings, on equal grounds as all other persons. Going even a step further, the obligation of paragraph 2 of Article 13 of the CRPD calls for upgrade and training of all persons performing state functions in the court processes regarding the implementation of justice for persons with disabilities. That means removal of all impediments that limit the participation of persons with disabilities in court proceedings, as well as changing the public awareness and changing the attitude of judges, jurors, and of the court administration towards persons with disabilities, as well as a consistent interpretation and incorporation of the CRPD provisions in their work.<sup>18</sup> Regarding gender equality, in the General Commentary n.

13 Ibid, paragraph 8

14 Ibid, paragraph 12

15 General recommendation n. 33 on Women's Access to Justice of CEDAW, (CEDAW/C/GC/33) 2015, available at: <https://undocs.org/en/CEDAW/C/GC/33>

16 Ibid, paragraph 3.

17 Ibid, paragraph 15 (f)

18 Convention on the Rights of Persons with Disabilities

3, the Committee on the Rights of Persons with Disabilities notes various barriers that women and girls with disabilities face in their access to justice, due to the existing harmful stereotypes, discrimination, and lack of reasonable accommodation.<sup>19</sup>

Additionally, in the General Commentary n.2, the Committee on the Rights of Persons with Disabilities explicitly states that an effective access to justice cannot exist unless physical accessibility is also provided, and/or unless the services, information and communication issued by the court bodies are also accessible to persons with disabilities.<sup>20</sup> There are no guidelines, documents or analysis at national level that would investigate this issue through an intersectional perspective in order to enable such change of attitudes towards the community with disabilities, in accordance with the obligations that the court bodies have regarding the CRPD. The inaccessibility of the judicial system, the lack of knowledge on the subject matter of disabilities in the justice sector, as well as the lack of reasonable accommodation in the procedures and information into accessible formats in our country have been noted in the Concluding Remarks of the Committee on the Rights of Persons with Disabilities.<sup>21</sup>

## National Context

In the last decade and a half, the AJPP became an indispensable part of the judiciary system, as an institution that strengthens the capacities of current and future judges and public prosecutors, by improving their professional knowledge, skills, and abilities, thus making a direct contribution to the independence of the courts, the fight against corruption in the judiciary, the prevention of political interference and other harmful social phenomena in the judicial area. Therefore, we can say with assurance that the success of the reforms in the justice system is also a product of the successful operation and function of the AJPP.

The Strategy for the Reform of the Judicial Sector for the period 2017 – 2022,<sup>22</sup> concludes that despite all the reforms, amendments of the legislation, newly established judicial institutions, and the integration of international standards and norms in the justice system, the problem of their insufficient implementation and application remains. Therefore, the results achieved in the field of the efficiency of the judiciary remain in the shadow of its impaired independence, resulting in a low quality and a lack of trust by the citizens in the institutions of the justice system. The

<sup>19</sup> General commentary n. 3, Committee on the Rights of Persons with Disabilities, paragraph 52.

<sup>20</sup> Ibid.

<sup>21</sup> Concluding Remarks of the Committee on the Rights of Persons with Disabilities, available at: [https://digitallibrary.un.org/record/1650502/files/CRPD\\_C\\_MKD\\_CO\\_1-EN.pdf](https://digitallibrary.un.org/record/1650502/files/CRPD_C_MKD_CO_1-EN.pdf)  
[https://vlada.mk/sites/default/files/dokumenti/preporaki\\_2018\\_komitet\\_za\\_pravata\\_na\\_licata\\_so\\_popre-cenost.pdf](https://vlada.mk/sites/default/files/dokumenti/preporaki_2018_komitet_za_pravata_na_licata_so_popre-cenost.pdf)

<sup>22</sup> Strategy for the Reform of the Judicial Sector for the period 2017 – 2022. Available at: <https://rm.coe.int/action-plan-for-implementation-of-the-judicial-sector-for-the-period-2/16808c4383>

Strategy for the Reform of the Judicial Sector for the period 2017 – 2022 recognises the importance of the work of the AJPP, which suggests that the initial and continuous training of judges and public prosecutors in the AJPP should aim to maintain the intellectual and the professional capacities of the judges and the public prosecutors, to upgrade their knowledge with new competences and skills, to familiarise them with the amendments to the laws and regulations in the areas of their work and preside over, to stimulate international exchange of experiences, to use the practice of the ECtHR and practice legal writing and legal reasoning, in order to prevent their professional stagnation. From the standpoint of the issue of intersectionality, the Strategy for the Reform of the Judicial Sector neither recognises the importance of gender and diversity, nor mentions the rights of the marginalized communities in their access to justice.

With the adoption of the first Law on the Academy for Judges and Public Prosecutors<sup>23</sup>, the Academy for Judges and Public Prosecutors was founded in 2006. It was founded as a public institution with the attributes of a legal entity, with the goal to provide competent, professional, independent, non-biased, and effective implementation of initial and continuous training for judges and public prosecutors, as well as for continuous training for court and prosecution officials. The law was in power until 2010, when a new Law on the Academy for Judges and Public Prosecutors was adopted.<sup>24</sup> According to this Law as well, the Academy was a public institution with the status of a legal entity, with no changes to its mission, for admittance and professional development of future judges and public prosecutors, continuous professional development of already elected judges and public prosecutors in the fulfilment of their function, and development and training for a professional, ethical and qualified fulfilment of the work assignments of judges, public prosecutors, court and public prosecution officials. In later years, the law underwent two sets of amendments (in 2012 and 2013).<sup>25</sup>

The next version of the Law on the Academy for Judges and Public Prosecutors<sup>26</sup> was adopted in 2015, and in the legal provisions, the function remained unchanged - admittance and professional development of candidates for judges and public prosecutors, continuous training of the professional officers of the courts and the public prosecution, but also training of persons in charge of law enforcement in the judiciary and/or conducting analyses in the field of legal theory and practice. The trend of amending the Law was further continued in the following period, so this Law was amended twice in 2015 and once more in 2018.<sup>27</sup>

<sup>23</sup> "Official Gazette of the Republic of Macedonia" n. 13/2006

<sup>24</sup> "Official Gazette of the Republic of Macedonia" n. 88/2010

<sup>25</sup> "Official Gazette of the Republic of Macedonia" n. 166/2012 and 26/2013

<sup>26</sup> "Official Gazette of the Republic of Macedonia" n. 20/2015

<sup>27</sup> "Official Gazette of the Republic of Macedonia" n. 192/2015, 231/2015, 163/2018



Of equal importance for the work of the Academy is also the Law on Courts<sup>28</sup>, and this Law states that only a person with completed training at the Academy can be elected as judge in a primary court, while judges in the Administrative Court, the Higher Administrative Court, the Courts of Appeals, and the Supreme Court are elected after serving the prescribed minimum number of years in the lower instance courts.<sup>29</sup>

The second important law – the Law on Public Prosecution<sup>30</sup> regulates the issue of electing public prosecutors, stating that only a person with completed training at the Academy can be elected public prosecutor in the Basic Public Prosecutor's Office.

According to the provisions of the Law on the Judicial Council of the Republic of North Macedonia<sup>31</sup>, the Council shall adopt a decision for announcing an advertisement for the election of a judge, immediately after the judicial post becomes vacant, or upon establishing the need for a judicial post. The council shall elect a judge in a court of first instance from the list of candidates delivered by the AJPP who have responded to the vacancy, taking into consideration the year of completion of the training, the achieved results, as well as the results of the interview conducted by the Council. The interview serves to evaluate the personal and the social competencies of the candidates, and the Council elects the highest ranked candidate to fill the vacancy for a judge.

According to the provisions of the Law on the Council of Public Prosecutors<sup>32</sup>, the Council shall elect a public prosecutor at a Basic Public Prosecutor's Office ranked according to the achievements on the list of candidates provided by the AJPP who have responded to the vacancy, after the year of completion of the training. If the candidate fails to apply to three successive announcements for electing a public prosecutor, he/she shall lose the defined priority on the AJPP list of candidates. Thus, the role of the AJPP and its direct impact on the quality of the judicial and the prosecutorial function are quite clear. Therefore, the strategic goals that lead towards improving the quality, responsibility, effectiveness, independence, impartiality, and transparency of the judicial authorities are directly linked to the work of the AJPP. Of particular significance is the strategic direction for determining the legal criteria for electing AJPP graduates by the Judicial Council and the Council of Public Prosecutors and determining the legal obligation to abide by the chronological order of the lists submitted by the Academy when electing judges and public prosecutors. The decisions to elect or not to elect a candidate must be explained in detail with

28 "Official Gazette of the Republic of Macedonia" n. 58/2006

29 "Official Gazette of the Republic of North Macedonia" n. 96/2019

30 "Official Gazette of the Republic of Macedonia" n. 150/2007

31 "Official Gazette of the Republic of North Macedonia" n. 102/2019

32 "Official Gazette of the Republic of Macedonia" n. 150/07, 100/11 and "Official Gazette of the Republic of North Macedonia" n. 42/20

supporting arguments and they must be made public in order to avoid irregularities or abuses of the election process.

The frequent amendments to the laws cause an uncertainty of the legal order, which makes it necessary to adopt legal acts that will be based on wide public discussions with all concerned parties, and that would reflect the opinions of the practitioners and the scientific circles, in order to enable their long-term application, and therefore increase the stability of the AJPP itself. Despite the amendments to the Law on the Academy of Judges and Public Prosecutors from 2015 to 2018, the legislators and the other participants have not proceeded with the harmonisation of this Law with the already ratified CRPD. Therefore, the Law on the AJPP shall need further harmonisation with the CRPD in view of the principle of accessibility and in order to define the instrument of reasonable accommodation. Among other things, this would mean that all information and advertisements will be published in accessible formats, including in sign language. Additionally, the obligation for accessibility and reasonable accommodation is also mandated by the Law on Prevention and Protection Against Discrimination, and all remaining laws need to be harmonised with this Law.

Furthermore, the Law on Courts, the Law on Public Prosecutors, the Law on the Council of Public Prosecutors, and the Law on the Judicial Council have not yet incorporated the principles of Article 3 of the CRPD referring to the right to access to justice (Article 13) for persons with disabilities.

The antidiscrimination provisions usually guarantee equality before the law and/or protection against discrimination based on gender, race, colour of the skin, nationality, social background, political and religious belief, material and social position. This antidiscrimination clause in the Law on Courts (Article 43) does not incorporate all the grounds for discrimination stated in the Law on the Prevention and Protection Against Discrimination, including disability, sexual orientation, and gender identity, which certainly needs to change in the future.

In practice, persons with disabilities are facing difficulties in accessing the educational institutions, the courts, and the judicial institutions, which in turn limits their right to a fair trial under equal conditions.<sup>33</sup> The analysis of the accessibility of the courts shows that they are completely non-functional for persons with disabilities, and the knowledge of judges concerning the rights of persons with disabilities is still at a very low level.<sup>34</sup> The analysis of the court proceedings initiated for the protection against discrimination in 2020 points to a lack of clearly classified statistical data

33 Petrovska, N. and Avramovski, D. (2021) Legal, financial and physical access to justice in the primary courts in the Republic of North Macedonia. Coalition "All for Fair Trials".

34 Petrovska, N. and Avramovski, D. (2021) Legal, financial and physical access to justice in the primary courts in the Republic of North Macedonia. Coalition "All for Fair Trials".

regarding the areas and grounds of discrimination, which also means that no data about the tendencies in this field is available.<sup>35</sup>

Furthermore, in the analysis “Prevention and Protection against Domestic Violence against Women and Girls with Disabilities”<sup>36</sup>, the representatives of the Public Prosecution point out that so far, they have not attended any training on the CRPD or on gender-based violence and domestic violence against persons with disabilities. Persons with disabilities very rarely turn to the regional departments providing free legal aid, because of lack of information about these departments, but also due to the insufficient training of the officers on working with persons with disabilities.<sup>37</sup> Additionally, the organisations that offer free legal aid do not have sufficient capacities for communication with persons with disabilities.<sup>38</sup>

There is no detailed survey in the country about the harmonization of the legislation in the judicial system with the obligations deriving from the CRPD, nor about the awareness of the CRPD of the judicial bodies. The principles of accessibility, as well as the manner of obtaining information and the representation of diversities in conjunction with disability are not included in the judicial legislative framework. These principles are articulated as part of the general principles of the CRPD in Article 3 - when applied to the judicial system, but also in legal proceedings, the non-discrimination provisions are an important pillar for the access to justice of persons with disabilities, or in other words, for them to have an effective access to justice, persons with disabilities should be treated equally in front of the Law and have an equal opportunity to participate in the judicial system.

At the same time, achieving equal opportunities may require adoption of affirmative measures for providing equal opportunities to persons with disabilities on equal grounds with all other persons, and adherence to the principle of equitable representation, such as the need for reasonable accommodation, to facilitate the participation in the justice system itself, as well as in the legal proceedings.

The AJPP is the only institution in the Republic of North Macedonia which indirectly, through the process of admittance of candidates, decides who in the future will become a judge or a public prosecutor in the country. Because of this, the Academy has a very important role in the justice system. According to its Statute and

35 A. Cvetanovska (2021), Accessibility of court decisions in the field of protection against discrimination in the Republic of North Macedonia.

36 N. Dimitrievska, E. Kochoska, the Prevention of gender-based violence against women and girls with disabilities analysis [https://www.osce.org/files/f/documents/5/d/513253\\_0.pdf](https://www.osce.org/files/f/documents/5/d/513253_0.pdf)

37 Jovanovska, B. (2020). Legal strengthening of the community in the deinstitutionalisation process: a report. Helsinki Committee for Human Rights.

38 Petrovska, N. and Avramovski, D. (2021) Legal, financial and physical access to justice in the primary courts in the Republic of North Macedonia. Coalition “All for Fair Trials”.

competencies, the Academy delivers two types of training: initial training intended for future judges and public prosecutors, and continuous training intended for the promotion of already elected and active judges and public prosecutors.

The Academy determines the total number of participants at the initial training, based on the decisions of the Judicial Council of the Republic of North Macedonia, and the Council of Public Prosecutors of the Republic of North Macedonia. Considering the total number of vacancies for judges and public prosecutors in the basic courts and the basic public prosecutor’s offices, as well as the analysis of the positions that are to be filled upon completion of the initial training, the Judicial Council and the Council of Public Prosecutors submit their decisions to the AJPP, stating the designated number of judicial and prosecutorial positions. Within 15 days of receiving the decision, the Management Board of the Academy adopts a decision for public advertisement for admission of candidates for the entrance exam. According to Article 56 paragraph 1 of the Law on the Academy, participants in the initial training are those persons who have successfully passed the entrance exam and have been admitted as trainee candidates in the Academy for Judges and Public Prosecutors. The persons admitted to the Academy and participating in the initial training obtain the status of initial training trainees. The rules about the duration, the status, the rights and the obligations of the trainees during the initial training are fully regulated by the Rulebook for Initial Training at the Academy for Judges and Public Prosecutors and are additionally regulated and amended by the Programme for the Initial training – Theoretical Education and the Programme for the Initial training – Practical education. The duration of the initial training is 24 months, and it takes place in two phases: theoretical education and practical education.

Unlike the initial training, the main goal of the continuous training of the Academy is the constant professional development and improvement of the theoretical and practical knowledge and skills of the judges and public prosecutors, for the professional and efficient performance of their functions. In addition to the judges and public prosecutors, the Academy also provides continuous training for the presidents of courts and of public prosecutor’s offices, in order to develop their ability to manage issues under their purview. In line with this, the Academy also develops training programmes for the professional services of the courts and the public prosecutor’s offices, to enable quality professional technical support and assistance in the judiciary. Additionally, the Academy provides continuous training for law enforcement officers in the areas of the judiciary, to improve their knowledge and professional skills for legal drafting and law enforcement. The continuous training can be mandatory and voluntary. Mandatory continuous training is provided for judges, public prosecutors, presidents of courts and of public prosecutor’s offices, while voluntary continuous training is provided for the professional services in the judiciary and the members of the public administration who perform legal drafting and law enforcement in the judiciary area. The contents and the methodology

for the mandatory continuous training are regulated by the General Programme for Continuous Training for Judges and Public Prosecutors – adopted every two years, the Specialized Programme for Mandatory and Continuous Training and the Catalogue of the Academy – adopted every 6 to 12 months. For the last 2 (two) years, the AJPP developed an on-line platform and on-line trainings on different subjects determined by the Specialized Programme for Mandatory and Continuous Training, including about gender equality.

## EXECUTIVE SUMMARY OF THE FINDINGS AND RECOMMENDATIONS

### Recommendations

The recommendations of the report are divided in 3 (three) sections: intersectoral recommendations, that include both internal and external aspects of the work of the AJPP, recommendations referring only to the internal operations of the AJPP, and recommendations referring only to the external aspects of the work of the AJPP.

Intersectoral recommendations referring to both internal and external aspects of the work of the AJPP:

1. The inclusion of gender and diversity aspects should be one of the guiding principles in the work of the AJPP, especially for the management, the employees, and the Programme Council.
2. The AJPP should mainstream gender and diversity aspects in the new Strategy, that should be prepared by the end of 2022, with the support of the OSCE Mission. Based on this, the AJPP should draft an Action plan for equality, including gender equality, that will turn the strategic goals into specific tasks, in order to achieve a higher level of intersectionality<sup>39</sup> in its work.
3. The Action plan should be supported with an appropriate budget framework and financial allocations sufficient for achieving the goals of higher level of intersectionality in the work of the AJPP.
4. AJPP should establish a working group that will focus on the monitoring and implementation of the Action plan, but also on achieving a higher level of intersectionality in the work of the AJPP.
5. The AJPP should appoint a contact person to communicate with the local communities and the civil society organizations that represent the disadvantaged

<sup>39</sup> For the needs of this analysis, for intersectionality we used the definition provided in the Gender Equality Glossary & Thesaurus of the European Institute for Gender Equality: Analytical tool for studying, understanding, and responding to the ways in which sex and gender intersect with other personal characteristics/identities, and how these intersections contribute to unique experiences of discrimination.

and the marginalized groups, especially the Roma community and the persons with disabilities, in order to improve their access to information and promote the open advertisements for candidates for judges and public prosecutors among the members of these communities who fulfil the legal requirements for applying for the vacancies.

6. The AJPP should consider organising joint events with the civil society organizations that represent the disadvantaged and the marginalized groups, but also with the law schools (faculties). These events should include workshops and information sessions for explaining the open advertisements and the criteria for the selection of judges and prosecutors. At the same time, they should develop easily accessible materials for the persons with disabilities and promote an enabling environment for the future candidates.
7. The AJPP should appoint a coordinator and a deputy coordinator for equal opportunities, in line with the Law on Equal Opportunities for Women and Men. The persons elected to these positions should be appointed in accordance with their interests and previous knowledge, and to be gender sensitized through appropriate trainings.
8. Awareness raising trainings on equality and gender issues are also necessary for all employees, and for the members of the Management Board, the Programme Council, the candidates and the trainers. Building of the capacities for including the diversity aspect and gender issues will contribute, on both levels, for both the internal issues related to the positions and placement of candidates, as well as for the external aspects of the operation of the AJPP. In-person training is recommended, but if that is not possible, the already existing online training on gender equality, available on the AJPP platform, should be used. In line with this, it is recommended to conceive a new module for online training that will address the principles of equality, non-discrimination, and the wider aspect of diversity, including intersectionality.
9. Staff members and trainers should be nominated and trained to become trainers on equality and gender equality, including on reasonable accommodation and inclusive equality in the access to justice, who would then train other employees, trainers, and candidates. It is recommended that the coordinator and the deputy coordinator for equal opportunities be included in this process of strengthening the internal capacities of the AJPP.
10. The AJPP should improve the use of gender-sensitive language in its internal and external communication and to use the nouns both in the masculine and in the feminine gender, especially for the words: candidate, director, trainer, member, president.
11. The internal documents of the AJPP should enable representation of all groups of society and guarantee a gender balance that does not refer only to the ethnic communities, but also to the other groups of society, including persons with disabilities.

12. The AJPP should continue its transparent and open work directed both to its employees, candidates, judges, and public prosecutors who have attended the continuous training with the AJPP trainers, as well as to the interested parties outside the institution, to enhance the understanding of its work, principles and policies.
13. A guidebook should be drafted, as an integral part of the training delivered at the AJPP, that will analyse Article 13 of the AJPP to enable a more efficient application of the inclusive equality throughout the court proceedings.
14. Considering the importance of the AJPP in the building of the professional capacities of the future judges and public prosecutors, the AJPP needs to include educational programs for general and specialised trainings as part of its educational activities, both for the initial and for the continuous training, in order to enable consistent application of the CRPD obligations.
15. The AJPP, in cooperation with the Judicial Council and the Council of Public Prosecutors, shall draft guidelines and directions for providing reasonable accommodation to the persons with disabilities that could and should find themselves in various judiciary roles, as well as guidelines for communication and accessibility for persons with disabilities who, due to their different forms of disabilities, could appear as expert witnesses and/or jurors.
16. The Law on the Academy for Judges and Public Prosecutors should offer a better work-life balance for candidates, especially in overcoming the limitations of parental leave. The future changes of the Law on the AJPP should guarantee the right to a parental/childbirth leave for candidates in the initial training, in accordance with the rights guaranteed by the Law on Labour Relations and considering that the candidates have the status of employees of the AJPP.

### ***Recommendations for the Internal Operations of the AJPP***

1. An equal opportunities and reasonable accommodation policy and a policy against harassment in the workplace, including sexual harassment, should be adopted. Such documents would strengthen the already recognised position of the AJPP in the promotion and protection against discrimination in all spheres of operations of the AJPP, particularly in its internal operations, which include: the employees, the management, the candidates, the members of the Management Board, the members of the Programme Council, the Director and the Deputy Director and the lecturers.
2. Based on these documents, an internal mechanism for reporting of discrimination, and a second internal mechanism for reporting of harassment in the workplace, including sexual harassment, should be established. The appointment of mediators for harassment and sexual harassment should be made in accordance with the established criteria for election of such mediators, who will guarantee the confidence in the internal reporting system. On top of the basic knowledge of the subject, these persons should undergo further education with subject-specific training.

3. The existence of mechanisms for protection against discrimination and harassment, including sexual harassment, should be promoted among all persons included in the work of the AJPP, especially among the employees, the management, the candidates, the members of the Management Board, the members of the Programme Council, and the lecturers. Every person should be informed how to report a case of discrimination/harassment/sexual harassment, about the manner of proceeding in such cases, and about the appropriate sanctions if a violation is confirmed. Additionally, these mechanisms should be available in accessible formats and should provide secrecy for the victims in the proceedings following a complaint, and finally, they should guarantee efficiency, i.e., proceedings without unreasonable delay.
4. It is necessary to conduct an anonymous annual survey on the employee and candidate satisfaction, in which respondents could also report potential cases of discrimination and/or harassment/sexual harassment. This will provide an additional space and opportunity for anonymous reporting of cases of discrimination and/or harassment/sexual harassment, while the management of the AJPP will gain an insight in the state of affairs regarding the discrimination in the workplace.
5. There is a need to create a specialized work position specifically for human resources, that would be in charge, among other things, of developing procedures for employee promotion.
6. There is a need to prepare a special handbook or guidelines for induction of new employees to the organisation, that would include: gender awareness training, information related to antidiscrimination, harassment, and sexual harassment procedures.
7. The AJPP should implement a systematic internal approach for strengthening the capacities of the employees regarding equality, firstly by adjusting the systematisation of work positions, and introducing an obligation for the employees of the Training Sector or the Sector for Legal Issues and Human Resources Management to provide training of staff, because such a task is not prescribed in any of the job descriptions.
8. The AJPP should improve the capacities of employees in charge of data analysis and management, especially regarding the gender and diversities perspectives, in cooperation with the State Statistical Office or the civil society organisations. The annual reports of the AJPP should be, above all, drafted in accessible formats, and should provide data categorized separately for all grounds of discrimination as prescribed in the Law on the Prevention and Protection against Discrimination, for all data published in these reports, especially for data related to the applicants and the elected candidates for initial training, the number of lecturers, the participants in the continuous training, the number of AJPP employees, and the number of new employments made in the previous year.
9. To raise public awareness, the AJPP should introduce mechanisms for motivation, engagement, and inclusion of different profiles of persons from the marginalised



categories in the future, as practitioners or volunteers, as well as trainers and lecturers, for those who, according to the legal requirements, are eligible to be elected as trainers and lecturers.

### **Recommendations for the External Operations of the AJPP**

1. The AJPP should implement and apply an equality and a gender equality policy regarding the training of new candidates and the Programme for continuous training, because of the urgent need for the new candidates, but also the judges and public prosecutors attending the continuous training, to learn the crucial value and significance of these principles, so that they can continue to directly apply them.
2. A responsibility and an obligation for the principle of equality and gender equality to be considered in the programmes should be introduced (by adding of new provisions), and during the entire process (starting from the admittance criteria for new candidates, in the training delivery, for the lectures and all trainees, as well as in all other stages of training of different categories of trainees/participants).
3. Introducing a mandatory obligation for the lecturers to promote the principles of equality and gender equality in the theoretical education.
4. Introducing a mandatory training for the court officers and the employees of the Ministry of Justice and drafting of a Training Catalogue, which would also include a gender equality training, trainings on diversity, on the principle of non-discrimination, and trainings for the application of the Law on the Prevention and Protection against Discrimination.
5. The AJPP should draft procedures for applying the reasonable accommodation instrument for candidates/employees/management staff with some form of disability or other needs or characteristics.
6. The AJPP should provide physical accessibility, as well as accessibility of the services, information, and communication for the persons with disabilities. For this purpose, appropriate financial resources should be allocated in the budget, which are indispensable for the implementation of such measures, as well as to allocate budget resources to enable reasonable accommodation.
7. Maintaining databases of gender-segregated data, as well as data separated on other grounds, which are of key importance for applying the principle of equality and gender equality and for assessing their representation and application, in accordance with Article 3 of the Law on the Prevention and Protection against Discrimination.<sup>40</sup>
8. Inclusion of the gender and diversity perspectives in the monitoring and evaluation of the work of the AJPP, both in the annual reports and in any internal evaluation of the efficiency and the effectiveness of the work of the AJPP.

<sup>40</sup> According to Article 3 of the Law on the Prevention and Protection against Discrimination, all entities that are legally obliged to collect, record and process data, shall bear the obligation to present those data in line with the discriminatory grounds prescribed in Article 5 of this Law, relevant in the area, aiming at promotion of equality and prevention of discrimination.

9. In this regard, the AJPP should draft a handbook on gender integration, which would also provide an analysis of all gender integration tools, and which can be further used as an initial guiding document for building the gender integration capacities in the internal and external operations of the AJPP.

## **GENDER AND DIVERSITY DIMENSION ASSESSMENT OF THE INTERNAL OPERATIONS OF THE AJPP**

### **1. Structure of the AJPP, cross section of the management, the employees, and the Programme Council of the AJPP from gender and ethnicity perspectives**

In accordance with the provisions of the Law on the Academy for Judges and Public Prosecutors and its Statute, the AJPP is a public institution in charge of admittance and professional development of candidates (for judges and public prosecutors), with the status of a legal entity, and its highest Act is the Statute. The leadership and management bodies of the AJPP are the Management Board and the Director. The Academy has one more important body, acting as a professional body, which is the Programme Council. According to the Law on the AJPP, which regulates the work of the Academy, all bodies of the Academy have their deputies.

The data on the number of employees, the management and the members in the Programme Council and the various commissions demonstrate a good gender balance, even though there is no evidence whether such balance has been achieved purposefully and strategically, or whether it simply derives from the general gender balance of the entire judicial system. In terms of the legal framework for respecting the gender balance and the representation of different groups of society, the Law on the Academy for Judges and Public Prosecutors, the Statute or the AJPP and the internal rulebooks indicate the need to respect the principle of fair and equitable representation of all communities. This, however, is interpreted as the representation of all ethnic groups, and not different groups of society on other grounds, or from the perspective of respecting the gender balance.

Regarding the AJPP management, the Director is a woman who is an ethnic Macedonian, while the Deputy Director is a man who is an ethnic Albanian.

The gender balance needs to be improved in the Management Board, where from a total of 9 (nine) members, 55% are men, and 45% are women. The situation is the same among the deputy members, where out of 9 (nine) deputy members, 55% are men, and 45% are women. The reason why gender balance needs improvement is because most judges and public prosecutors in the country are women<sup>41</sup>, therefore the management and leadership bodies in the judiciary, including the AJPP, should follow this gender balance. If we look at the total number of members of the Management Board, including both the members and their deputies, which is a total of 18 members, we will see that 55% are men, while, 45% are women. Regarding the ethnic representation, 64% of the members are ethnic Macedonians, while 36% are ethnic Albanians. Regarding ethnicity and gender, 50% of the male members are ethnic Macedonians and 50% are ethnic Albanians, while among the women, 86% are ethnic Macedonian women, while only 1 (one) woman, or 14% is an ethnic Albanian. This once again leads to the conclusion that women from the ethnic minorities are the least represented in the management bodies of the various institutions of the judicial system.<sup>42</sup>

Unlike the Management Boards, the Programme Council has a total of 8 (eight) members, out of whom 37% are men, and 63% are women. Gender balance is not achieved among the deputy members, where from a total of 8 (eight) members 87% are men, and only 13% or 1 (one) is a woman. Considering the total number of members of the Programme Council is the total of both members and deputy members, namely 16 members, it appears that 62% are men, while 38% are women. Regarding the ethnic representation, 68% of the members are ethnic Macedonians, while 32% are ethnic Albanians. Regarding the ethnicity and gender, 50% of the male members are ethnic Macedonians and 50% are ethnic Albanians, while 100% of the women are ethnic Macedonians, meaning that women from the ethnic minorities are not represented at all.

In the Entrance Exam Commission, gender balance is established, where from a total of 10 (ten) members, 40% are men, and 60% are women. Of the 10 (ten) deputy members of the Committee, 30% are men and 70% are women. Considering the total number of members of the Committee is the total of both members and their deputies, namely a total of 20 members, 35% of those members are men, while 65% are women. Regarding the ethnic representation, 70% of the members are ethnic Macedonians, while 30% are ethnic Albanians. Regarding both gender and ethnicity, 43% of the male members are ethnic Macedonians, and 57% are ethnic Albanians, while among the women, 85% are ethnic Macedonian women, and 15% are ethnic Albanian women.

41 The representation of women judges is 60.2% compared to male judges, represented by 39.8%. The situation with the Public Prosecution is slightly different, where women are represented by 55% and men by 4%. The data derives from the Gender and Diversity Research in the Judiciary in North Macedonia – by the authors Kosana Beker and Neda Chalovska Dimovska, 2021.

42 The conclusion is taken from the Gender and Diversity Research in the Judiciary in North Macedonia – by the authors Kosana Beker and Neda Chalovska Dimovska, 2021

The Review Commission which is composed of 5 (five) members, has only 20% or only 1 (one) woman member, and 80% are men. Regarding the ethnic representation, 60% of the members are ethnic Macedonians, while 40% are ethnic Albanians. Regarding ethnicity and gender, 50% of the male members are ethnic Macedonians, and another 50% are ethnic Albanians, while when it comes to the women, 100% of them are ethnic Macedonians, which is not surprising, considering that this Commission has only one female member. Therefore, the number of female members in the Review Commission should be increased in the future, and women from the ethnic minorities should also be included.

The AJPP has a total of 20 employees, of whom 25% are men, and the remaining 75% are women.



The chart shows that the majority, or 75% employees are Macedonians, while 10%, are Albanians, and there is 1 (one) employee who is a Bosniac, 1 (one) Serb, and 1 (one) is a Vlach, or 5% each. There is no data on ethnic Roma, or employees with disabilities.

Currently the Academy has 2 (two) female employees in management positions, of whom one is a State Adviser, and the other is the Manager of the Finance and Strategic Planning Department. One is an ethnic Macedonian, and the other is an ethnic Vlach.

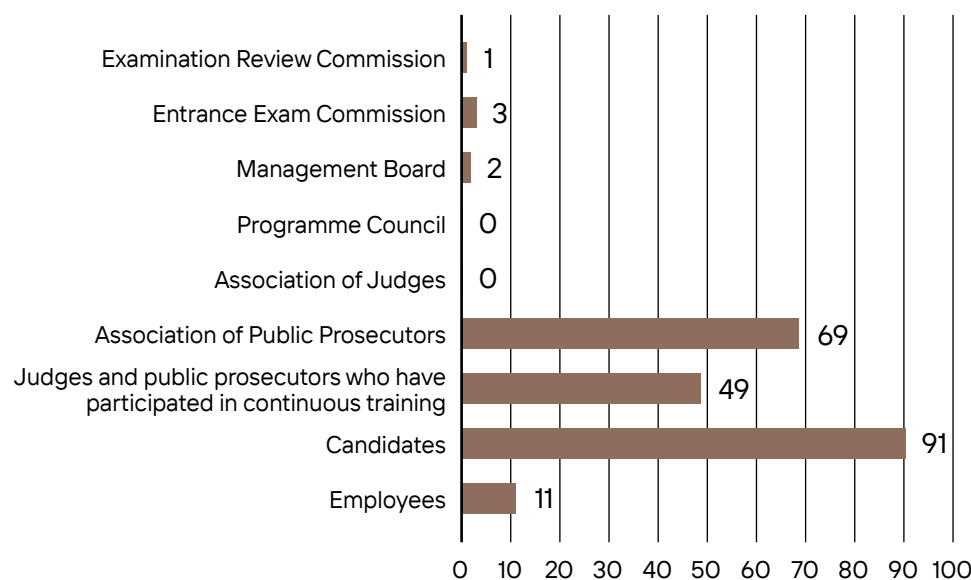
However, the number of employees compared to the number of systematized work positions has been only 42.5% completed, meaning that 57.5% of the work positions are still vacant.<sup>43</sup>

Therefore, the AJPP should strive to respect the gender balance, but also to enable representation of non-majority ethnic groups which are currently not represented, as well as to enable representation of persons with disabilities and the other marginalized groups, both in the management and the employee structure.

43 The data on the number of systematised positions in the AJPP derive from the Functional Analysis of the Academy for Judges and Public Prosecutors, prepared by the Centre for Legal Research and Analyses in 2019.



Numeric presentation of the answers obtained from different groups of respondents to the Questionnaire for Assessment of the Work of the Academy for Judges and Public Prosecutors from gender and diversity perspectives



The final section of the Questionnaire consisted of six questions referring to the gender and age structure of the respondents, their ethnicity, and there was also a question about an existing disability and the type of disability. Data on the respondents' profiles is provided here below.

### Respondent group of employees

A total of 11 employees responded to the questionnaire, or 55% of the total number of employees. 82% of the total number of respondents were female, while 18% were male. In the age category, 9% were in the 18 to 29 years age group, 27% were members of the 30 to 39 years age group, 36% were members of the 40 to 49 years age group, while 27% were members of the 50 to 59 years age group. Most respondents (55%) were ethnic Macedonians, 18% were ethnic Vlachs, while 27% did not specify to which ethnic group they belonged. A person with disabilities was not registered among the respondents.

### Respondent group of candidates

A total of 92 members of the group of candidates in the AJPP from the generations 2018/2019 and 2020/2021 responded to the questionnaire, representing 96% of the total number of candidates.

Most respondents (60%) were female, 37% were male, while 3% of the respondents did not specify to which gender they belonged. A total of 60% of the respondents were ethnic Macedonians, 22% were ethnic Albanians, and there was one respondent (1%) who was an ethnic Vlach, one respondent (1%) was an ethnic Serb, and one respondent (1%) was an ethnic Turk. A total of 15% of the respondents did not specify to which ethnic group they belonged. Most respondents were from the 30 to 39 years age group (74%), then those from the 40 to 49 years age group (20%), 2% of the respondents were from the 18 to 29 years age group, while 4% of the respondents did not specify to which age group they belonged. One person with a physical disability was among the respondents.

### Respondent group of lecturers and mentors

A total of 68 respondents from the group of lecturers and mentors in the AJPP responded to the questionnaire, which is 64.7% of the total number of lecturers and mentors that were given the questionnaire. Most respondents (71%) were female, 25% were male, while 4% of the respondents did not answer to which gender they belonged. A total of 81% of the respondents were ethnic Macedonians, 9% were ethnic Albanians, one respondent (1%) was an ethnic Turk, and one respondent (1%) was Spanish. A total of 7% of the respondents did not specify to which ethnic group they belonged. Most respondents were from the 40 to 49 years age group (37%), then from the 50 to 59 years age group (35%), 12% of the respondents belonged were from the 60 to 64 years age group, 7% of the respondents were above 65 years of age and 6% of them were from the 30 to 39 years age group. A total of 3% of the respondents did not specify to which age group they belonged. Regarding the question of disability, 93% responded that they did not have any disability, 4% refused to answer the question, while 3% did not give any answer.

### Respondent group of judges and public prosecutors who completed continuous training

A total of 49 participants from the group of judges and public prosecutors who attended continuous training in the period of 2020 and 2021 responded to the questionnaire, which is 44% of the total number of judges and public prosecutors who attended continuous training in the period of 2020 and 2021 (a total of 112 persons).

Most respondents (74%) were female, and 22% were male, while 4% of the respondents did not answer whether they were male or female. A total of 65% of the respondents were ethnic Macedonians, 15% were ethnic Albanians, one person (making up 2%) was a Vlach, and another person (2%) was a Serb. A total of 16% of the respondents did not specify to which ethnic group they belonged. Most respondents were from the 40 to 49- years age group (41%), then from the 50 – 59 years age group (27%), 20% of the respondents belonged to the 30 to 39 years age group, 10% were from the 60 to 64

years age group, and 2% were between the ages of 18 to 29 years. From the replies, we recorded one person with physical disability (2%), negative answers were given by 47 (96%) respondents, while one person (2%) refused to answer the question.

### **Respondent group of the members of the Management Board**

A total of 2 (two) members of the Management Board responded to the questionnaire, making up 25% of the total number of members, of which 1 (one) was a man, and 1 (one) was a woman. Regarding ethnicity, 1 (one) respondent was an ethnic Macedonian, and 1 (one) was an ethnic Albanian. Both respondents were from the 40 to 49 years age group, and they reported that they did not have any disabilities.

### **Respondent group of the members of the Entrance Exam Committee**

A total of 3 (three) members of the Entrance Exam Committee responded to the questionnaire, making up 30% of the total number of members, of whom all 3 (three) were women. Regarding ethnicity, all the respondents were ethnic Macedonians. Regarding the age group, one respondent was from the 40 to 49 years age group, one was from the 40 to 49 years age group, and one was older than 65.

### **Respondent group of the members of the Exam Review Commission**

Only one male member of the Exam Review Board responded to the questionnaire, making up 25% of the total number of members. The respondent is from the 40 to 49 years age group, and he is an ethnic Albanian.

## **2. AJPP's Awareness of Gender and Diversity Related Issues**

The analysis of the data obtained from the answers to the questionnaire show awareness about gender equality and diversity within the AJPP, but the capacities for gender and diversity mainstreaming in the internal documents and in the overall work of the AJPP are limited, especially due to a lack of appropriate training.

The findings and conclusions about the gender and diversity awareness related issues of the AJPP are provided here below.

### **Question: What does the principle of equality mean for you?**

#### **Findings**

**According to the respondents from the group of employees**, the principle of equality is about:

- equitable treatment of all people, regardless of their sex, race, religion and age; equal basic working conditions for all;
- equal rules for all;
- equality in fulfilling their rights and responsibilities at work;
- equal treatment of women and men in all social spheres;
- rule of law without its selective application;
- equal treatment in society regardless of the gender equality;
- utopia.

**According to the respondents from the group of candidates**, the principle of equality is about:

- all persons to be equal in all spheres of life;
- everyone to enjoy their rights equally;
- equal access for all persons to the proceedings for fulfilment of their rights and/or obligations regardless of their differences or different approach towards persons with certain differences (diversity), in order for them to be able to fulfil their rights and/or obligations the same as the persons without those differences; equality in the formal (procedural) and equality in the material (fundamental) sense;
- equal application of the laws in the fulfilment of rights and obligations, regardless of the differences on any grounds of the subjects themselves;
- a ban on discrimination on any grounds: sex, race, colour of the skin, language, religion, political or other convictions, national or social background, birth origin or any other status;
- all people are born equal and should be treated equally;
- everyone is equal before the law and the courts in the Republic of North Macedonia, and they enjoy equal rights and obligations;
- equal dignity and worth of each person; equality of all people regarding the enjoyment of the fundamental rights and freedoms without limitations based on certain personal characteristics.

**According to the respondents from the group of lecturers**, the principle of equality is about:

- all persons being equal in the eyes of the law;
- access to rights and obligations under equal conditions;
- equality of all people regarding the enjoyment of the fundamental rights and freedoms without limitations based on certain personal characteristics; equality of the genders and sexes;
- inclusive equality that entails protection against discrimination, promotion of diversity, providing equal opportunities for persons with protected characteristics and intersectionality, by also including the dimensions of acceptance, accessibility, participation and redistribution;
- equality as a formal (legal) equality and factual (material) equality regarding the results of the proceedings involving individuals;

- equal opportunities for all; equitable treatment of each human being regardless of the economic, racial, religious, sexual or any other type of differences (in the physical appearance, etc.);
- equality of the tools used in the proceedings; equal access to all spheres of the political and social life; equality of the opportunities and the treatment and ban on any type of discrimination, abuse, harassment and exploitation.

**According to the respondents from the group of judges and prosecutors** who completed continuous training, the principle of equality is about:

- all persons being equal in the eyes of the law, regardless their sex, race, ethnicity etc., when everyone enjoys equal rights and has the same obligations as everyone else without discrimination;
- equal chances for access to services, opportunities, rights and interests; providing conditions for equality in the proceedings for all participants, regardless of their ethnicity, religion, beliefs, sex, marital status or sexual orientation, special needs, material or social status, or other irrelevant grounds;
- everyone is equal, and persons shall not be categorised as poor or rich, men or women, educated or uneducated, it means that we are all equal;
- non-discrimination in all areas of social life;
- equal representation of women and men in the institutions;
- equal access for everyone from a specific work position in the fulfilment of the rights and responsibilities of that position, for example, work assignments, trainings, career development, right to annual leave, sick leave etc.;
- equal, unbiased treatment of all participants in the court proceedings; equal representation of women and men in the institutions.

**According to the respondents from the Entrance Exam Committee**, the principle of equality means to have equal access, under equal conditions; equal attitude towards all persons regardless of their sex, ethnicity, political interests (party membership); equality of all types.

**According to the respondents from the Management Board**, the principle of equality means every person to have equal rights and opportunities.

**According to the answers of the respondents from the focus group of Civil Society Associations**, the AJPP is not at all sensitive to diversity and gender equality principles. They state the following reasons for their opinion: the unsafe access to the AJPP; the non-accessible information and the low representation of the Roma and persons with disabilities in the administrative bodies of the AJPP.

### Question: What does the term gender equality mean to you?

#### Findings

**According to the answers of the respondents from the group of employees**, the principle of gender equality is about:

- equal chances and treatment regardless of the person's gender;
- equality between the sexes and genders;
- equal rights and opportunities of men and women;
- equality between the employees regardless of their sex, regardless of their nationality or faith;
- when both sexes have equal rights;
- equal chances and treatment in all spheres of life;
- equal rights and obligations for men and women in the eyes of the law;
- no gender discrimination.

**According to the answers obtained from the respondents from the group of candidates**, the principle of gender equality is about all persons being equal regardless of their gender;

- equal treatment of women and men;
- equal access/ treatment/ position of men and women in the proceedings for the fulfilment of their rights and/or obligations, regardless of their differences;
- equal application of the laws in the fulfilment of the rights and obligations regardless of the subject's gender;
- ability to use all recognised rights regardless of the gender;
- providing equal conditions for fulfilment of rights and ban on gender discrimination;
- gender equality, also known as sexual equality or equality of the sexes – the state of equal access to resources and opportunities regardless of the sex of the person, which includes the economic participation and participation in the decision-making, and the appreciation of different behaviours, ambitions and needs equally, regardless of the sex;
- an environment where women and men enjoy the same rights and opportunities in all sectors of society, including economic participation and decision-making, and where the different behaviours, aspirations and needs of the women and men are equally taken in consideration in the development and implementation of policies;
- equally guaranteed rights (freedoms) and obligations between the representatives of the different sexes, in the highest acts and all other acts of a society; equal accessibility of those rights and obligations and their equal application.

**According to the respondents from the group of female lecturers**, the principle of gender equality is about:

- all persons being able to enjoy equal rights regardless of the sex;
- equality between the sexes/genders, equality between men and women;

- equal and easy access to resources and opportunities regardless of the sex, including economic participation, participation in the decision-making and the appreciation of different behaviours, aspirations and needs equally;
- fully equal treatment, conditions and equal chances regardless of gender;
- providing inclusive equality based on sex, gender and gender identity, regardless of or in an interaction with the other personal characteristics (cumulatively and in intersection);
- a sum of gender-transformative policies, programmes, strategies, budgets, activities and services available to the public;
- equal opportunities for employment, economic status, access to the institutions and authorities and enjoyment of rights regardless of the subject;
- equal opportunities and an equal treatment of women and men; equal opportunities for women and men in the political, economic, social, educational, cultural, health, civil and any other area of social life.

**According to the respondents from the group of judges and public prosecutors,** gender equality is about:

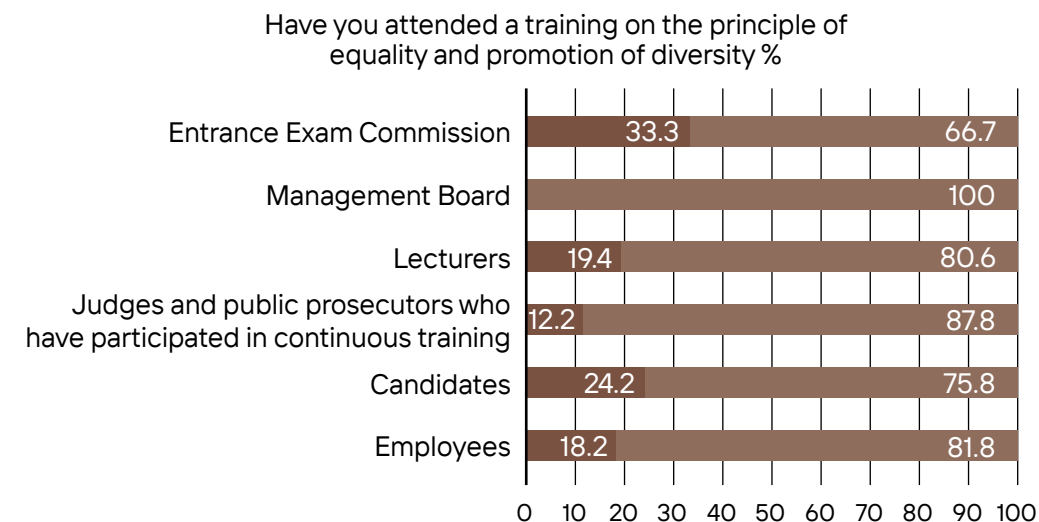
- equal rights and obligations of the genders (non-discrimination based on gender);
- sexual equality or equality of the sexes; equal treatment of the parties, regardless of their sex, marital status and sexual orientation;
- equal access of women and men to work positions and other rights;
- equal access of women and men to resources and equal participation in the social and political life;
- division of the responsibilities in the reproductive life; right to choose and freedom of decision-making for women;
- the principle of equal opportunities for women and men;
- equal position in society for women and men;
- equal opportunities regardless of the gender;
- non-discrimination regarding sex and gender; equal rights, responsibilities and opportunities for women and men, as well as for girls and boys.

**According to the respondents from the Entrance Exam Committee,** gender equality is about equality regardless of the sex, equality of the roles regardless of the biological differences, and equality between the sexes and genders.

**According to the respondents from the Management Board,** gender equality means to make no difference in the fulfilment of rights, based on gender.

**Question: Have you been provided with a training on the principle of equality and promotion of diversity? If your answer is YES, please explain the type of training you have been provided with.**

### Findings:



**According to the respondents from the group of employees,** the majority of respondents – (82%), have not attended any training so far on the principle of equality and promotion of diversity, while only two respondents (18%) had such training, out of whom one person stated that the training was on equality and equal rights in accordance with the ECHR.

**According to the respondents from the group of candidates:** 76% have not attended any training so far on the principle of equality and promotion of diversity, while only 24% have attended such type of training. The trainings included workshops, lectures, round tables, and seminars on the topic, as well as a training on non-discrimination delivered at the AJPP.

**According to the respondents from the group of lecturers,** most lecturers (82%) have not had any training so far about the principle of equality and promotion of diversity, while a few (18%) did receive such training. For those who received training, it was provided by the AJPP, and the training sessions included topics on equal access to justice, human rights, antidiscrimination, and gender directives of the EU, hate crimes, gender equality and equal rights and gender equality in the defence sector.

**According to the respondents from the group of judges and public prosecutors,** regarding whether the respondents have already attended a training on the principle of equality and promotion of diversity, 88% denied having attended such training, compared to a very small percentage among them (12%) who have participated in such training which consisted of one training of trainers on gender equality

(organised by the Macedonian Centre for International Cooperation in 2002), a one-month Programme for Human Rights, with a special focus on women's rights (Lund University, Sweden, 2007), a counselling seminar delivered by the AJPP, a training session organised by the Association of Young Lawyers, theoretical lectures, trainings on non-discrimination and protection of the victims of domestic violence.

**Regarding the respondents from the Entrance Exam Committee**, only one member has attended a training on the principle of equality and promotion of diversity, while the remaining two respondents did not attend any training, whereas none of the respondents from the Management Board have attended any training on this subject.

**Question: Have you been provided with a training on the principle of equality and promotion of diversity? If your answer is YES, please explain the type of training you have been provided with.**

**Findings:**

**According to the respondents from the group of employees**, most respondents (82%), have not attended any training on gender equality so far, while one person responded that he has attended one specific training on equality and equal rights of men and women in line with the ECHR.

**According to the respondents from the group of candidates**, 76% have not attended any training on the principle of gender equality so far, while only 23% have attended such a training, which consisted of training sessions, lectures, seminars, theoretical lessons and counselling.

**According to the respondents from the group of lecturers**, 87% of the respondents have not attended any training on gender equality, and only 10% have attended a training on gender equality, which consisted of training sessions for practical application of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (the Istanbul Convention), a training on gender equality in the defence sector, and a training on gender equality in court proceedings and in the public prosecution offices.

**According to the respondents from the group of judges and public prosecutors**, regarding whether the respondents have received any training so far on gender equality, as many as 84% have responded that they have not attended any training and only 12% have received training on gender awareness, gender-sensitive budgeting (outside of the AJPP) and on gender equality (according to two respondents).

According to the respondents from the **Entrance Exam Committee and from the Management Board**, none of the members have received any training on this subject.

**The respondents from the focus group** pointed out that the trainings the AJPP is currently providing should be continuous, so that the judges and public prosecutors can be familiarised with the new practices, the new legal amendments in the country and in the court proceedings. Additionally, the training programmes should include sufficient opportunities for joint training activities between the judges and prosecutors, and other professionals. These trainings should be provided not only to judges and public prosecutors, but also to professionals from the court and the prosecutorial services. According to the representatives of the focus group, the judges do not respect and do not proceed in accordance with the obligations from the international agreements, and their decisions do not reflect the human rights approach, which is fully not in line with the principle of inclusive equality.

**Question: Are you familiar with the term "accessibility"? Are you familiar with the term "reasonable accommodation"? Are you familiar with the term "intersectionality"?<sup>44</sup>**

**Findings:**

**According to the employee responses**, as many as 91% of respondents stated they are familiar with the term "accessibility", while 73% of the respondents recognised, or understand the meaning of the term "reasonable accommodation". Unlike with these two terms, the respondents were less familiar with the term "intersectional", because 36% stated they are familiar with this term, while 64% among them did not understand the meaning of the term "intersectionality".

**According to the responses of the candidates**, most respondents (95%) are familiar with the term "accessibility", as well as with the term "reasonable accommodation" – 92%, but a much smaller number of respondents are familiar with the term "intersectionality" – only 54%.

**The obtained answers show that most respondent lecturers** are familiar with the term "accessibility" – 93%, a smaller part (79%) is familiar with the term "reasonable accommodation", while only 49% of respondents were familiar with the term "intersectionality", and half of them did not know what this last term meant.

**Among the respondents from the lines of judges and public prosecutors who have received continuous training**, the majority (90%) stated they are familiar with the term "accessibility", 84% of them are familiar with the term "reasonable accommodation", and only 33% of the total number of respondents are familiar

<sup>44</sup> The reason for including these questions is because these terms were mentioned in some of the other questions in the Questionnaire, therefore, we wanted to assess the respondents' familiarity with these terms and how it may impact the subsequent responses given. To familiarise the respondents with these terms, their definitions were provided in the end of the Questionnaire.



with the term “intersectionality”, compared to 67% who do not know what this term means.

**The respondents from the Entrance Exam Committee** are familiar with the term “accessibility” and “reasonable accommodation”, while only one woman among them is familiar with the term “intersectionality”.

**The respondents from the Management Board** are familiar with the term “accessibility” and “reasonable accommodation”, while only one woman among them is familiar with the term “intersectionality”.

**Question: Do you believe that you have the necessary skills, tools, and techniques to include the gender and diversity perspectives in your work?**

**Findings:**

**From the total number of respondents from the group of employees**, a slightly higher number (55%) believe that they do not have the necessary skills, tools, and techniques to include the gender and diversity perspectives in their work, while 45% of them believe that they do possess such skills, tools and techniques.

**According to the answers of the candidates**, 83% of the respondents believe they do possess the necessary skills, tools, and techniques, compared to 16% who believe that they have not developed the necessary skills, tools, and techniques and the 1% who did not answer the question.

**According to the answers of the lecturers**, 22% of respondents believe that they do not possess such skills, compared to 75% of respondents who have replied that they dispose of the necessary skills, tools and techniques to include the gender and diversity perspective in their work. 3% of the respondents did not answer this question.

**According to the answers of the judges and public prosecutors who have attended continuous training**, only 59% of them believe they possess the necessary skills, tools, and techniques for including the gender and diversity perspective in their work, while 41% believe that they do not possess such skills, tools, and techniques.

**Two of the respondents from the Entrance Exam Commission** believe that they have the necessary skills, tools, and techniques for including the gender and diversity perspective in their work, while one respondent believes that she does not have the necessary skills.

**According to the answers of the respondents from the Management Board**, one member believes she has the necessary skills, tools, and techniques for including

the gender and diversity perspective in her work, while another believes that she does not have those skills.

**Question: Is there any specific training or capacity building module on the principles of equality, including gender equality, that would be useful to you?**

**Findings:**

Only 18% of **respondents from the group of employees** had specific suggestions about the type of training or capacity-building on the principles of equality, including gender equality, and their mainstreaming into the main policies of the AJPP that would be useful to them, so they pointed out several trainings that should be available for all employees, which, among others, would give them an opportunity to exchange opinions and work experiences and which, through mutual cooperation among the employees, would resolve any differences or issues they have in relation to these topics. 9% believes he requires training for familiarisation with the basic concepts related to the principle of equality, including gender equality, and their mainstreaming into the main policies of the AJPP. The other respondents (73%) do not have specific proposals about the type of training or capacity-building on the principle of equality, including gender equality and their mainstreaming into the main policies of the AJPP that would be useful to them.

The specific proposals about the type of training or capacity-building on the principle of equality, including gender equality that would be useful for them, the **respondents from the group of candidates** noted the following types of training would be useful to them:

- workshops, lectures and trainings on the practical application of this principle in their work; ethics; general and legal literature;
- practical examples from the European countries; verdicts from the ECtHR, as well as an analysis of the comparative law from the subject area; trainings regarding the previous court practice in the application of these principles by the courts of the country;
- trainings by experts with many years of work experience in the field of gender equality; trainings on the differentiation of the terms sex and gender; workshops providing specific and practical examples; trainings on cases of gender discrimination with specific examples from everyday life, and especially on criminal proceedings related to Article 137 (Violation of citizens’ equality) and Article 319 (Causing national, racial and religious hate, discord and intolerance) from the Criminal Code;
- trainings aimed at finding ways to improve and foster dialogue and cooperation between the institutions and the civil society organizations in the area of promotion and protection of human rights; and trainings that would contribute in promoting and understanding how to increase citizens’ awareness about their



rights and the mechanisms at their disposal for protecting and defending their rights.

Regarding the type of training or capacity-building on the principle of equality, including gender equality that would be useful to them, **the respondents from the group of trainers** gave the following specific examples:

- trainings on equality and gender equality;
- trainings on the principle of equality and gender equality (an on-line training is also acceptable);
- analysis of the Macedonian legislation and detecting the shortcomings in the area of gender equality;
- adopting a roadmap on gender equality for improving the legislation of the Republic of North Macedonia;
- awareness raising trainings;
- trainings on the theory of change and gender-transformative approaches;
- trainings on respecting all human rights and enabling full equality, focusing on the healthy, human, and enabling environment;
- protection from noise and all types of degradation caused by pollution, meaning environmental rights and environmental equality;
- trainings providing specific examples on proceedings in specific situations;
- case analysis from the practice of the ECtHR, application of the ECHR in specific cases and situations;
- specific case studies providing comparison between the domestic and the European law practice;
- practical trainings providing examples and role plays;
- trainings on the Istanbul Convention;
- workshops;
- public campaigns that would promote equality and gender equality;
- trainings on the use of tools and techniques for acquiring new skills and the use of the principle of equality in criminal proceedings.

The specific examples on the type of training or capacity-building on the principle of equality, including gender equality that would be useful, provided by the **respondents from the group of judges and public prosecutors who have attended continuous training** included the following:

- implementation of the Law on Equal Opportunities for Women and Men in the country;
- practical examples on the correct and incorrect understanding, interpretation, application and goals of the principle of equality, especially related to gender equality;
- trainings on gender equality;
- trainings on discrimination within the institutions, prevention and combatting sexism and all forms of human and gender discrimination;

- trainings on the mechanisms for protection of the employees from discrimination on the grounds of education;
- workshops with experts in the field;
- trainings on transparency in the work of the managers and employees, which would lead to equality (due to a lack of transparency in the fulfilment of the rights and obligations of the employees, the evaluations/grading, for example, lead to inequality of the employees in the fulfilment of their rights inherent to the work position and everything work-related);
- more trainings on indirect discrimination, because this type of discrimination is still not recognised by many of the practitioners and they do not consider it to be discrimination.

The proposals indicated by the **Entrance Exam Commission** refer to trainings providing practical examples of good and bad practices, trainings that would emphasize the importance of respecting individual differences on any grounds, and thus help overcome any diversity-related stereotypes.

**Regarding the available trainings, the respondents from the focus group** noted that trainings, which are currently being delivered by the AJPP should not be of a temporary nature, but instead they should be continuous, so that judges and public prosecutors are continuously updated about the amendments of national laws and in the court practice. Additionally, the training programmes should include sufficient opportunities for joint training activities between the judges and prosecutors, and other professionals. These trainings should be available not only to judges and public prosecutors, but also to other court and prosecutorial services staff. According to the representatives of the focus group, currently the judges do not consider and do not proceed in accordance with the international agreements, and their decisions do not reflect the human rights approach, which is not in line with the principle of inclusive equality.

**Question: Are you aware of any internal documents/policies of the AJPP that promote equality, including gender equality? If your answer to this question is affirmative, please state the specific policies.**

#### Findings:

Most **respondents from the group of employees** (73%) stated they are aware that there is an internal mechanism for reporting discrimination in the workplace, including harassment and sexual harassment, while 27% stated they do not know about any internal mechanisms for reporting discrimination in the workplace.

Most **respondents from the group of candidates** (86%) were not aware about any internal documents/policies in place in the AJPP that promote equality, including gender equality in the workplace, while 13% who responded affirmatively, believe

such internal documents/mechanisms are: the Law on the Academy for Judges and Public Prosecutors and the adopted Rulebooks based on the Law; the fair and equitable representation of communities; implementation of gender equality; the internal mechanism for reporting discrimination against candidates for initial training, including harassment and sexual harassment; the Statute of the AJPP and the regular trainings in this field.

A significantly higher number of **respondents from the group of lecturers** (87%) have not been informed about any internal documents/policies of the AJPP that promote equality, including gender equality.

Almost all the respondents **from the group of judges and public prosecutors who have attended continuous training**, or 96%, replied that they are not informed if there are internal documents/policies of the AJPP that promote equality, including gender equality in the workplace. One respondent added that there is inequality in the career advancement.

Two of the **respondents from the Entrance Exam Commission** have not been informed about the existence of internal documents/policies of the AJPP that promote equality, including gender equality in the workplace. One other respondent replied that she has been informed.

**According to the answers of the respondents from the Management Board**, one respondent was informed about the existence of internal documents/policies of the AJPP that promote equality, including gender equality in the workplace, while another respondent was not.

**Question: Are you aware of any internal mechanism within the AJPP for reporting discrimination, including harassment and sexual harassment? Do you feel free to report discrimination through the internal protection mechanism of the AJPP, including protection against harassment and sexual harassment?**

#### **Findings:**

The majority of **respondents from the group of employees** (73%) stated they have been informed there is an internal mechanism for reporting discrimination in the workplace, including harassment and sexual harassment, while 27% are not aware of such internal mechanism for reporting discrimination in the workplace. Only 55% of respondents feel free to report discrimination in the workplace, including harassment and sexual harassment, through the internal protection mechanism of the AJPP; 27% feel partially free to report discrimination in the workplace, while 18% do not feel free at all to report discrimination in the workplace, including harassment and sexual harassment, through the AJPP internal protection mechanism.

More than half of the total number of **respondents from the group of candidates** (60 %) have not been informed about the existence of an internal mechanism at disposal for candidates for initial training to report discrimination, including harassment and sexual harassment, compared to 37% who believe that such an internal mechanism does exist. 3% of the respondents did not answer this question. 75% of the respondents from the group of candidates feel free to report discrimination, including harassment and sexual harassment through the internal protection mechanism of the AJPP, 13% of the respondents feel partially free to report discrimination through the internal protection mechanism of the AJPP, and 8% do not feel free to report, and they would not report discrimination, including harassment and sexual harassment, through the internal protection mechanism of the AJPP. A total of 4% of the respondents did not answer this question at all.

As many as 76% of the **respondents from the group of lecturers** have not been informed about the existence of an internal mechanism of the AJPP for reporting discrimination, including harassment and sexual discrimination, while 21% of them have been informed about the said mechanism, and 3% of the respondents did not answer this question.

More than half of the total number of respondents (63%) feel free to report discrimination, including harassment and sexual harassment, through the internal protection mechanism of the AJPP; 25% of respondents feel partially free, while 9% do not feel free to report discrimination, including harassment and sexual harassment, through the internal protection mechanism of the AJPP. As many as 3% of respondents did not answer the question whether they feel safe to report discrimination, including harassment and sexual harassment, through the internal protection mechanism of the AJPP.

**Two of the respondents from the Entrance Exam Commission** have not been informed about the existence of an internal mechanism for reporting discrimination, including harassment and sexual harassment, while one respondent replied that she was informed. Regarding the confidence in this mechanism, one of the respondents answered that she feels free to report discrimination, including harassment and sexual harassment, through the internal protection mechanism of the AJPP, while another two do not feel free to report discrimination through the AJPP internal protection mechanism.

**According to the responses of the respondents from the Management Board**, two respondents were informed about the existence of an internal mechanism for reporting discrimination, including harassment and sexual harassment, while one respondent replied that that she was not informed. Regarding the confidence in this mechanism, one respondent reported he feels free to report discrimination, including harassment and sexual harassment, through the internal protection mechanism of the AJPP, while another respondent replied that she did not feel free.

**Question: Do you estimate that the management of the AJPP is committed to protection of employees against discrimination and sexual harassment in the workplace?**

**Findings:**

Regarding whether the **respondents from the group of employees** find there is a commitment by the AJPP management to protect employees from discrimination and sexual harassment in the workplace, 73% believe that this commitment exists, compared to 18% who believe that there is no commitment by the AJPP management for such protection, and 9% believes there is only a partial commitment.

The majority of **respondents from the group of candidates** (86%) believe the AJPP is committed to protection against discrimination and sexual harassment in the workplace, including of candidates for initial training at the AJPP; 11% believe there is only a partial commitment, while only few respondents (1%) believe that there is no commitment by the AJPP management towards protection against discrimination and sexual harassment in the workplace, including for initial training candidates at the AJPP. The question was unanswered by 2% of the respondents.

Generally, **the respondents from the group of lecturers** estimate the AJPP management is committed to protection against discrimination and sexual harassment, including for the lecturers and the candidates for initial training at the AJPP (according to 78% of the respondents), while 12% of respondents believe there is only a partial commitment, and 7% believe that no commitment exists. 3% of the respondents did not answer the question.

**Respondents from the Entrance Exam Commission** believe that there is a commitment by the AJPP management towards protection against discrimination and sexual harassment. Considering the **Management Board** is the management body of the AJPP, this question for self-evaluation was answered affirmatively by both respondents, meaning that they consider themselves committed to protection against discrimination.

**Question aimed only for the employees and the members of the Management Board: Are the AJPP employees given equal opportunities for career promotion, as well as training, regardless of their sex, gender, ethnicity, religion, disability or any other characteristic? For example, how are employees nominated for promotions and/or trainings? Please elaborate.**

**Findings:**

Of the total number of **respondents from the group of employees**, 73% believe the employees of the AJPP are provided equal opportunities for career promotion and training, regardless of their sex, gender, ethnicity, religion, disability or any other characteristic, while 27% of respondents believe such opportunities are not provided equally to all employees, explaining that certain employees are privileged compared to others.

Regarding the answers of the **respondents from the Management Board**, one respondent stated the employees are given equal opportunities for career promotion and training, regardless of their sex, gender, ethnicity, religion, disability, or any other characteristic, while another respondent stated that equal opportunities are not provided.

**Question: Is there a survey on employee and candidate satisfaction in-place?**

**Findings:**

All surveyed employees (100%) stated there is no employee satisfaction survey in place.

The opinions of the **respondents from the group of candidates** were divided about whether there is a satisfaction survey in place for the initial training of candidates at the AJPP: more than half of the respondents (69%) answered that such a survey exists, from which 53% answered that the survey includes questions about cases of discrimination, harassment, sexual harassment, work-life balance and other related questions, 47% answered that such survey does not include such questions, while 31% of respondents believe there is no satisfaction survey for initial training candidates of the AJPP.

**The respondents from the Management Board** replied that there is no such survey.

**Question for the respondents of the Management Board, the employees, and the candidates: Is pregnancy/childbirth/parental leave allowed?**

**Findings:**

All **respondents from the group of employees and from the Management Board (100%)** replied that pregnancy/childbirth/parental leave is allowed.

On the other hand, 85% of **respondents from the group of candidates** believe that such leave is allowed; 9% believe that it is only partially allowed, while 3% believe it is not allowed at all. This question was unanswered by 3% of the respondents. In

the commentary related to improvement of equality, one of the respondents noted that “a measure allowing childbirth leave during the period of training shall be put in place”.

**Question: Do you think that establishing a working group for promotion of equality within the AJPP would be of use? Do you believe that such working group would be useful particularly in view of gender equality within the AJPP?**

**Findings:**

55% of the **respondents from the group of employees** believe that a working group for promotion of equality should not be established within the AJPP, while 45% estimate it would be useful to form such a working group. The replies regarding the usefulness of establishing a working group on gender equality in the workplace were identical.

Unlike the employees, many respondents **from the group of candidates** (78%) believe that a working group for promotion of equality within the AJPP would be useful, while a smaller number of respondents (16%) believe establishing a working group of this type would not be of use. A total of 5% of the respondents did not answer the question. The answers regarding the usefulness of establishing a working group on gender equality issues within the AJPP were similar (76% of respondents believe that such groups would be useful, while 21% of respondents believe they won't be any use). This question was unanswered by 3% of the respondents.

As many as 84% of **respondents from the group of lecturers** believe that a working group for promotion of equality, including gender equality within the AJPP, would be useful, compared to 13% of respondents, who believe that such working group would not be useful.

Most **respondents from the group of judges and public prosecutors** (82%) believe that it would be useful to establish a working group for promotion of equality within the AJPP, and the same number of respondents believe that it would be useful to establish a working group specifically on gender equality within the AJPP.

**The respondents from the Entrance Exam Commission** believe that it would be useful to establish a working group for promotion of equality and gender equality within the AJPP, while one member of the **Management Board** believes this would be useful, and another that establishing such groups would not be useful.

**Question: Is there something you would like to add about equality, including gender equality?**

**Findings:**

Regarding equality, including gender equality, **the respondents from the group of candidates for initial training** added that the AJPP has high standards regarding equality; the principle of equality is fully applied in the work of the AJPP; equality should be part of the AJPP programme through workshops and seminars; these topics need to receive greater attention; a measure allowing childbirth leave during the period of training shall be put in place; the majority of candidates for initial training are women, which reflects the positive changes in society.

Regarding this question, **the respondents from the group of lecturers** noted that equal treatment of all candidates is necessary, as well as employment equality; equality, including gender equality, should be founded on specifically determined criteria and high ethical values, and not just on simple principles and quotas on gender equality; there should be open discussions on subject matter and further improvements in the area, and that potential problems need to be urgently detected and resolved.

One **respondent from the Entrance Exam Commission** wrote that there is gender equality within the Commission, but that gender equality is not a criterion based on which decisions on training admittance are being made.

**General Conclusions:**

- The respondents give identical definitions for both equality and gender equality, and they generally define them as equal rights and obligations for women and men, equal treatment of the sexes, equal access of all citizens to the courts, etc. Regarding gender equality, it is obvious that a distinction is not being made between the terms sex and gender, and gender equality is fully understood as a mere division of women and men.
- This also emanates from data, which show that so far, most respondents have not received any training on the principle of equality and promotion of diversity at their workplace, nor on gender equality. The initial training programmes provide a training on discrimination in civil proceedings, while in the criminal proceedings trainings these topics are included as optional. In the continuous training, these topics are addressed via external trainings, which are usually conducted by foreign donor organisations. The work programmes of the AJPP also refer to the cooperation with the Commission for Prevention and Protection against Discrimination in relation to the principle of non-discrimination, but no other detailed information is provided about the scope and type of the cooperation. This demonstrates the need of systematisation of trainings on these topics for all categories of respondents, who contribute to the work of the AJPP and the judicial system in various forms.
- Regarding the employees, there is no specially designed training programme for the employees, therefore the conclusion that there is no systematised approach on employee training on these topics.



- Specialised trainings on gender equality are not mentioned in the initial, neither in the continuous training programmes.
- The respondents do not mention the trainings for their capacity-building in relation to access to justice and the protection against discrimination based on disability and gender equality, which also denotes the low awareness about their obligations towards the implementation of the provisions of the CRPD and their role in the promotion and interpretation of these provisions in practice.
- Most respondents are familiar with the term “accessibility”, some are familiar with the term “reasonable accommodation”, while only a few are familiar with the term “intersectionality”.
- As many as 55% of the AJPP employees, and 41% of the total number of respondents from the group of judges and public prosecutors who have attended continuous training, believe they do not possess the necessary skills, tools, and techniques to include the gender and diversity perspectives in their work. Conversely, the respondents from the group of candidates (83%), and the respondents from the group of lecturers (75%), believe they possess the necessary skills, tools, and techniques to include the gender and diversity perspectives in their work. This response contradicts the data that most respondents have not attended any training on the inclusion of the gender or diversity perspectives in their work, thus it is unlikely for the respondents to possess the necessary skills to address these topics.
- The candidates, judges and the public prosecutors, who have attended continuous training, express a great interest for further training, including on the topics of gender equality and diversity.
- The answers of the respondents, clearly demonstrate that there are no internal policies for prevention and protection against discrimination, harassment, and sexual harassment, nor an internal mechanism for reporting of discrimination, harassment/sexual harassment in the workplace, neither is reporting of such cases encouraged. On the positive side, in the absence of such a mechanism, most respondents stated they would feel confident to report discrimination, harassment and sexual harassment, if such a mechanism was established. Thus, the conclusion is that it is necessary for such a mechanism to be introduced, which would further strengthen the trust in the AJPP. There is a large percentage (45%) of employees who do not feel free to report discrimination through the internal mechanisms of the AJPP, which suggests there is lack of trust in the management and the functioning of the AJPP. Therefore, it is necessary to invest efforts to improve the interpersonal relations between the employees, and together with the management, to strengthen the trust through participation of the employees in drafting of the internal policies and programmes of the AJPP.
- The above-mentioned is also found in the analysis of the internal documents of the AJPP, where the ban on discrimination in the work of the AJPP, or the establishment of a mechanism for protection, are not explicitly mentioned in any of the documents. The same goes for the principles of security, accessibility and

the reasonable accommodation, the absence of which can be considered as grounds for discrimination.

- A serious issue of concern regarding the candidates for initial training is their inability to fully enjoy childbirth/parental leave, as prescribed by the Law on Labour Relations, i.e., the right to paid leave from work in the duration of nine consecutive months, and 15 months for multiple births (twins, triplets, and more). Namely, during the period of their training, the candidates have the status of employees in the AJPP, thus their employment rights should be equal to the ones of employees in the AJPP, who stated they can fully use their parental leave. Furthermore, the text of the Rulebook on Initial Training is clearly encouraging to use only 60 days of parental leave, which seriously limits the enjoyment of the right to a private and family life of candidates in initial training. A positive example of application of the principle of reasonable accommodation in this context is the introduction of a breastfeeding room in the premises of the AJPP for those candidates that need it.
- According to the budget for 2020 and 2021 and the internal procurement document, gender budgeting is not observed, and no financial resources are allocated for reasonable accommodation. However, during the interview with the Executive Director of the AJPP, it was clear that financial resources are indeed allocated for reasonable accommodation. On two occasions the AJPP considered the needs of candidates for reasonable accommodation, the first case being related to providing space for breastfeeding for candidates who have recently become mothers and who choose to continue their training, while the second case was about a candidate with a physical disability who required reasonable accommodation of AJPP’s premises to be able to easily access the training room.

### 3. AJPP and Accessibility

The premises and the equipment necessary for AJPP’s operations are provided by the Government, in accordance with Article 52 paragraph 1 of the Law on the Academy of Judges and Public Prosecutors.<sup>45</sup> The existing legal framework prescribes no obligation for enabling accessibility, neither it is addressed as a principle in the Law.

According to Article 52, the Government provides the premises and the equipment necessary for AJPP’s operations. The Government has supplied AJPP with three premises, accessible from three separate entrances, within one building. Even though they are located on the ground floor, they are not in line with the standards for physical accessibility. The access to the building is far from the parking spaces that are part of the parking area for the entire building. Even though there are

<sup>45</sup> Law on the Academy for Judges and Public Prosecutors [https://jpacademy.gov.mk/wp-content/uploads/2022/08/Zakon\\_za\\_Akademija\\_2015\\_12022015.pdf](https://jpacademy.gov.mk/wp-content/uploads/2022/08/Zakon_za_Akademija_2015_12022015.pdf)

dedicated parking spaces for persons with disabilities, they are a great distance from the AJPP's entrances.

Regarding the interior design of the working spaces, the premises and offices are below the accessibility standards.<sup>46</sup> The AJPP has two training rooms, of which one is accessible through entrance 3, and the other is a larger classroom accessible through entrance 1. The training rooms can accommodate maximum 20 persons (the one in entrance 3), and maximum 30 persons (the one in entrance 1). The conference rooms are also of a limited capacity. The library area is fully inaccessible for persons with disabilities.

The AJPP does not have an accessible toilet for persons with disabilities. The toilets located at the three entrances have stairs, which are narrow, and which makes them even more difficult to use, not only for persons with disabilities, but for older employees of the AJPP, and for persons with high body weight. From this perspective, the educational activity that needs to be provided by the AJPP is not accessible and available to persons with disabilities. It is completely non-compliant with the universal design standards.

In addition to their physical inaccessibility, the premises of the AJPP are also inaccessible to persons with sensory disabilities (persons with low or impaired vision). The paths leading to the entrance and through the interior areas are not marked clearly and are not recognisable. Additionally, the signs pointing to different rooms are not provided in easy formats, that further complicates the navigation through the premises.

Although at the beginning of this year the AJPP made certain updates to their website, it is still not fully aligned with the accessibility standards of internet portals. The information is not provided in an audio-format, which, of course, limits the access of persons with different types of disabilities. Additionally, there are no audio guides, and we were not informed of any cooperation with interpreters/sign language interpreters, or with the Association of interpreters.

Regarding the library and the book fund, the AJPP provides many books, textbooks, monographs, and handbooks. Most of the editions are in Macedonian language, while one small section contains books in other languages. The bibliography itself also lacks books written in Braille alphabet. Moreover, there is no digitalisation of the existing bibliographic units. Providing the bibliographic units in an electronic format would be a useful tool not only for the trainees with disabilities, but also for all other trainees, thus everyone's work would be easier.

<sup>46</sup> See: Functional Analysis of the Academy for Judges and Public Prosecutors, 2019, as well as Neufert E., Neufert, P. (2002). Architects' Data (Third Edition). Blackwell Science Ltd, Oxford, UK, p. 346.

Based on the field observations, the AJPP is not accessible to persons with disabilities. Moreover, the information (website and books) provided by the AJPP are not accessible to persons with disabilities. During the interview conducted with the director of the AJPP, it was noted that the AJPP has asked the Government to allocate new premises, which they hope will be accessible. Regarding the reasonable accommodation, the director of the AJPP informed us that there is a person with disability among the new group of candidates, for whom reasonable accommodation has been provided so that the person can participate in the training (adaptation of the toilet and of a desk).

Regardless of whether the AJPP will remain in the same premises or move next year, it is recommended that the accessibility standards be considered, as well as to provide standards for easy and legible navigation through the AJPP premises.

Without consent from the Government for the AJPP to move its premises, the AJPP will have to allocate their own resources to rehabilitate the current premises, primarily the toilets, and to allocate budget funds to enable adequate and safe navigation through the AJPP's premises.

Additionally, it is recommended the text-to-speech synthesizer "Kiko" in Macedonian language (<https://louderpages.org/kiko>), and the text-to-speech synthesizer "Hana" in Albanian language, to be incorporated in the website. (<https://louderpages.org/hana>).

### **Assessment of Gender and Diversity Dimension in the External Operations of the AJPP**

According to the Law on the Academy for Judges and Public Prosecutors<sup>47</sup>, the AJPP was established with the goal to provide professional, independent, unbiased, and efficient performance of judicial and public prosecution functions, as well as to enable professional and efficient work of the professional services in the courts and the public prosecution, and of the staff, which largely depends on the work quality of the AJPP.

The Statute<sup>48</sup>, as a primary act of the AJPP, strongly emphasizes the principle of appropriate and equitable representation of citizens from all communities in the

<sup>47</sup> Law on the Academy for Judges and Public Prosecutors ("Official Gazette of the RM" n. 20/15). Available at: [https://jpacademy.gov.mk/wp-content/uploads/2022/08/Zakon\\_za\\_Akademija\\_2015\\_12022015.pdf](https://jpacademy.gov.mk/wp-content/uploads/2022/08/Zakon_za_Akademija_2015_12022015.pdf)

<sup>48</sup> Statute of the Academy for Judges and Public Prosecutors "Pavel Shatev" ("Official Gazette of the Republic of Macedonia" n. 56/15). Available at: [https://jpacademy.gov.mk/wp-content/uploads/2022/08/Statut\\_na\\_ASJO\\_precisten\\_tekst.pdf](https://jpacademy.gov.mk/wp-content/uploads/2022/08/Statut_na_ASJO_precisten_tekst.pdf)



Republic of North Macedonia, which, according to the Statute, shall be respected when establishing the organs and bodies of the AJPP, appointing lecturers and mentors and the team in charge of preparing the exam questions, as well as during the selection of the candidates for admission in initial training of the AJPP. The principle of fair and equitable representation, however, is being interpreted only as a fair and equitable representation of ethnic communities, hence the open calls for new candidates and the ranking lists mention Macedonians, Albanians, and Turks. What is lacking is an obligation for a wider inclusion of diversity, the principles for providing accessibility and availability of information, and providing conditions for access to the AJPP by marginalized groups.

Further on, according to the Statute (Article 27), the selection of lecturers is made from among the domestic and foreign, active, and retired judges and public prosecutors, notaries, executors, mediators, and members of the state administration on leadership/management positions, who are eligible as prescribed by law.

Those who can contribute, through implementation of the training programmes, towards maintaining a high level of knowledge and skills of judges, public prosecutors, and other subjects in accordance with the domestic legislation and the European and international standards, can be hired as lecturers. Before they undertake their role of AJPP's lecturers, they shall complete the training of trainers organised by the AJPP and continue such training every year. The principles based on which the procedure for selecting and nominating the lecturers is conducted are expertise, ability, transparency, openness, and lastly, the principle of equal opportunities.

According to the law, the Programme Council is a specialised organ of the AJPP, appointed by the Management Board, and composed of seven members and their deputies - judges, public prosecutors, higher level civil servants from the Ministry of Justice, as well as other distinguished individuals dealing with legal science and research in the field of the judiciary.

Regarding the initial training, the candidates' application to the public advertisement for admittance in initial training is conducted by submitting an application from and supporting documents in person, at the premises of the AJPP, in the form drafted by the AJPP and published on their website, which is drafted in an inaccessible format. The person assigned to receive the documentation has the duty to receive all applications with the enclosed documents. The filling of the vacancies determined by a quota, during the acceptance of new candidates to the initial training, shall be guided by the principle of achieved results, reflected by the final grade of the successfully passed entrance exam, and this ranking will be done for each assigned quota separately.

The AJPP's mission, according to the 2021 Annual Report<sup>49</sup>, is to improve and provide independent, unbiased, and highly professional judiciary, that will affirm the principles of rule of law and the protection of human rights. The Report further states that within the Continuous Education Programme in 2021, 4924 participants were trained in 214 separate trainings led by 223 appointed educators, of whom 168 were national educators, and 58 were foreign educators.<sup>50</sup> From what has been reported, the data are presented as statistical information lacking gender and any other perspective.

The AJPP's Work Programme for 2022<sup>51</sup> reflected a need for improvement of training programmes on EU law, through supplementing and intervening in the selection and scope of topics, however, the principle of equality and gender equality is not addressed (the rule of law is stated as a key principle, but not the principle of equality, which is closely related to the former principle). This document, among other things, clearly indicates that the premises and technical conditions of the AJPP are unsatisfactory, however, the necessity, for example, for persons with disabilities to have access to the AJPP, is not mentioned at all. This is something that the AJPP shall consider very soon, as this is one of the preconditions for normal functioning of the institution, having in mind the need for diversity and equal access to the AJPP for all persons. The AJPP recognises the importance of developing the skills of its employees, however, obligatory training on the principles of equality and gender equality for this purpose is lacking, while the employees have a duty to promote and apply these principles.

In the Initial Training Programme, Theoretical education 2022/2023<sup>52</sup> one hour of training per week is foreseen on recent legal topics with guest-lecturers, entitled "Topic of the week", aiming to foster a professional debate or a discussion on recent topics related to the legal practice. Since this Programme does not directly provide learning about the principle of equality and gender equality, it is necessary those to be addressed it in future. This could be done in several ways, through a dedicated training that would be mandatory, or considering the current interest and its importance, it could be mandatorily introduced as a topic of the week, provided that the lecturer is a proven expert with a rich professional experience in the field, and who, through interaction and practical examples, will transfer his/her knowledge to the candidates for initial training. Besides gender equality, the programme, through its rose-coloured glasses, does not address the issue of

49 Annual Report on the Work of the AJPP for 2021. Available at: <https://jpacademy.gov.mk/reports/>

50 Ibid, p.16

51 Programme for the Work of the Academy for Judges and Public Prosecutors "Pavel Shatev" for 2022. Available at: [ПРОГРАМА ЗА РАБОТА НА ДИРЕКТОРОТ НА АКАДЕМИЈАТА ЗА ОБУКА НА СУДИИ И ЈАВНИ ОБВИНИТЕЛИ ЗА 2010 -2014 ГОДИНА \(jpacademy.gov.mk\)](https://jpacademy.gov.mk/wp-content/uploads/2022/09/Programa_obviniteli_za_2010-2014_godina.pdf)

52 Programme for initial training in the Academy for Judges and Public Prosecutors "Pavel Shatev", Theoretical education 2022/2023. Available at: [https://jpacademy.gov.mk/wp-content/uploads/2022/09/Programa\\_za\\_pocetna\\_obuka\\_teoretska\\_nastava\\_2022-2023.pdf](https://jpacademy.gov.mk/wp-content/uploads/2022/09/Programa_za_pocetna_obuka_teoretska_nastava_2022-2023.pdf)

disabilities, which is an obligation deriving from the CRPD, therefore, it is necessary to prepare separate modules/trainings for awareness raising and application of the right to access to justice for the community of persons with disabilities, enabling active participation of persons with disabilities.

During the assessment of the external aspects in the work and function of the AJPP, the AJPP's employees, candidates, lecturers, judges, and public prosecutors who have attended the continuous training were consulted, to understand their perceptions about the subject issues relevant for this section of the analysis. The findings and conclusions are presented here below

**Question: Is a policy on equality or gender equality applied during the training of new candidates and the continuous training programme?**

**Findings:**

**According to the respondents from the group of employees**, most respondents, or 45%, believe no equality or gender equality policy is applied during the selection and training of new candidates and the continuous training programme, 27% believe that such a policy is applied, 18% are not aware of such policy, while 1 (one) person or 10% has not answered the question.

**According to the respondents from the group of candidates**, 63% do not know if an equality or gender equality policy is applied during the training of new candidates and the continuous training programme, 27% believe that there is such a policy, 7% believe that it is not applied, while 3% have not answered the question.

**According to the respondents from the group of lecturers**, 57% of respondents are not aware if an equality or gender equality policy is applied during the training of new candidates and the continuous training programme, 37% believe that such policies and programme are applied, 3% believe there is no application of those policies, and another 3% did not answer the question.

**According to the respondents from the group of judges and public prosecutors**, regarding whether an equality or a gender equality policy is applied during the continuous training programme, 82% are not aware if such a programme exists, only 12% believe that there are such programmes in place, 4% believe that no programmes exist, and 2% did not answer the question.

**The Respondents from the Entrance Exam Commission** are divided in their opinion; namely, one member believes that this policy is applied, another member believes it is not, while a third member is not aware of such a policy. Regarding the answers from the **Management Board**, one respondent believes that this policy is applied, and another respondent believes it is not.

**Question: Is there at least one employee assigned to communicate with the local communities and the civil society associations representing the disadvantaged and marginalized groups, and to enable access to information and promote public advertisements for candidates for judges and public prosecutors?**

**Note: The question is intended only for the respondents from the groups of employees and members of the Management Board.**

**Findings:**

**According to the respondents from the group of employees**, most respondents (45%) are not aware if there is an AJPP employee assigned to this function, 27% believe that there is no employee is tasked to do this, 18% believe that there is at least one employee assigned to communicate with the local communities and civil society organisations who represent the disadvantaged and marginalised groups, and whose aim is to enable access to information and promote the open advertisements for candidates for judges and public prosecutors, and 10% did not answer the question.

**The members of the Management Board** are not aware if there is an employee assigned to communicate with the local communities and civil organisations who represent the disadvantaged and marginalised groups.

**Question: How aware is AJPP of equality, including gender equality in its work? For example, to what extent is the principle of equality and gender equality considered during the conception of Initial Training and Continuous Training Programmes for judges and public prosecutors?**

**Findings:**

**According to the respondents from the group of candidates**, 89% believe that the AJPP is aware of equality, including gender equality issues in its work, compared to 10% who believe that the Academy is not aware of those principles, and 1% did not answer the question.

**According to the respondents from the group of lecturers**, 84% believe that the AJPP is aware of equality, including gender equality issues in its work, for example in the conception of initial and continuous training programmes for judges and public prosecutors, 13% believe that it is not aware, and 3% did not provide any answer to the question.

**According to the respondents from the group of judges and public prosecutors**, 69% believe that the AJPP is aware of equality, including gender equality in its work, compared to 31% who believe it is not aware.

**According to the respondents from the Entrance Exam Commission**, the AJPP is aware of equality, including gender equality, in its work.

**Question: Are the principles of equality and gender equality promoted during the theoretical trainings; are they included in the training programmes, or is there a separate training session addressing these topics? If your answer is YES, please explain. Additional question: Do you have any proposals and recommendations about what the AJPP can do to increase participation of certain marginalised groups as candidates in the initial training and in the continuous training, and also to promote the principle of equality and non-discrimination?**

**Findings:**

**According to the respondents from the group of candidates**, 62% believe that the principles of equality and gender equality are promoted during the theoretical training, 36% believe that the principles of equality and gender equality are not promoted during the theoretical training, and that these principles are not included in the training programmes, neither that there are separate training sessions that address these topics, and 2% did not answer the question.

Those who answered affirmatively, add that these principles are promoted during the practical exercises included in the theoretical training (on protection and sanctioning against discrimination), that these principles are addressed in the civil and international modules of the theoretical training, that they are included in the lectures on the ECHR and the ECtHR, in the online courses organised by the Council of Europe, that the AJPP promotes and applies the principle of equality of the (ethnic) communities through the determined quotas at the entrance exam.

The other respondents' proposals and recommendations about what the AJPP could do to increase the participation of certain marginalised groups as candidates in the initial training, but also to promote the principle of equality and non-discrimination, are the following: delivery of additional sessions that would include real life case studies, closer collaboration with the NGO sector, greater focus on strengthening the confidence of the citizens in the judiciary, as well as organisation of informative sessions before every new advertisement.

**According to the respondents from the group of lecturers**, 47% believe that the principles of equality and gender equality are not promoted during the theoretical training, neither addressed in the programmes for this training, and that there is no separate training addressing these topics; 44% believe that this principle is promoted as suggested, while 9% did not answer the question. Those who answered the question affirmatively, note that the principles are promoted and applied through

indirect promotion when addressing other topics; through affirmation of gender equality as integrated topic in the newly designed materials; there are both male and female lecturers; through specialised trainings; during the trainings on the ECHR and the ECtHR; in the programme itself; the AJPP has delivered several trainings on the given topics; through learning about hate crimes, protection against discrimination, domestic violence, and the Istanbul Convention.

**According to the respondents from the group of judges and public prosecutors**, 82% believe that the principles of equality and gender equality are not promoted during the continuous training, that they are not included in these training programmes, neither in the lectures, and that there are no separate trainings addressing these topics. A much smaller percentage (only 14%) believes that these principles are being promoted through the mentioned channels, while 4% did not provide any answer. Those who answered the question affirmatively add that the principles are promoted and applied during the organised lectures and seminars on the Principle of Equality and Gender Equality; by including the target group of judges and public prosecutors, but also other institutions active in this field (national institutions, the NGO sector); a training on "Resolution 1325, Women, Peace and Security".

**According to the respondents from the Entrance Exam Commission**, one member believes that these principles are promoted as described, while two members have answered that they do not know if they are being promoted or not. The respondent who replied that the principles of equality and gender equality are promoted, believes that this is being done by the lecturers. One respondent believes that the theoretical trainings and the database of case studies that contain legal cases about discrimination on different grounds, address these principles, both from the national courts and the ECtHR, while two remaining respondents said that they do not know.

The following proposals about what the AJPP could do to increase the participation of certain marginalised groups as candidates in the initial training, but also to promote the principle of equality and non-discrimination, were provided: to incorporate these topics in the lectures organised by the AJPP; to organise more activities; to organise more informative sessions about the AJPP and to create closer bonds with the marginalised groups; the separate admittance lists for different nationalities are sufficient, but perhaps a separate list for persons with disabilities should be introduced, of course, if those persons are eligible; to deliver trainings on equality.

**Question for the respondents from the group of lecturers: Do you believe that the principle of equality and gender representation is considered during the selection of lecturers for the initial and for the continuous training?**

**Finding:**

As many of 73% of the respondents from the group of lecturers believe that the principle of equality and gender representation is adhered to in the selection of lecturers for the initial and the continuous training, 21% believe that is not being adhered to, and 6% did not answer the question.

**Question for the respondents from the group of lecturers: Do you, as a lecturer, promote the principle of equality and gender equality during the theoretical lectures?**

**Finding:**

More than half of respondents from the group of lecturers (54%) answered the question affirmatively, 34% do not promote this principle, 12% have not answered the question. Those who answered affirmatively, state they promote the principle through their practices and standards; everybody has equal access and treatment; non-selectiveness when giving the floor to candidates in discussions; use of neutral terminology; through the consistent application of the laws in their work; through presenting separate cases, especially those that address family law and working relations; through the list of participants; seating arrangements (in nearly all the answers, the equal treatment of all persons is emphasized).

The additional proposals or recommendations about what the AJPP could do to increase the participation of certain marginalised groups as candidates in the initial training, but also to promote the principle of equality and non-discrimination, include the following:

- the profile of the candidates is most important, therefore so no division by quotas on any grounds should be allowed;
- equal access for all persons, but in line with the quality criteria; inclusion of marginalised groups in all trainings;
- the AJPP to better address the issue of recognising disabilities and profiling of candidates from this group, in order to overcome biases towards this group of citizens; establishing cooperation between the AJPP, the law schools and the associations of citizens who tackle this problem, in order to create open channels of communication and motivate students with disabilities to apply for candidates;
- the establishment of working groups for drafting work materials for promoting this principle;
- through provision of continuous training and training on the new Law on Preventing and Combatting Violence against Women and Domestic Violence, aiming to prevent and stop gender based violence against women, and to effectively protect them from any form of violence, with the participation of representatives from the NGOs active in protection of the rights of certain marginalised groups;
- trainings on the new topic "sextortion";

- opportunities for students of relevant faculties and high schools, and members of associations to attend some lectures; organising workshops;
- to enable inclusion, but by equal adherence to the legal, professional and personnel standards.

One of the recommendations made by the participants in the focus group, was that the AJPP should proactively apply the commitments deriving from the international agreements and facilitate a continuous capacity-building for judges and public prosecutors, especially on the appropriate application of the ratified Conventions which call for comprehensive system reforms.

**Question: Does the AJPP provide reasonable accommodation to candidates/employees/management staff with some form of disability, or with other needs or characteristics?**

**Findings:**

**According to the respondents from the group of employees**, an equal number of respondents (27% each) answered that the AJPP provides reasonable accommodation to candidates/ employees/management staff with some form of disability, or with other needs or characteristics, or that they are not aware if the AJPP provides such conditions; 36% believe that no reasonable accommodation is provided, and 9% did not answer the question.

**According to the respondents from the group of candidates**, 65% are not aware if the AJPP provides reasonable accommodation to candidates/employees/management staff having some form of disability or other needs or characteristics, 32% believe it does, and 2% believe that AJPP does not provide reasonable accommodation to candidates/employees/management staff having some form of disability or other needs or characteristics, and 1% of the respondents did not answer the question.

**According to the respondents from the group of lecturers**, 60% of respondents do not know whether the AJPP provides reasonable accommodation to candidates/employees/management staff who have some form of disability or other needs or characteristics, 31% believe it does, 6% believe it does not, and 3% did not answer the question.

**According to the answers of the respondents from the Management Board**, one respondent believes that the AJPP provides reasonable accommodation, while another respondent does not know.

**According to the answers of the members of the Entrance Exam Commission**, two of them believe that the AJPP provides reasonable accommodation, while one respondent does not know.



**Question: Do you estimate the AJPP is accessible to persons with disabilities (persons with mobility difficulties, persons in wheelchairs, persons with vision impairments, deaf or persons with hearing impairments, or persons with intellectual and psychosocial disabilities/disorders)?**

**Findings:**

**According to the respondents from the group of employees,** 45% believe that the AJPP is accessible to persons with disabilities (persons with mobility difficulties, persons in wheelchairs, persons with vision impairments, deaf or persons with hearing impairments, persons with intellectual and psycho-social disabilities/ disorders), 27% believe it is not accessible, 18% do not know whether it is accessible or not, and 10% did not answer the question.

**According to the respondents from the group of candidates,** half of them (50%) believe that the AJPP is accessible to persons with disabilities (persons with mobility difficulties, persons in wheelchairs, persons with vision impairments, deaf or persons with hearing impairments, persons with intellectual and psycho-social disabilities/ disorders), 45% answered that they did not know whether the AJPP is accessible, according to 3% respondents it is not accessible, while 2% did not answer the question.

**According to the respondents from the group of lecturers,** one half (54%) believes that the AJPP is accessible to persons with disabilities (persons with mobility difficulties, persons in wheelchairs, persons with vision impairments, deaf or persons with hearing impairments, persons with intellectual and psycho-social disabilities/ disorders), 38% do not know whether it is accessible or not, according to 4% it is not accessible, and as many (4%) did not answer the question.

**According to the respondents from the group of judges and public prosecutors,** 25% believe that the AJPP is accessible to persons with disabilities, as many respondents (25%) believe that it is not accessible, while the majority, 50%, do not know whether the AJPP is accessible to persons with disabilities.

**According to the members of the Entrance Exam Commission,** two members believe that the AJPP is accessible to persons with disabilities, while one member does not know.

**According to the members of the Management Board,** one member believes that the AJPP is accessible to persons with disabilities, while another member does not know.

**Question: Does the AJPP provide adjustment of materials/tools/advertisements for persons with disabilities?**

**Findings:**

**According to the respondents from the group of employees,** almost half of respondents (45%) do not know whether the AJPP provides adjustment of its materials/ tools/advertisements for persons with disabilities, 36% believe they are adjusted, 9% believe they are not, and 10% did not answer the question.

**According to the respondents from the group of candidates,** 64% do not know whether the AJPP provides adjustment of its materials/tools/advertisements for persons with disabilities, 28% believe they are adjusted, 6% believe they are not, while 2% did not answer the question.

**According to the respondents from the group of lecturers,** 68% do not know whether the AJPP provides adjustment of its materials/ tools/advertisements for persons with disabilities, 22% believe they are adjusted, 7% believe they are not, and 3% did not answer the question.

**According to the respondents from the group of judges and public prosecutors,** 63% of respondents do not know whether the AJPP provides adjustment of its information/ advertisements/materials/tools for persons with disabilities, 22% believe they are not adjusted, while 15% believe that the AJPP provides adjustment of its materials/ tools/advertisements for persons with disabilities.

**From among the members of the Entrance Exam Commission and the members of the Management Board,** no respondent knows whether the AJPP provides adjustment of its information, advertisements/materials/tools for persons with disabilities.

**Question: Is accessibility of premises for persons with disabilities considered during the planning and organisation of trainings, events, and seminars? Note: The question is destined only to respondents from the groups of employees and the Management Board.**

**Finding:**

**According to the respondents from the group of employees,** 60% believe accessibility of premises for persons with disabilities is considered during the organisation of events, trainings, or seminars, 30% believe that it is not taken into consideration, while 10% do not know if accessibility of premises for persons with disabilities is considered.

One respondent from the Management Board believes that accessibility of premises for persons with disabilities is considered during the organisation of events, trainings or seminars, while another member does not know if this is taken into consideration.

**Question: Have you engaged sign language interpreters? Note: The question is destined only to respondents from the groups of employees and the Management Board.**

**Finding:**

According to the respondents from the group of employees, there were no affirmative answers, 64% answered that sign language interpreters have never been engaged, 9% answered that they did not know if sign language interpreters were ever hired and another 9% did not answer the question at all.

According to the respondents from the Management Board, a sign language interpreter has not been engaged so far.

**Question: Is gender segregated data collected and published in relation to any aspect of AJPP's work?**

**Findings:**

According to the respondents from the group of employees, almost half of respondents (46%) do not know whether gender segregated data is collected and published in relation to any aspect of AJPP's work, 27% believe that gender segregated data is not collected and published in relation to any aspect of AJPP's work, while 18% believe that such data is collected and published. Only one person, or (9%, did not answer this question).

According to the respondents from the group of candidates, 64% do not know whether gender segregated data is collected and published in relation to any aspect of AJPP's work, 19% believe that such data is collected and published, 13% believe that gender segregated data is not collected and published in relation to any aspect of AJPP's work, while 4% have not answered the question.

According to the respondents from the group of judges and public prosecutors, 82% do not know whether gender segregated data is collected and published in relation to any aspect of AJPP's work, 14% believe that gender segregated data is not collected and published in relation to any aspect of AJPP's work, while only 4% believe that this type of data is collected and published.

The respondents from the Management Board do not know whether gender segregated data is collected and published in relation to any aspects of AJPP's work.

**Question: Is segregated data based on other criteria (ethnicity, disability, age, etc.), and related to any aspect of AJPP's work, collected and published?**

**Findings:**

According to the respondents from the group of employees, A total of 36% of the respondents do not know whether data segregated based on other criteria (ethnicity, disability, age, etc.), and related to any aspect of AJPP's work, is collected and published, 27% believe that such data is collected and published and another 27% believe that such data is not collected and published. 9% did not answer the question.

According to the respondents from the group of candidates, 46% believe that data segregated based on other criteria (ethnicity, disability, age, etc.), and related to any aspect of AJPP's work, is collected and published, 45% do not know whether such segregated data is collected and published, 8% believe that data segregated based on other criteria and related to any aspect of AJPP's work is not collected and published, while 1% did not provide any answer.

According to the respondents from the group of judges and public prosecutors, 71% do not know whether data segregated based on other criteria (ethnicity, disability, age, etc.), and related to any aspect of AJPP's work, is collected and published, followed by 17% of those who believe that data segregated based on other criteria (ethnicity, disability, age, etc.), and related to any aspect of AJPP's work, is collected and published, and 12% believe that such data is not collected and published.

The respondents from the Management Board do not know whether data segregated based on other criteria (ethnicity, disability, age, etc.), and related to any aspect of AJPP's work, is collected and published.

**Question: Is the gender or diversity dimension included in the monitoring and evaluation of AJPP's work, for example, in the annual reports, or during AJPP's review and evaluation of the work efficiency and effectiveness?**

**Findings:**

According to the respondents from the group of employees, most (45%) do not know whether a gender or diversity dimension is included in the monitoring and evaluation of AJPP's work, for example, in the annual reports or during AJPP's review and evaluation of the work efficiency and effectiveness, 27% believe that no gender or minority inclusion dimension is included in the monitoring and evaluation of AJPP's work, 18% believe it is, and 10% did not answer the question.



**According to the respondents from the group of candidates**, 83% do not know whether a gender or diversity dimension is included in the monitoring and evaluation of AJPP's work, for example, in the annual reports or during AJPP's review and evaluation of the work efficiency and effectiveness, 14% believe it is, 1% believe it is not, and 2% did not answer the question.

**According to the respondents from the group of lecturers**, 75% do not know whether gender or diversity dimension is included in the monitoring and evaluation of AJPP's work, 16% believe it is, 4% believe it is not, and 5% did not provide an answer.

**The respondents from the Management Board** do not know whether a gender or diversity dimension is included in the monitoring and evaluation of AJPP's work; as for the respondents of the **Entrance Exam Commission**, one person believed that such dimension is not included, while two members do not know whether any gender or diversity inclusion dimension is included in the monitoring and evaluation of AJPP's work.

### **Question: How important equality is, including gender equality, for the work of the AJPP?**

#### **Findings:**

**Regarding the respondents from the group of employees**, only two persons answered the question, stating they believe this is important, or very important, because the AJPP as an institution in charge of providing professional training for persons from different ethnic groups, always, without exceptions, treats them equally.

**According to the respondents from the group of candidates**, the following answers were given:

- equality is an important principle that the AJPP adheres to fully;
- the principle is extremely important considering the fact that the institution is providing initial and continuous training of (candidates for) judges and public prosecutors who shall assure the public that discrimination is not tolerated;
- the AJPP should set an example of applying and promoting gender equality for all other actors in the judicial sector, and furthermore, the AJPP shall respect equal and non-discriminatory proceedings in order to provide equal and fair conditions for realisation of goals and activities, and in this sense, for evaluation of the results achieved; these principles are the basis for building a system of non-discrimination;
- the application of these principles would enable respect of the rights and freedoms of individuals;

The dominant opinion is that these principles are exceptionally important for AJPP's work because the institution trains those who shall apply this principle the most.

**The respondents from the group of lecturers**, have shared the following perceptions:

- gender equality should enable that all persons are given equal chances for employment and working conditions, regardless of their gender, taking into account the candidate's profile and experience, and not merely their gender;
- gender should not be a reason for giving an advantage to someone;
- the application of these principles by the AJPP will contribute for better equality and for the law practitioners (judges, prosecutors, lawyers) to apply equality and non-discrimination in practice;
- it is important, but not crucial, because quality should be the guiding principle, as AJPP is an important and leading institution;
- awareness raising on gender-related issues is needed to provide equal opportunities for all persons, including the vulnerable categories of persons, and to introduce gender-sensitive budgeting;
- it is one of the fundamental principles of the AJPP;
- it is exceptionally important for a wider circle of persons to be able to participate in the work, and in the training provided by the AJPP;
- the AJPP is an educational institution, therefore it should actively contribute in the judicial sector, and thus make a positive impact on society;
- equality is of utmost importance for the progress in the work of the AJPP, which is reflected in the capacity-building of the public prosecution and the courts. Gender equality is also of key importance, but it needs to be considered in correlation with the principles of expertise and professionalism;
- equality and gender equality, as pillars of the rule of law principle, greatly influence AJPP's credibility, which is a guarantee for the access and participation of those who shall safeguard the principle of the rule of law.

**According to the respondents from the group of judges and public prosecutors**, equality and gender equality are important, because every success achieved in the area of equality in the work of the AJPP, including gender equality, is important for establishing equal opportunities between men and woman, and for their equal treatment in employment, promotions, career development, working conditions, etc., according to objectively set criteria. Mainstreaming gender equality in the work of the courts, through awareness-raising trainings for the candidates, judges, jurors, and legal collaborators who work or will work in future on issues related to family disputes, domestic violence, work disputes, and discrimination, will contribute to overcoming stereotypes and generally accepted norms related to gender division. This will additionally contribute to obtaining positive opinions and evaluations by the International Human Rights and Gender Equality Committees. It is believed that this principle is just as important as other principles, no more or less, otherwise, it would harm other target groups and principles.

Regarding the AJPP's participation and awareness, the participants from the focus group note that while gender equality and ethnic participation might be considered

in AJPP's structure, the representation of non-majority communities is not, neither are the persons with disabilities. To address this issue, positive affirmative measures shall be introduced as a mechanism for improving the participation of women, non-majority ethnic communities, and the community of persons with disabilities, followed by relevant mechanisms for monitoring and evaluation. Further on, the participants of the focus group suggest that representatives of non-majority ethnic communities, as well as persons with disabilities shall be included in the structure of the AJPP, to enhance gender awareness and participation.

### **General Conclusions:**

- Causes for concern emanate from the findings that 45% of employee state that no equality or a gender equality policy is applied during the training of new candidates and in the programme for continuous training, while most other groups of respondents are not aware whether there is such a policy in the AJPP.
- Nearly half of respondents from the group of employees (45%) are not aware if there is at least one employee assigned to communicate with local communities and civil society organizations representing disadvantaged and marginalized groups, and to thus improve access to information and promote the open advertisements for candidates-judges and public prosecutors.
- According to the answers obtained, the AJPP is generally aware of equality, including gender equality in its work, for example, during the process of the initial and continuous training programmes conception for judges and public prosecutors, the principle of equality and gender equality is taken into consideration.
- Most respondents find the principles of equality and gender equality are not promoted during the theoretical training delivery, neither are included in the training and lecturing programmes, while separate trainings addressing these issues are not put in-place.
- The respondents gave the following proposals about what the AJPP could do to enable certain marginalized groups appear as candidates for the initial and continuous training, and to promote the principles of equality and non-discrimination: closer collaboration with the NGO sector; organisation of informative sessions before a new advertisement is published; addressing these principles in AJPP's lectures, etc.
- Most lecturers consider the principle of equality and gender equality is applied during the selection of lecturers for initial and the continuous training, while 21% consider it is not. On the other hand, only 54% replied they promote the principle of equality and gender equality in the theoretical lectures they provide. The other proposals, or recommendations made by the lecturers, about what the AJPP could do to enable certain marginalized groups appear as candidates for the initial and continuous training, and to promote the principles of equality and non-discrimination, are the following: the profile of candidates is most important,

therefore division by quotas on any grounds shall be allowed; all persons should be given equal access, in line with quality criteria; inclusion of marginalised groups in all trainings; the AJPP should better address the issue of recognising disabilities and profiling of candidates with disabilities; to establish cooperation between the AJPP, the law schools and the associations of citizens active in the field, by establishing working groups for drafting of work materials for promotion of this principle.

- The respondents are not aware whether the AJPP provides reasonable accommodation for candidates/employees/management staff with disabilities or with other needs or characteristics.
- Nearly half of respondents consider the AJPP is accessible to persons with disabilities (persons with mobility issues, persons in wheelchairs, persons with vision impairments and deaf or persons with hearing impairments, persons with intellectual or psychosocial disabilities or disorders), despite that the AJPP does have appropriate premises, technical and other conditions for persons with disabilities. The current state of affairs leads to a conclusion that, when organising events, trainings, or seminars, the AJPP does not adapt its materials/tools/advertisements to the needs of persons with disabilities, nor does it ensure that the area is accessible to persons with disabilities, and it has never engaged a sign language interpreter.
- The respondents (the majority) are not aware if gender segregated data related to any aspect of AJPP's work is collected and published. The process of review of the AJPP's Acts, demonstrated that such data was never collected and published by the AJPP.
- In general, the respondents are not aware whether data segregated on other grounds (ethnicity, disability, age, etc.), and related to any aspect of AJPP's work, is collected and published. The process of review of the AJPP's Acts, indicated that only data segregated on the grounds of belonging to an ethnic community is collected and published, usually during the publication of candidates' ranking lists.
- The respondents do not know whether a gender or diversity dimension is applied during the monitoring and evaluation of the AJPP's work, for example, when drafting the annual reports or during the review and evaluation of the AJPP's work effectiveness and efficiency. The analysis of the AJPP's acts and documents shows no sign that a gender or diversity inclusion perspective is applied during the process of monitoring and evaluation.
- According to the answers obtained, the principle of equality, including gender equality, is recognised as extremely important for the work of the AJPP.
- In terms of gender equality and equitable representation, only the participation of men and women, and the participation of the ethnic communities of Macedonians and Albanians are recognised, but not smaller ethnic communities. There is no intersectional approach in providing gender equality regarding to the smaller ethnic communities or to other groups of persons, for example, persons with disabilities.

- The officers of the courts and the employees of the Ministry of Justice were not included in the groups of respondents, because the continuous training for this category of persons is voluntary. However, the AJPP has submitted relevant data based on which we note that these persons receive training on the internal work of the courts, mainly on administrative and technical issues related to their work, but not much on the essential legal issues, or on material and procedural legal issues. Nevertheless, considering the role of this category of persons and their lack of motivation, which can be boosted by the continuous development and learning programmes, obligatory trainings, including gender equality and diversity trainings, should be introduced.

# ASSESSMENT

OF GENDER AND DIVERSITY DIMENSION  
IN THE WORK OF THE ACADEMY FOR  
JUDGES AND PUBLIC PROSECUTORS



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