



REPUBLIC OF MACEDONIA

Commission for Protection against Discrimination

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SHORT PRESENTATION

of the Commission for Protection against Discrimination for the purposes of Equinet

The Commission for Protection against Discrimination is established with the Law on Prevention and Protection against Discrimination (Official Gazette of the Republic of Macedonia no. 50/2010) and started functioning on the 1st of January, 2011. It is an independent entity that functions in the frame that the Law envisages.

According to Article 3 of the Law on Prevention and Protection against Discrimination, there are 19 defined basis for discrimination, as well as one that is labeled as “other”, which main purpose is to incorporate the newly adopted EU legislation (while that legislation gets transposed to the Macedonian national legislation) and the resolutions/conventions that the Republic of Macedonia has signed.

The Commission is comprised of 7 Commissioners, elected by the Assembly of the Republic of Macedonia for a 5 year term, with the option for a single reelection.

Furthermore, article 24 of the Law states the competences of the Commission. This article illustrates that the Commission performs the function of an equality body as listed in article 13 of Council Directive 2000/43/EC implementing the Principle of equal treatment between persons irrespective of racial or ethnic origin, article 12 of Council Directive 2004/113/EC implementing the principle of equal treatment between men and women in the access to and supply of goods and services, and article 20 of Directive 2006/54/EC of the European Parliament and of the Council on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation.

Finally, the Law regulates the procedure from the submission of the complaint up until its finalization, when the Commission issues an Opinion stating if discriminatory conduct exists, and if it exist, the Commission issues Recommendation/s regarding the discriminator’s future actions for repairing the damage done by his discriminatory behavior. The discriminator has a deadline of 30 days to abide by these Recommendations. Contrary, the Commission can initiate proceeding in front of the regular courts for protection against discrimination, where the findings of the Commission play a key role in establishing the existence of discrimination.