

ANALYSIS OF GENDER ASPECTS IN THE JUDICIARY



ЦЕНТАР ЗА ПРАВНИ
ИСТРАЖУВАЊА И АНАЛИЗИ
CENTER FOR LEGAL RESEARCH AND ANALYSIS



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LIST OF ACRONYMS

AJPP	Academy for Judges and Public Prosecutors
BC	Basic Court
BPPO	Basic Public Prosecutor's Office
CEDAW	Committee on the Elimination of Discrimination against Women
CLRA	Center for Legal Research and Analysis
CoE	Council of Europe
CoPPRNM	Council of Public Prosecutors of the Republic of North Macedonia
CPC	Criminal Procedure Code (CPC),
EC	European Commission
ECHR	European Convention on Human Rights
ECtHR	European Court of Human Rights
EU	European Union
HPPO	Higher Public Prosecutor's Office
LGAP	Law on General Administrative Procedure
LL	Law on Litigation
NMBA	North Macedonia Bar Association
OECD	Organization for Economic Cooperation and Development
OSCE	Organization for Security and Cooperation in Europe
ODIHR	Office for Democratic Institutions and Human Rights
RNM	Republic of North Macedonia
SC	Supreme Court
UN	United Nations

EXECUTIVE SUMMARY

The background features a complex geometric pattern of overlapping triangles. A large teal triangle occupies the top-left and bottom-right areas. An orange triangle is positioned in the top-right. A dark green triangle is in the middle-left. A pink triangle is in the middle-right. A dark blue triangle is in the bottom-left. A light blue triangle is in the bottom-middle. A grey triangle is in the center. A light beige triangle is in the bottom-right, overlapping the teal and pink triangles.

"Analysis of gender aspects in the judiciary" is an attempt to identify the state of affairs regarding gender equality and entry conditions, as well as the career progression of women in the judiciary. Ensuring gender equality in the judiciary is increasingly highlighted as a key issue closely related to fairness, transparency and effective rule of law. This study points to important achievements, but also significant challenges in terms of the practical application of these principles.

Despite the solid gender mainstreaming of the Criminal Code and the Law on Prevention of Discrimination, other key legal acts such as the Law on Courts, the Law on the Public Prosecution, the Law on Judicial Service and the Law on Public Prosecution Service **lack explicit measures to promote gender equality**. Explicit gender mainstreaming of these laws is needed, along with a review of the ethical codes of judges and public prosecutors to ensure more efficient protection against discrimination and reduce gender bias. In addition, although gender-responsive budgeting exists as a principle, its practical application remains poor.

In terms of **education and the representation of women in the judiciary**, the data show positive trends. Women are adequately represented in the educational process, i.e. 53% of law school graduates are female and 59% of them hold a master's degree. Also, the majority of participants in the Academy for Judges and Public Prosecutors are female, which shows progress in the representation of women in the judicial and prosecutorial training. However, **the declining number of female judges** is worrying, pointing to the need for proactive measures to keep women in the judiciary through the introduction of mentoring programs and other forms of support for women to advance in their careers. Special attention should also be given to the inclusion of women from ethnic minorities and persons with disabilities, who are underrepresented in the judiciary.

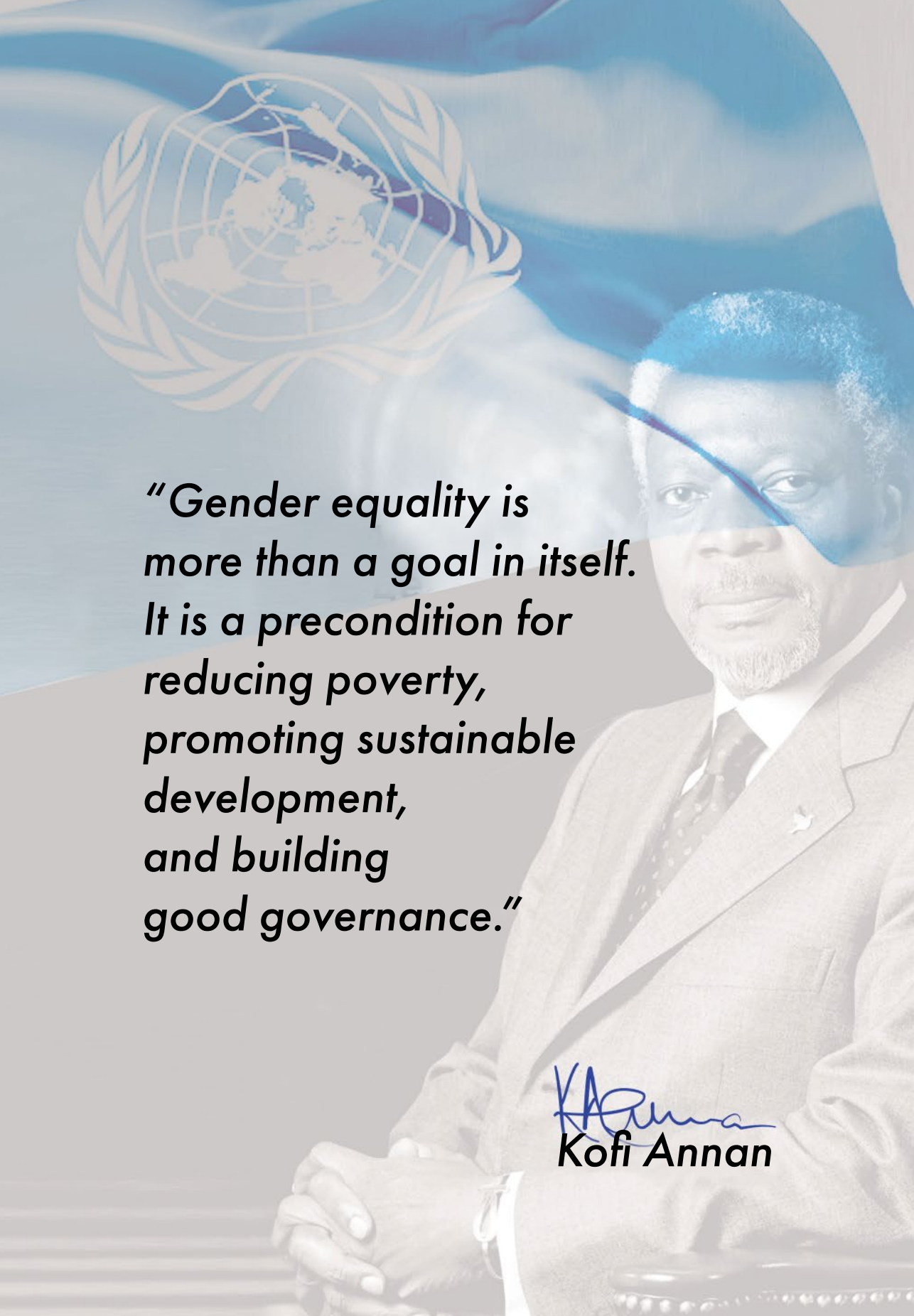
The issues of **gender-based discrimination** in the judiciary still persist. Although women are significantly represented in the system, they face challenges in the selection and promotion to leadership positions, where gender bias plays a significant role. Furthermore, another **particular concern is the fact that there are no internal mechanisms for reporting gender-based discrimination and sexual harassment**. A confidential and effective mechanism for reporting discrimination and sexual harassment in judicial institutions is also needed, with clear procedures and safeguards for victims.

Security is another significant challenge for women in the judiciary, especially those working on criminal cases, where they face gender-specific threats, such as verbal attacks and threats to life. These threats are often more intense for women than for men, which points to the need to develop a protocol for protection of female judges and public prosecutors from gender-specific threats. Lay judges, who are predominantly female, also **lack sufficient institutional protection** and are exposed to precarious working conditions, which requires urgent measures to improve their safety and security while performing this function.

The recommendations resulting from this analysis call for a **revision of the legal framework**, including explicit gender mainstreaming of the key laws that govern the functioning of the judiciary. Conducting regular trainings and refresher trainings on gender equality and prevention of discrimination is indispensable, especially through the Academy for Judges and Public Prosecutors.

The findings of the analysis also point to the necessity to take measures to increase **the representation of women from minority ethnic communities and persons with disabilities in the judiciary**, through scholarships, mentoring programs and targeted campaigns to attract and retain them. These measures should also include improving the physical accessibility and accessibility of information at judicial institutions for persons with disabilities, as well as improving the working conditions of lay judges.

The ultimate goal is to create an inclusive judiciary that would remove gender barriers and ensure equal opportunities for all citizens, regardless of their gender, ethnicity or disability, thus ensuring their active participation and advancement in the judiciary. Ensuring gender equality in the judiciary is a key issue closely related to fairness, transparency and effective rule of law. **Reducing internal barriers to entry and progress** would lead to overall improved access to justice for all citizens.



“Gender equality is more than a goal in itself. It is a precondition for reducing poverty, promoting sustainable development, and building good governance.”


Kofi Annan

1

INTRODUCTION



This analysis was conducted within the project "*Bridging Gender Bias in the Judiciary*" financially supported by the British Embassy in Skopje. The project, which is designed **to address gender bias and victimization in the judiciary** in North Macedonia, is firmly grounded in the principles of human rights, especially gender equality. Through an inclusive process involving representatives of the judiciary in **surveys, interviews and focus groups**, the project aims to identify and quantify systemic gender disparities, recognizing and emphasizing the fundamental link between gender equality and human rights.

Today, there is undeniable evidence from all over the world that shows that as more women are elected to office, more policies are designed that emphasize the quality of life and reflect the priorities of families, women and minorities. However, **the 2022 North Macedonia Gender Equality Index¹** stands at 64.5 points out of the maximum 100 and although progress of 2.5 points has been recorded compared to the last measurement in 2019, at this pace (2.5 points progress at four years), North Macedonia will need approximately 57 years to achieve gender equality in all domains. In comparison, although² the EU average was 70.2 in 2023, almost 6 points higher than the one in our country, the current pace of progress of one point per two years is considered slow and insufficient to achieve gender equality at EU level. **The active participation of women in all spheres of social life**, including the judiciary, has a profound positive and democratic impact on the lives of citizens, and helps achieve the fundamental democratic values. A diverse judicial workforce, composed of men and women from different ethnicities and different cultural, economic and social backgrounds could bring in different voices, perspectives and views. Such diversification **can also strengthen the integrity of the judiciary and increase citizens' trust in the judicial services**. Enhanced participation of women in the judicial professions, especially in senior positions, can help eliminate gender bias and increase women's **readiness to exercise their rights**.

However, despite of the progress related to the increased number of women in courts, gender representation in high-level courts remains uneven. According to the statistical indicators for OECD countries,³ although women on average make up 56% of judges in first-instance courts and 48% in second-instance courts, only 33% of the positions in the supreme courts are filled by women. This situation is also reflected in North Macedonia and indicates presence of systemic barriers and gender bias, which **particularly affect younger women who want to enter or advance in the judicial profession**. This bias is manifested as prejudice about the competence and abilities of women to perform functions in high judicial positions.

1 State Statistical Office of North Macedonia, https://www.stat.gov.mk/PrikaziPublikacija_1.aspx?rbr=886

2 Gender Equality Index | European Institute for Gender Equality (europa.eu)

3 Analysis of data from 2016

Traditional gender roles in North Macedonia continue to dominate the decision-making processes. Not only do men judges and public prosecutors sometimes fail to create room for women's participation, but they also openly undermine their performance. This dynamic creates a **culture of distrust and exclusion**, which prevents women from being elected heads of courts or public prosecution offices. Basic forms of sexual harassment and unsolicited comments about physical appearance or private life are still prevalent and create an unpleasant working atmosphere. Judges and public prosecutors are additionally exposed to sexism through the media, which in turn increases the psychological and professional tension. These challenges create not only immediate problems for individual women, but also undermine the overall integrity of the justice system.⁴ **Existing anti-gender movements** further complicate the adoption of legal solutions that promote gender equality. Anti-gender movements under pretence of maintaining the so-called "traditional roles", which are in fact misogynistic and anti-democratic by nature, strive to place women in strictly defined frameworks that do not go beyond the traditional ones. Thus, women's function and participation in society, political and public life is minimized and reversed. All this leads to greater exposure to harassment and violence. **The lack of protection and support mechanisms for victims of harassment, including sexual harassment**, further exacerbates the working atmosphere and creates a climate of fear and insecurity for women in the judiciary.

Against the backdrop of it and considering the need for further and more comprehensive research on the prevalence of gender bias and gender-based discrimination, the Center for Legal Research and Analysis (CLRA) initiated a process of designing a comprehensive in-depth analysis of gender equality in the judiciary.

The purpose of this analysis is aimed to identify existing barriers, propose concrete recommendations to promote gender equality, and contribute to creating a justice system that is fair, inclusive and transparent for all citizens of North Macedonia. The ultimate goal of this analysis is not only to shed light on the current state of affairs, but also **to offer solutions that would help build equality and fairness in the judiciary to create a society that would value and respect the rights of all citizens.**

4

See "Gender and Diversity in the Judiciary – North Macedonia". The study in Macedonian is available at the following link: [531200.PDF \(osce.org\)](#)

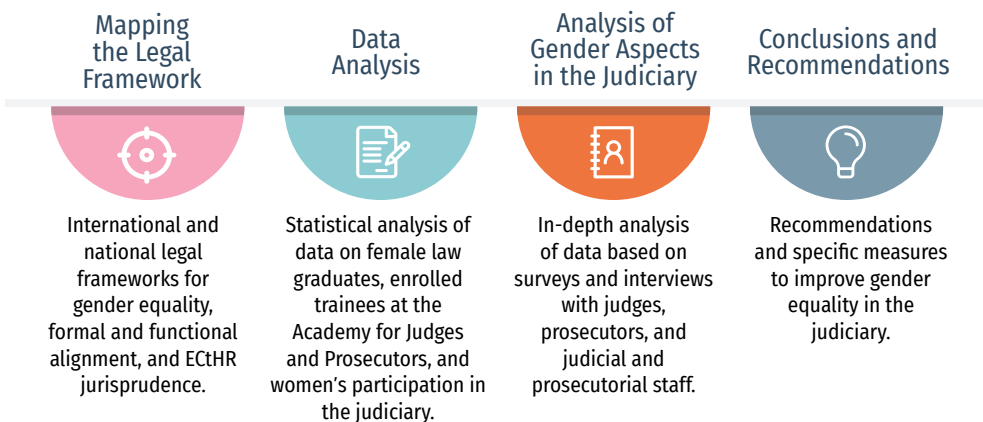
1.1. Goals of the analysis

The analysis of gender aspects in the judiciary has three integral goals:

1. **Mapping the legal framework:** The analysis will identify and assess existing international standards and instruments, laws and bylaws, gender equality strategies as well as mechanisms for protection against gender-based discrimination and gender bias. The aim is to determine the degree of compliance of national legislation with the international standards and identify gaps in the legal framework.
2. **Perceptions Assessment:** The analysis will assess perceptions of gender bias and discrimination in the judiciary. Based on the collected data, specific measures will be proposed to establish internal mechanisms for protection against gender bias and prejudice with a focus on the judiciary.
3. **Awareness raising:** The aim is to increase awareness of the importance of gender equality in the legal system of North Macedonia. The analysis will promote inclusiveness among all participants in the judiciary and bring about positive changes in the attitudes and practices so as to create a legal system that protects the rights of all individuals and encourage social reforms to eliminate gender inequalities.

1.2. Structure of the Analysis

Structure of the Analysis on Gender Aspects in the Judiciary



2.

METHODOLOGY



The methodology was developed in a consultation process in order to enable future implementation of the recommendations of the analysis. CLRA held meetings with the relevant institutions and stakeholders in the justice system to ensure their participation and consultation at all stages of the project and conducting of the analysis, primarily with the Ministry of Justice, the Judicial Council of the Republic of North Macedonia, the Council of Public Prosecutors of the Republic of North Macedonia, the Association of Judges and the Association of Public Prosecutors. The analysis was conducted by three national experts, led and supported by the CLRA team. The analysis and the process of preparation of the analysis were conducted in Macedonian.

The methodological techniques used provide both quantitative and qualitative data, which contribute to solving the issues under consideration:

A. DESK RESEARCH

The analysis in this section included:

- **Analysis of the international legal framework** (United Nations-UN, Council of Europe, the OSCE) and the EU framework. This section will particularly highlight the Convention on the Elimination of Discrimination against Women (CEDAW), CEDAW country recommendations and general recommendations on access to justice and gender-based violence, the UN Sustainable Development Agenda focusing on the Sustainable Development Goals 5 and 16, the recommendations of the Special Rapporteur on the independence of judges and lawyers, the European Convention on Human Rights, the OSCE commitments focusing on the Ljubljana Criteria and the OSCE Gender Equality Action Plan.
- **Analysis of the national legal framework** (Law on Equal Opportunities for Women and Men, Law on Prevention and Protection against Discrimination, Law on Courts, Law on the Public Prosecution, Law on the Judicial Council, Law on the Council of Public Prosecutors, Law on the Judicial Service, Law on Advocacy, Law on the Academy for Judges and Public Prosecutors).
- **Analysis of the Judicial Sector Development Strategy**, the Gender Equality Strategy, the Strategy of the Academy for Judges and Public Prosecutors, internal documents of the respective institutions
- **Data analysis** (requests for statistical data will be sent to the Judicial Council, the Council of Public Prosecutors, the Bar Association – Annex 1 to this document) and data already published in reports from relevant institutions (the Judicial Council, Council of Public Prosecutors, Bar Association, Academy for Judges and Public Prosecutors).
- **Analysis of data from the MAKSTAT database of the SSO** regarding students in the first, second and third cycle of studies at law schools in the country (by gender and ethnicity)

- **Analysis of reports** from international and national civil society organizations, including shadow reports submitted to international bodies that include findings and recommendations in the field of the judiciary, justice-related surveys, including reports on the accessibility of institutions of the judiciary, reports on the situation of certain vulnerable groups, including reports of the Commission for Prevention and Protection against Discrimination and the Office of the Ombudsman, reports on the monitoring of court proceedings
- **Functional analysis** of the judiciary and gender and diversity assessment of the Academy for Judges and Public Prosecutors
- **Training programmes and curricula** (to identify the degree of inclusion of gender and diversity in professional education and training of judges and prosecutors)

B. INTERVIEWS

Interviews were used as a methodological tool to **collect qualitative data**, i.e. information, opinions and recommendations on the state of fact with the legislative framework, the need for changes, the existing implementation gap and the need to further strengthen the system to support women and victims of gender-based discrimination in judicial institutions.

Interviews were conducted through semi-structured questions with representatives of the justice system, ensuring representation from all levels in the judicial hierarchy, from the Judicial Council and the Council of Public Prosecutors, as well as from the group of lay judges and judicial and prosecutorial staff. Furthermore, the methodology ensures representation based on gender, ethnicity, age, years of professional experience and disability.

- **B1 Ethics**

Regarding ethics, all interviews adhered to standards of anonymity and confidentiality, as well as the specific standards applicable to research addressing topics related to gender-based discrimination and violence, and these general principles stipulate that interviews should be conducted woman-to-woman and man-to-man and should be gender-sensitized.

- **B2 Anonymity**

The experts approached all individuals **confidentially**. Participants were informed about the voluntary nature of their participation, including the anonymity of their personal information. Information obtained through the interviews will be presented in a manner that does not reveal the identity of the interviewed individual.

C. SURVEY QUESTIONNAIRE

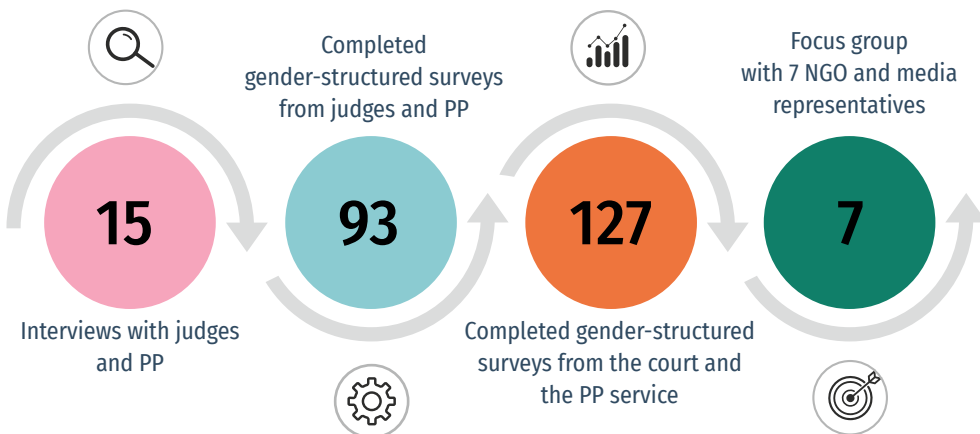
To assess the existence and extent of gender discrimination in the professional environment of judges and public prosecutors, a survey was conducted via an online questionnaire (Annex 3). The survey explored the perceptions of judges and public prosecutors regarding observed biases, stereotypes, etc., their perceptions and experiences during the recruitment and selection processes—including the legal framework, selection criteria, panel composition, and diversity within those panels (where applicable)—as well as promotion and retention within the judiciary. It also examined the presence of gender biases and sexism, examples of their manifestations, the inclusion of gender-related topics in continuous education and training and working conditions from the perspective of gender equality.

The survey was distributed to judges and public prosecutors through their respective associations.

D. FOCUS GROUP

The methodology also included conducting one focus group using a developed guide and set of questions (Annex 4) with media representatives and civil society organizations that monitor court proceedings, to gather experiences and perceptions from stakeholders not directly involved in the court proceedings and the judiciary but who observe the course of court processes, provide free legal aid, and possess information and perceptions regarding the existence of gender stereotypes and biases.

Graphical representation of the number of judges, public prosecutors, the court and the public prosecutorial service, NGOs and media included in the research for the purposes of the analysis.



3.

***LEGAL
FRAMEWORK***



The legal framework consists of three parts:

- I. **The first part** includes mapping and legal assessment of international and national legislation to provide clear systematization of the relevant regulations that promote gender equality and the fight against gender bias and prejudice.
- II. **The second part** addresses the principles underpinning the protection of gender equality, derived from the practice of the European Court of Human Rights (ECtHR). The authors selected and analysed several relevant cases on the topic being examined. The language used in this section is clear and simple, while maintaining the legalistic precision and consistency of the ECtHR's reasoning. They aim to provide insight into precedents that influence national laws and policies, strengthening the commitment to gender equality in North Macedonia.
- III. **The third part** focuses on presenting a matrix for assessing whether the planned strategies, plans, and programs have been adopted and published, and whether their implementation has adequate oversight. This matrix, or "Compliance Semaphore," is a tool that visually presents the situation regarding gender equality in three areas: formal and functional alignment of national legislation, gender-responsive budgeting, and the integration of gender aspects in the career path of women in the judiciary.

3.1 International legal framework

UNITED NATIONS

- **Charter of the United Nations**

The 1945 Charter of the United Nations affirms the equal rights of men and women in its Preamble.⁵ This was the first international document recognizing the equality of women and men and it outlined the directions for all international instruments, establishing this principle to be further developed at the regional level and within domestic legal systems.

- **Universal Declaration of Human Rights**

The principle of "gender equality" was subsequently confirmed in the Universal Declaration of Human Rights in 1948. The declaration, by affirming the "equal rights of men and women," declared and paved the way for strengthening international commitments in the area of gender equality.

⁵ Charter of the United Nations, Preamble,in the dignity and worth of the human person, in the equality between man and woman as well as of all nations, large or small...

- **Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)**

CEDAW represents an essential international legal instrument for the protection and prevention of discrimination against women. As a result of the development of the principles set forth by the UN Charter, the 1979 Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) serves as a "bill of rights" for women, defining what constitutes discrimination against women, and setting a national action agenda to end discriminatory practices against this group.

The Convention combines provisions requiring the elimination of discrimination based on gender in enjoying civil, political, economic, social, and cultural rights, with specific rights of particular importance for women and girls. With CEDAW, countries are committed to improving the status of women and empowering them in both public and private life. North Macedonia has been a member of CEDAW since 1994, as a successor to former Yugoslavia, which ratified it in 1982.

To ensure legal protection, the United Nations adopted the Optional Protocol to the Convention on December 10, 1999, which provides two mechanisms for the protection of women's and girls' rights guaranteed by the Convention. This Convention, by requiring national legislations to align their legal systems and practices with its spirit and provisions, and through the practice created by the Communication mechanism, represents one of the most important global instruments in the field of gender equality. The last report on North Macedonia was from 2018.⁶

- **Vienna Declaration and Programme of Action**

This 1993 declaration reaffirms that the human rights of women and girls are an inalienable, integral, and indivisible part of universal human rights. According to the declaration, the full and equal participation of women in political, civil, economic, social, and cultural life at national, regional, and international levels, and the eradication of all forms of discrimination based on gender should be priority goals for the international community.

- **Beijing Platform for Action**

The Beijing Platform for Action, adopted at the Fourth World Conference on Women in 1995, represents a significant step towards promoting gender equality and empowering women globally. This platform is a comprehensive document containing strategic goals and action measures in various areas, including education, health, economic development, and political participation.

A key aspect of the platform is the integration of a gender perspective in all areas of life. This means accepting the fact that gender is not just a social or cultural construct, but also an important factor that influences all aspects of society. Integrating the gender perspective means that all policies, programs, and initiatives should be designed and implemented through the lens of their impact on both women and men.

6 Committee on the Elimination of Discrimination against Women. Concluding observations on the sixth periodic report of the former Yugoslav Republic of Macedonia. Adopted by the Committee at its seventy-first session (22 October – 9 November 2018), <https://documents.un.org/doc/undoc/gen/n18/378/27/pdf/n1837827.pdf>.

- **UN 2030 Agenda for Sustainable Development**

The 2030 Agenda for Sustainable Development, adopted by the United Nations General Assembly in 2015, represents an ambitious plan to improve the lives of all people and protect the planet. This document consists of 17 Global Sustainable Development Goals, which are integrated and indivisible. Among them, Goal 5 focuses on achieving gender equality and empowering all women and girls.

Goal 5 not only emphasizes the importance of gender equality, but also calls for specific measures to eliminate violence and discrimination against women. This includes improving access to education, healthcare services, and economic opportunities. The Agenda calls for the integration of the gender perspective in all areas of development, such as economy, politics, environment, and social issues.

- **UN Security Council Resolution 1325**

UN Security Council Resolution 1325, adopted in 2000, is a significant document that lays the foundation for the global Agenda for Women, Peace, and Security. This resolution recognizes the importance of women's participation in all aspects of peacebuilding and security, emphasizing that women must be actively involved in decision-making processes during and after conflicts, in the peacebuilding processes.

The prevention of violence and ensuring the safety of women in conflict situations are also central points of the resolution as it calls for states to develop strategies and policies that will protect women and girls from violence and provide them with a safe environment.

COUNCIL OF EUROPE

- **European Convention for Human Rights**

One of the most significant documents from the Council of Europe is the European Convention on Human Rights and Freedoms. The Convention and its interpretation through the legal opinions and rulings expressed in the judgments of the European Court of Human Rights (ECtHR) serve as a direct source of law in our domestic legal system.

Protocol No. 12 to the European Convention for the Protection of Human Rights is particularly important because it prescribes a general prohibition of discrimination and strengthens and extends the existing provision on non-discrimination, contained in Article 14 of the Convention. What is particularly important and is derived from the interpretation of the Convention by the ECtHR, is that Article 14 is not an independent article per se but is often related to other articles of the Convention, which in fact arises from its content.⁷

7 ECHR-Article 14-Prohibition of discrimination

The enjoyment of the rights and freedoms recognized by this Convention shall be assured to all without discrimination, without distinction of sex, race, colour, language, religion, political or other opinion, national or social origin, membership of a national minority, property, gender or other status.

- **Istanbul Convention**

The Convention on Preventing and Combating Violence Against Women and Domestic Violence, known as the Istanbul Convention, is a significant international document adopted by the Council of Europe in 2011. North Macedonia ratified it in 2018, and following this ratification, the Government adopted an ambitious Action Plan for the implementation of the Convention for the period 2018-2023. This convention is the first international legal framework focusing on the prevention of violence against women and domestic violence, placing the victim at the centre (victim-centred approach) and introducing the due diligence principle.

- **The European Union**

The European Union actively supports the integration of the gender perspective as a central strategy for achieving gender equality in all areas of policy. This approach is based on the long-standing EU tradition of promoting women's rights and gender equality, which is enshrined in the foundational European treaties.

In 1999, the Treaty of Amsterdam strengthened this commitment by including the promotion of gender equality as a key aspect of European integration. This treaty not only confirmed EU's commitment to the elimination of discrimination but also laid the foundation for the development of various initiatives and programs that support gender equality during the integration processes.

3.2. National Legal Framework

- **Constitution of North Macedonia**

Since its adoption in 1991, this founding document has contained provisions regarding the fundamental freedoms and rights of individuals and citizens. In the section on civil and political freedoms and rights, it is stated that "the citizens of the Republic of North Macedonia are equal in freedoms and rights, regardless of gender, race, colour, national and social origin, political and religious beliefs, property and social status." These provisions establish the principle of equality and guarantee equal rights regardless of gender.

- **Law on Equal Opportunities for Women and Men**

The Law on Equal Opportunities for Women and Men regulates⁸ the basic and special measures for establishing equal opportunities between women and men. The scope of this law has been expanded in terms of listing situations where discrimination may occur, regulating the discriminatory grounds.

The Law on Equal Opportunities for Women and Men aims to establish equal opportunities for women and men in all areas of social life, including labour relations and workers' rights. Among other things, the law prohibits gender discrimination and sexual harassment in the areas of labour and employment and guarantees every citizen the right to access employment without any restrictions and without discrimination based on marital or family status.

- **Law on Prevention and Protection from Discrimination**

The Law on Prevention and Protection from Discrimination⁹ prohibits all forms of discrimination on any grounds, including gender, sex and family or marital status in all areas, including labour and labour relations. Interestingly, in addition to direct forms of discrimination, this law also addresses indirect forms, thus placing it among regulations that broadly interpret discrimination when it harms individuals and legal entities. The law also refers to the prohibition of inciting discrimination and assisting in discriminatory actions based on gender, race, skin colour, ethnicity, membership in a marginalized group, language, nationality, religion or belief, other forms of belief, education, political affiliation, personal or social status, mental and physical disabilities, age, family or marital status, property status, health status, or any other ground provided by law or by a ratified international treaty.¹⁰

- **Law on Prevention and Protection from Violence Against Women and Domestic Violence**

This law¹¹, essentially expands the system for the prevention and protection from all forms of gender-based and domestic violence, in accordance with the standards of the Istanbul Convention.

The law provides a detailed framework for what constitutes violence against women, recognizing gender-based violence and defining various types of violence, which are also defined in the Istanbul Convention.

- **Criminal Code**

The Criminal Code, as one of the fundamental legal regulations, significantly addresses issues of gender equality. This is done both in the General Part and particularly in the Special Part through the regulation of specific crimes.

Recent interventions made in the Criminal Code over the past few years entailed use of gender-sensitive language, as opposed to the gender-neutral language predominantly used before, and the gender perspective was also included, thus introducing safeguards that gender would be considered when defining crimes and procedures for the implementation of this law.

The meaning of certain terms is presented separately in this law, such as "gender-based violence", which is clarified before defining what constitutes a victim of such violence, and according to the Criminal Code, a victim of gender-based violence is considered any woman and girl under 18 years old against whom such an act is committed under the specified circumstances.

9 Law on Prevention and Protection Against Discrimination ("Official Gazette of the Republic of Macedonia" No. 50/2010)

10 Ibid.

11 Official Gazette of the Republic of North Macedonia, No. 24 of January 29, 2021

- **Gender Equality Strategy 2022 – 2027**

The North Macedonia Gender Equality Strategy for 2022–2027 is a key document aimed at advancing women’s rights and addressing gender inequality in the country. This strategy is part of the government’s efforts to create a society in which all citizens, regardless of gender, have equal access to opportunities and resources. The strategy includes several areas of action, such as women’s economic independence, participation in decision-making, protection from violence, and support for women’s health. Its primary goal is to encourage active participation of women in all spheres of life, particularly in politics and economics, through specialized programs and initiatives. A key aspect of the strategy is strengthening mechanisms for protection from violence, including improving services for victims. This involves developing educational programs for awareness and prevention, as well as enhancing the legal framework to protect women and girls from violence. With the adoption of this Strategy, North Macedonia seeks to advance the state of gender equality in line with international standards, recommendations, and obligations, recognizing that gender equality is one of the critical aspects for overall prosperity of the society.

3.3. Jurisprudence of the European Court of Human Rights (ECtHR) on Gender Equality

INTRODUCTION

Gender biases often fuel discriminatory practices by imposing rigid norms on how individuals should behave based on their gender or sex. The European Court of Human Rights (ECtHR) has consistently been the main driver of the promotion of gender equality and combating gender bias and prejudices. The ECtHR has developed significant case law addressing issues related to gender equality, particularly under Article 14 of the ECHR (prohibition of discrimination) in conjunction with other rights such as Article 8 (respect for private and family life), Article 3 (prohibition of torture or inhuman or degrading treatment), and Article 6 (right to a fair trial). The Court’s judgments in this area are critical for establishing gender equality standards and dismantling long-standing biases and prejudice that perpetuate discrimination.

Below, several key cases that address this matter are elaborated clearly and concisely. These cases reflect the Court’s ongoing commitment to ensuring individuals are not treated differently based on outdated and harmful biases against their gender.¹²

¹² There are also other interesting cases addressing this issue within the framework of the Convention on the Elimination of All Forms of Discrimination against Women. Such cases include *Napotnik v. Romania*, Application No. 33139/13, and *D.S. v. Slovakia*, Communication No. 66/2014.

1. Konstantin Markin v. Russia (2012)¹³

The case of **Konstantin Markin v. Russia** is a significant judgment regarding gender equality, particularly concerning the division of parental responsibilities. Konstantin Markin, a military officer, requested parental leave to care for his child following a divorce—a right granted exclusively to female military officers in Russia. His request was denied based on his gender.

Markin argued that the denial of parental leave violated **Article 14** (prohibition of discrimination) in conjunction with **Article 8** (respect for private and family life). The ECtHR ruled in his favour, stating that Russia violated his rights by perpetuating the stereotype that childcare is primarily the responsibility of women. The Court emphasized that gender distinctions in the law are discriminatory when they reinforce traditional gender roles without legitimate justification. This judgment was pivotal in challenging the traditional stereotype that men should not be included in the care for their children.

2. Emel Boyraz v. Turkey (2015)¹⁴

Emel Boyraz v. Turkey is a key case related to addressing gender bias in employment. Emel Boyraz, a female security officer at a state-owned electricity company, was dismissed solely due to her gender. Turkish authorities claimed her dismissal was based on safety concerns, arguing that the job involved physical demands traditionally associated with men.

The ECtHR found that Turkey violated Article 14 in conjunction with Article 8. The Court determined that Boyraz was discriminated against based on gender and sex, and that her dismissal was rooted in outdated stereotypes about women's physical capabilities. The judgment reinforced that employment decisions should be based on an individual's ability to perform the job-related tasks, and not on gender stereotypes. The court reiterated that decisions based on generalized assumptions about gender roles, rather than individual qualifications, are incompatible with the principles of the European Convention on Human Rights. This case reinforced the principle that gender equality must be upheld in the workplace, without assumptions about male and female capacities based on stereotypes.

13 Konstantin Markin v. Russia [GC] - 30078/06, <https://hudoc.echr.coe.int/eng#%7B%22itemid%22:%5B%22002-120%22%5D%7D>.

14 CASE OF EMEL BOYRAZ v. TURKEY (Application no. 61960/08). <https://hudoc.echr.coe.int/eng#%7B%22itemid%22:%5B%22001-148271%22%5D%7D>.

3. **Carvalho Pinto de Sousa Morais v. Portugal (2017)**¹⁵

The case **Carvalho Pinto de Sousa Morais v. Portugal** addresses the intersection of gender bias and health care. The applicant, a 50-year-old woman, suffered complications from surgery, resulting in the loss of sexual function. When she sought compensation, Portugal's Supreme Administrative Court reduced the amount, arguing that her age and gender diminished the importance of sexual activity in her life.

The ECtHR ruled that this reasoning was based on discriminatory stereotypes and violated **Article 14** in conjunction with **Article 8**. The Court criticized the lower court's assumption that sexual activity was less significant for older women and emphasized that decisions on compensation should not be influenced by assumptions based on gender and sex. This judgement emphasized that courts must avoid perpetuating gender stereotypes, particularly in the context of health and personal dignity, and it set a significant precedent in the area of gender bias in healthcare and the right to fair compensation.

4. **Abdulaziz, Cabales and Balkandali v. the United Kingdom (1985)**¹⁶

In the case of **Abdulaziz, Cabales and Balkandali v. the United Kingdom**, the applicants were three women who were denied the right to family reunification by preventing their husbands from joining them in the United Kingdom. The applicants argued that men in similar situations were generally granted such rights to reunify with their spouses. They claimed that this difference in treatment constituted gender-based discrimination.

The ECtHR ruled that the UK had violated **Article 14** in conjunction with **Article 8** because there was no legitimate justification for treating men and women differently in matters of family reunification. The Court condemned the double standard, rooted in outdated ideas about traditional roles of men and women within the family. This case was among the first to address gender-based discrimination in immigration law and underscored that gender equality must be the fundamental principle that guides policies affecting the right to family life.

15 CASE OF CARVALHO PINTO DE SOUSA MORAIS v. PORTUGAL (Application no. 17484/15). [https://hudoc.echr.coe.int/fre#{%22itemid%22:\[%22001-175659%22\]}](https://hudoc.echr.coe.int/fre#{%22itemid%22:[%22001-175659%22]}).

16 CASE OF ABDULAZIZ, CABALES AND BALKANDALI v. THE UNITED KINGDOM (Application no. 9214/80; 9473/81; 9474/81), [https://hudoc.echr.coe.int/eng#{%22itemid%22:\[%22001-57416%22\]}](https://hudoc.echr.coe.int/eng#{%22itemid%22:[%22001-57416%22]}).

5. *Ēcis v. Latvia* (2019)¹⁷

In the case of *Ēcis v. Latvia*, a male prisoner claimed he was unfairly denied the opportunity to attend his father's funeral. The situation arose due to the Latvian law regulating prison regimes, which he argued discriminated against male prisoners.

The prisoner argued that the legislation favours female inmates by granting them greater rights to attend significant family events, including funerals. He claimed that this differential treatment violates his rights, particularly under the European Convention on Human Rights, which protects the right to family life. The ECtHR found a violation of **Article 14 (prohibition of discrimination)** in conjunction with **Article 8 (respect for private and family life)**. It ruled that male and female prisoners serving similar sentences for comparable crimes were treated differently. Men were by default placed in high-security facilities, while women were held in less restrictive conditions. The lack of an individualized assessment of the proportionality of such prohibition in this case resulted in discrimination against the applicant in violation of the Convention.

6. *Rantsev v. Cyprus and Russia* (2010)¹⁸

The case of *Rantsev v. Cyprus and Russia* is a landmark case of gender bias and discrimination, especially with regards to human trafficking and the treatment of women in the sex industry. The case concerned Oksana Rantseva, a young Russian woman who fell victim to human trafficking and was found dead under suspicious circumstances in Cyprus. Her father alleged that both Cyprus and Russia failed to protect his daughter and properly investigate her death.

The ECtHR judgement highlighted the gender dimensions of human trafficking and exploitation. Women, particularly from vulnerable backgrounds, are disproportionately affected by trafficking due to societal and economic factors. The case shed light on how entrenched gender stereotypes can lead to women's objectification and marginalization in society. Oksana's tragic story highlighted the idea that women in the sex industry are often viewed through the lens of stigma, making them targets of exploitation and violence.

The Court found that both countries violated **Article 2 (right to life)** and **Article 4 (prohibition of slavery and forced labour)**. It stressed the states' obligations to prevent human trafficking and protect individuals from gender-based violence and exploitation. The judgement affirmed that failing to address these issues perpetuates harmful stereotypes that view women as objects rather than individuals with rights.

17 *Ēcis v. Latvia* – 12879/09. Information Note on the Court's case-law 225, <https://hudoc.echr.coe.int/eng#%7B%22itemid%22:%5B%22002-12298%22%5D%7D>].

18 *CASE OF RANTSEV v. CYPRUS AND RUSSIA* (Application no. 25965/04), <https://hudoc.echr.coe.int/eng#%7B%22itemid%22:%5B%22001-96549%22%5D%7D>].

The decision reinforced the idea that states have an obligation to take proactive measures to protect women from exploitation and to ensure the equal enforcement of the law without gender bias.

7. *Opuz v. Turkey* (2009)¹⁹

Opuz v. Turkey is one of the most significant cases in relation to domestic violence and institutions' responsiveness and mechanisms to protect women. In this particular case, a woman who had been subjected to domestic violence for many years, repeatedly sought help from the police and judiciary, but the authorities failed to provide adequate protection or sanction the violence. The violence was going on for many years and despite of the multiple reports and incidents, the state took no effective measures. This lack of adequate protection illustrates institutional inefficiency and deeply ingrained gender stereotypes that often lead to the minimization of the severity of violence against women.

The ECtHR found violations of **Article 14 (prohibition of discrimination)** in conjunction with **Articles 2 and 3** of the Convention and emphasized that states must examine their policies and eliminate biases that normalize and legitimize acts of violence. This includes changing stereotypes that treat women as dependent or subordinate. The outcome of this case led to greater awareness and demanded legal reforms in Turkey to improve the protection of women and promote a culture of zero tolerance for violence. The judgement is an important step forward in the fight against gender stereotypes, supporting the idea that gender equality is not just an individual issue but also a societal obligation.

¹⁹ CASE OF OPUZ v. TURKEY (Application no. 33401/02), [https://hudoc.echr.coe.int/fre#%22item id%22:\[%22001-92945%22\]](https://hudoc.echr.coe.int/fre#%22item id%22:[%22001-92945%22])].

3.3.1. THE IMPORTANCE OF THE ECtHR IN ADVANCING GENDER EQUALITY

The European Court of Human Rights (ECtHR) plays a crucial role in advancing gender equality across Europe. By interpreting and enforcing the European Convention on Human Rights, the Court addresses discrimination and ensures that member states uphold women's rights and gender equality standards. The large number of landmark judgments have tackled violence against women, promoted equal opportunities for men and women, and challenged discriminatory practices in various fields, including employment and family law. The decisions of the ECtHR not only provide legal remedies for individuals but also set precedents that influence national laws and policies, reinforcing commitments to gender equality throughout Europe. Through its jurisprudence, the Court fosters a broader cultural shift toward recognizing and addressing gender-based discrimination.

The Convention sets human rights standards as part of our legal order, including gender equality. Macedonian laws and policies should be consistent with this legal framework, and ECtHR decisions should be used as examples and incentive to eliminate gender inequalities in society.

3.4. Compliance Semaphore

The legislative process serves as a main entry point for incorporating gender perspectives into the design of gender-responsive laws, defining gender-sensitive indicators to measure the effects of implementing legal provisions, and monitoring and evaluating the results of gender-responsive measures and activities. The legislative process creates a platform for dialogue on socially significant issues and can encourage the expression of diverse voices and perspectives. As such, it can serve as an effective tool for promoting gender equality, values, and principles. Hence, to illustrate the degree of inclusion of gender perspectives in the existing legislation, the table below presents a brief analysis of the formal and functional compliance of national legislation with international standards, gender-responsive budgeting, and consideration of gender aspects in the career paths within the judiciary. **Green** indicates full compliance, **yellow** is used for partial compliance, and **red** indicates non-compliance or failure to meet international standards.

1. LEGISLATION	Formal compliance			Functional compliance			Remark
	×	+–	✓	×	+–	✓	
Law on Prevention and Protection against Discrimination			✓			✓	Gender equality experts were consulted in the preparation of the law. Gender aspects are integrated into this law. The law promotes gender equality and prescribes penalties for gender-based discrimination.
Law on Equal Opportunities for Men and Women			✓			✓	The law regulates the basic and specific measures for establishing equal opportunities between men and women. The law prohibits gender discrimination in the areas of labour and employment.
Law on Protection Against Workplace Harassment			✓		+–		The law regulates the rights, obligations and responsibilities of employers and employees in relation to the prevention of psychological and sexual harassment in the workplace.
Law on Prevention and Protection from Violence against Women and Domestic Violence			✓			✓	This law expands the system of prevention and protection from all forms of gender-based and domestic violence, in accordance with the standards of the Istanbul Convention.

Criminal Code			✓		✓	The Criminal Code addresses gender equality issues. This is done through the general section, but especially in the special section by prescribing special crimes.
Law on the Courts		+ -			+ -	The law clearly affirms and emphasizes equality, impartiality, and non-discrimination as fundamental principles in the structure of the judiciary.
Law on Public Prosecutor's Office		+ -			+ -	Nomotechnically, there is no gender component to the law.
Law on Judicial Service		+ -			+ -	Gender aspects are not explicitly integrated into this law.
Law on Public Prosecutor's Office		+ -			+ -	Gender aspects are not explicitly integrated into this law.
Procedural laws (CPC, LL, LGAP)			✓		+ -	Procedural laws contain special protection provisions. The Criminal Procedure Code (CPC) provides special rights for victims of criminal offenses against sexual freedom and sexual morality.
Law on Labor Relations			✓		+ -	Nomotechnically, there is no gender component to the law..
Free Legal Aid Act			✓		+ -	The law also provides primary legal aid which applies to, among others, victims of gender-based and domestic violence.
Access to justice and legal protection mechanisms			✓		+ -	In practice, access to justice is sometimes hindered, though not always due to lack of capacity or institutions.
International legal instruments (CEDAW, Istanbul Convention, etc.) Application of international standards			✓		+ -	The Republic of North Macedonia is a signatory to the relevant conventions in this field. Although part of the domestic legal framework, international standards, and particularly the jurisprudence of the European Court of Human Rights (ECtHR), are insufficiently applied.

2. FINANCE	Formal compliance			Functional compliance			Remark
	×	+–	✓	×	+–	✓	
Provision of funds			✓		+–		In practice, funds are insufficiently allocated to address this dimension.
Gender-responsive budgeting			✓		+–		De lege lata, there is a principle of such budgeting; however, challenges arise in its implementation in practice.
3. GENDER EQUALITY IN THE CONTEXT OF EMPLOYMENT/ SELECTION, CAREER PATH IN THE JUDICIARY	Formal compliance			Functional compliance			Remark
	×	+–	✓	×	+–	✓	
Sensitization		+–			+–		There are still stereotypes to overcome, sensitization training is needed.
Intersectionality		+–			+–		Roma, persons with disabilities and marginalized groups are not adequately represented.
Mechanisms of Protection against gender-based discrimination			✓		+–		They formally exist, but in practice they are sometimes ineffective or not implemented.
Security			✓		+–		Security has a gender dimension, especially in criminal matters.
Reassignment, Sanctions and Dismissal			✓		+–		Personal and family reasons are not sufficiently taken into account when making such decisions, even though the conditions are formally the same.

3.5. CONCLUSIONS ON THE LEGAL FRAMEWORK

- The Republic of North Macedonia is a signatory or successor to international conventions on gender equality, protection from violence and discrimination, and through its strategic goal for EU accession it has adopted its principles and **further developed them within its domestic legal framework.**
- The constitutional framework provides significant guarantees for gender equality, both as a fundamental value and within its normative provisions. However, the **gender dimension is insufficiently incorporated in key laws, such as the Law on the Courts, the Law on the Public Prosecutor's Office, the Law on Judicial Service, and the Law on Prosecutorial Service.**
- **Insufficient financial support has been identified for the implementation of gender equality measures.** Gender-responsive budgeting exists as an obligation for institutions according to the Budget Law, which was adopted in September 2022, but its implementation is set to begin on January 1, 2025.
- **The case law of the European Court of Human Rights (ECtHR)** plays a crucial role in advancing gender equality across Europe. However, it is **poorly applied** in the judgments of domestic courts in general, and especially in cases involving gender-based discrimination.

4.

***STATISTICAL
ANALYSIS
OF DATA***



This analysis has several key objectives:

1. **Identification of Gender Parity:** Assessment of the number of women in legal education and the gender ratio of women and men in the programs at law faculties, master's and doctoral studies, and the Academy for Judges and Public Prosecutors (AJPP).
2. **Understanding Barriers:** Exploring potential barriers and challenges that women are faced with when entering the judicial system and advancing in.
3. **Tracking Progress:** Evaluating progress in gender equality within the judiciary over time, with a focus on changes in education and employment.
4. **Role of Education:** Analysing trends regarding the impact of education on women's careers in the judiciary.
5. **Assessment of Women's Representation in Various Sectors of the Judiciary:** Identifying trends in the career advancement of women in the judiciary, public prosecution, and advocacy.

ANALYSIS OF COLLECTED DATA

For the purposes of this study, a statistical analysis was conducted to determine the rates but also trends for:



GRADUATES

Women students at the faculties of law/law schools in the Republic of North Macedonia;



ENROLLED

Candidates/trainees in the Academy for Judges and Public Prosecutors;



PARTICIPATION

of women in the judiciary: courts, prosecution and bar;

LAW STUDENTS IN THE REPUBLIC OF NORTH MACEDONIA



1 Law school graduates in the Republic of North Macedonia

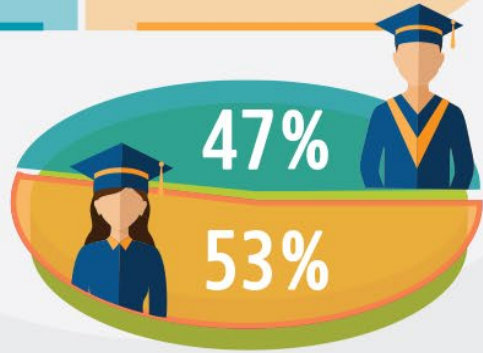
The following law schools have been accredited in the Republic of North Macedonia:



In the period
2016-2023
there was a total of

5166

law graduates from the law schools in the country



2743 of them were female and ,
2423 were male.



TREND

With the exception of 2017 and 2020, the number of female graduates was higher in every year of the analysed period. Furthermore, the number of female law graduates has been rising over the last three years.

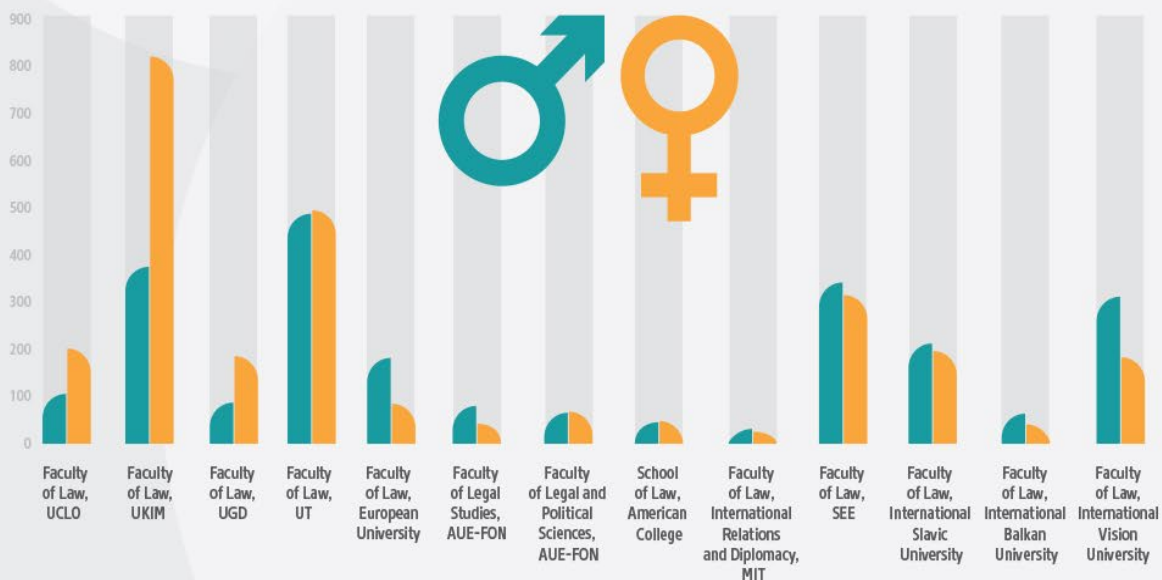
STATE VS. PRIVATE

The number of female students who graduated from state universities is significantly higher.

The number is highest and there is an upward trend among female Macedonian graduates, but a sharp decline is observed among Albanian women from 2019 to 2023, but also among Albanian men from 2020 to 2023.

Private universities show a trend of fewer female graduates.

During the same period, the ratio of male and female graduates of Serbian and Turkish ethnicity is nearly equal. Among Vlachs and Bosniaks, this ratio favours women (2:1), whereas a ratio favouring men is observed among members of the Roma community.



2

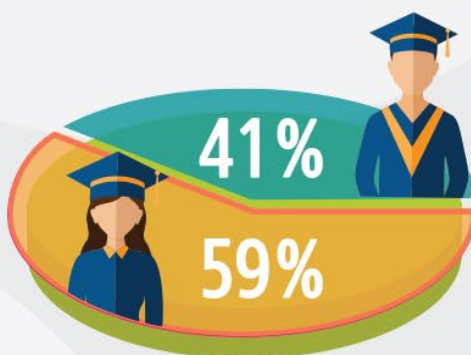
Master's students at the law faculties in the Republic of North Macedonia

During the period from
2016-2023
a total of

2274

law graduates earned a master's degree

922 male and ,
1352 352 female students.



In each year of the analysed period, the number of female master's students was higher, with a continuously increasing trend in the last three years.



TREND

There is an upward trend in the number of female Macedonian master's students. Regarding Albanian male and female master's students, a decline and near stagnation have been observed in the last two years of the analysed period.

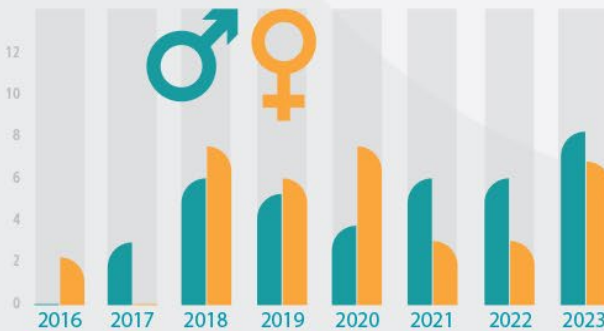
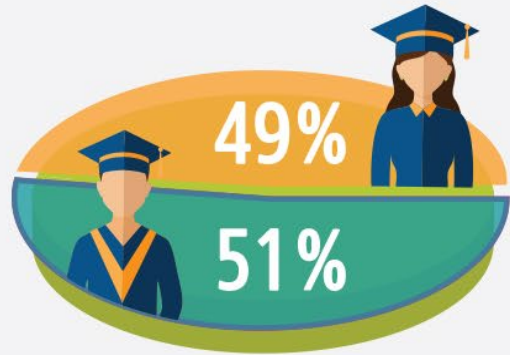
3

PhD graduates law schools in the Republic of North Macedonia

From
2016-2023
there was a total of
PhD graduates
in law in the country

99

51 of them were male and,
48 were female.



Unlike the previous charts on bachelor's and master's graduates, an upward trend is obvious in Albanian women who obtained their PhD in the last three years of the analysed period, while there are large fluctuations regarding Macedonian women.

TRAINEES AT THE ACADEMY FOR JUDGES AND PUBLIC PROSECUTORS – AJPP

The Academy for Judges and Public Prosecutors – AJPP started its operation in **2006**

Since its establishment, there have been

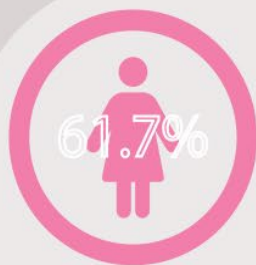


candidates for admission to the Academy in initial training

285
admitted participants



Over its 15-year history, the Academy for Judges and Public Prosecutors has successfully trained seven generations of trainees, with a total number of 188 trainees/candidates. Their number has been steadily increasing. Thus, the first generation consisted of 27 trainees/candidates, while the eighth and most recent generation, was largest to date, with a total number of 97 trainees/candidates.



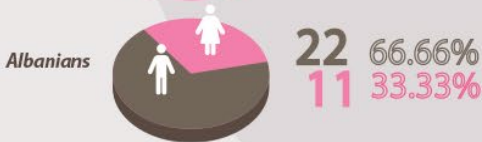
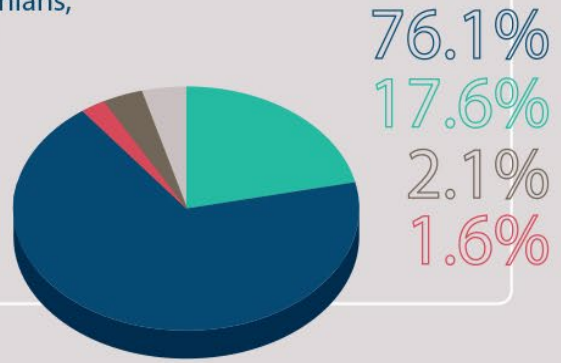
Of the 188 trainees in 7 consecutive generations, **61.7% were female** while **38.3% were male**.



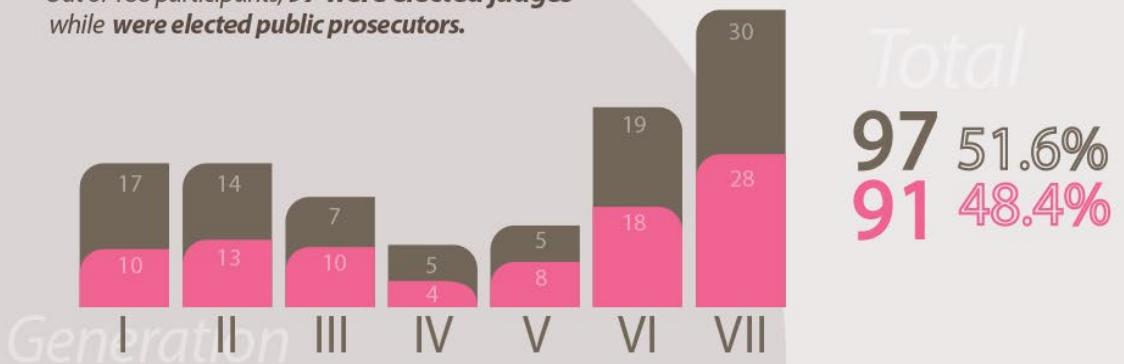
Генераија

From the total number of trainees, **76.1%** were Macedonians, **17,6%** Albanians, **2,1%** Turks, and **1,6%** Vlachs

It is notable that across all seven generations, there has not been a single candidate representing the Roma ethnic community. From a gender distribution perspective, the women-to-men ratio among Macedonians is 2:1, while among Albanians it is 2:1 in favour of men; among Turks, the ratio of male-to-female trainees is 3:1, whereas all trainees from the Vlach community were female.



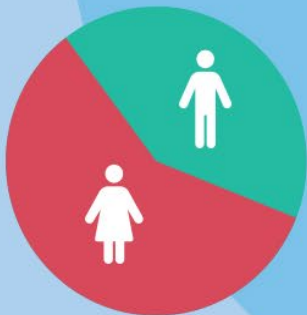
Out of 188 participants, **97 were elected judges** while **91 were elected public prosecutors.**



JUDGES AND LAY JUDGES

1 Gender and ethnic structure of judges

The data on judges by gender and ethnicity were obtained in collaboration with the Judicial Council of North Macedonia, covering the period 01.01.2021-12.06.2024. The data includes both active judges and judges whose employment status is currently on hold.



From the obtained data, it can be concluded that as of June 12, 2024, there were a total of 383 judges in North Macedonia; 238 (62%) of them were female and 145 (38%) were male.

The total number of judges has decreased by 100 over a period of just three years.

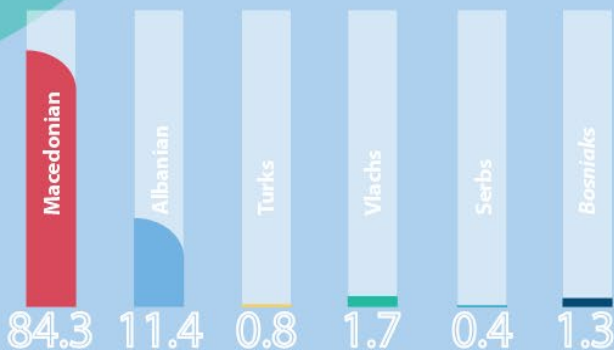


The largest decrease is observed among Macedonian judges (from 366 to 281) and among women judges (from 296 to 239).

	2021	2022	2023	2024
Macedonian	366	366	295	281
Albanian	86	86	79	78
Turks	6	6	6	5
Vlachs	10	10	8	8
Serbs	3	3	3	3
Roma	1	1	1	1
Bosniaks	6	6	4	4
Other	5	5	3	3
Female 	296	296	246	239
Male 	187	187	153	145
Total	483	483	399	383

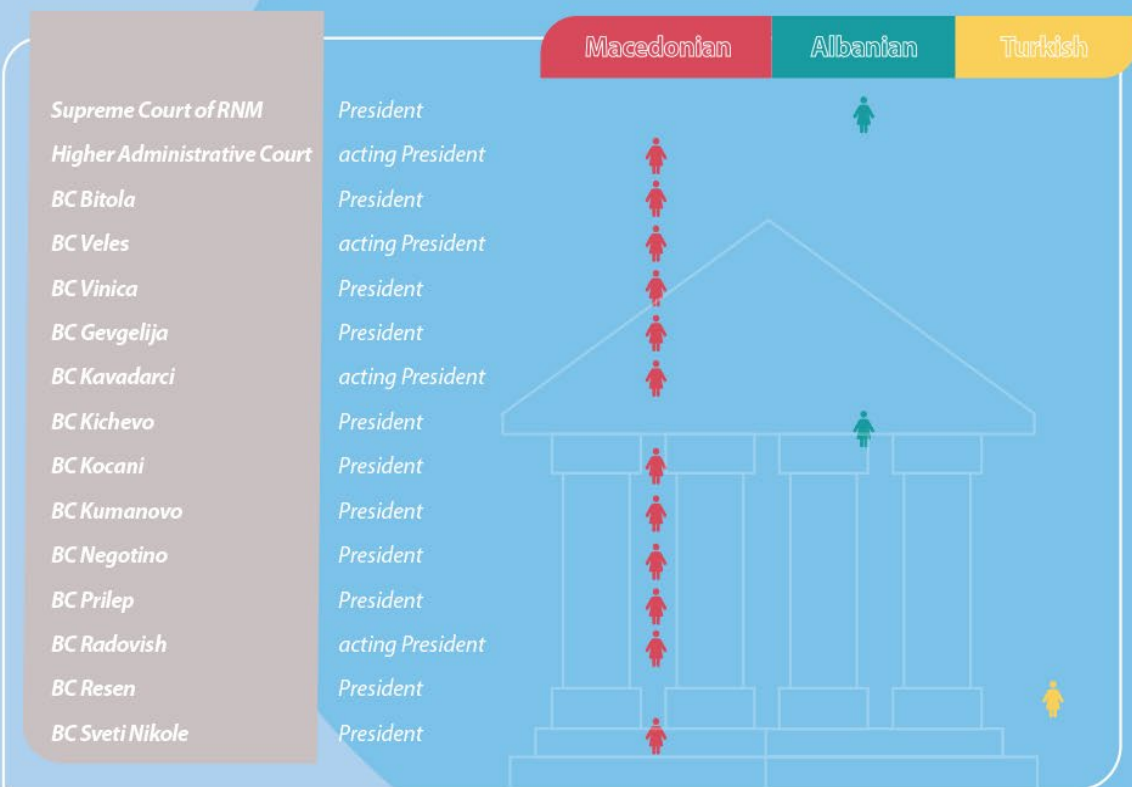
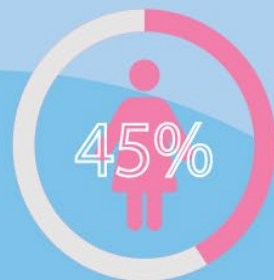
Regarding the ethnic background of women judges, the Macedonians predominate (84.3%), while Albanian women constitute a significantly smaller proportion (11.4%). Other ethnic communities are represented only symbolically: Vlachs (1.7%), Bosniaks (1.3%), Turks (0.8%), and Serbs (0.4%).

It is evident that there is not a single Roma judge.



Women judges in managerial positions

In terms of managerial positions, the data show that in 15 out of 34 courts, the presidents are women, predominantly Macedonian, along with two Albanian and one Turkish woman. Other ethnic communities are not represented at all..



2

Gender and ethnic structure of lay judges

Data on lay judges by gender and ethnicity were obtained in cooperation with the Judicial Council of RNM.



From the data obtained from the Register of Lay Judges, it is evident that out of a total of 576 lay judges, 406 are women and 170 are men.

In terms of women lay judges, 359 (88%) are Macedonian and 36 (9%) are Albanian. The number of remaining ethnic communities is small and marginally represented.

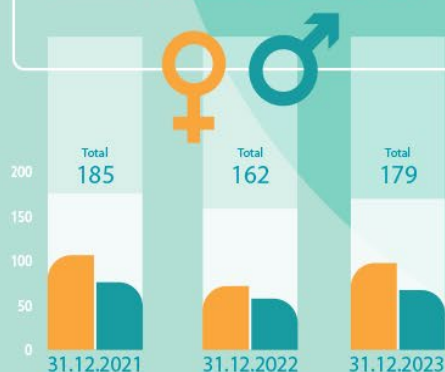
It is evident that there is not a single Roma lay judge.

PUBLIC PROSECUTORS

Data on public prosecutors were obtained from the analysis of the annual reports of the Council of Public Prosecutors of the Republic of North Macedonia (<http://sjorm.gov.mk/>) for the period

2021-2023

Gender-disaggregated data show that over the three-year period, the number of women consistently exceeded the number of men.



It is evident that women prosecutors dominated during the analysed period, and in terms of ethnic affiliation, the prosecutors were either Macedonian or Albanian, while other ethnic communities were not represented at all during the 2021–2023 period.

The data clearly shows that in the Public Prosecutor's Offices (PPO) within the Gostivar appellate district, there are either no women prosecutors at all (Debar, Strugar) or their numbers are significantly lower than those of men prosecutors (HPPO Gostivar, BPPO Gostivar, BPPO Tetovo, BPPO Struga).

The available data reveals that a large number of the systematized positions for public prosecutors remain vacant; thus, instead of the intended 244 public prosecutors, the actual number is significantly lower, which inevitably affects the quality of work.



The aggregate data show that the downward trend that existed in 2022 improved and in 2023 there was an increase in the number of public prosecutors.

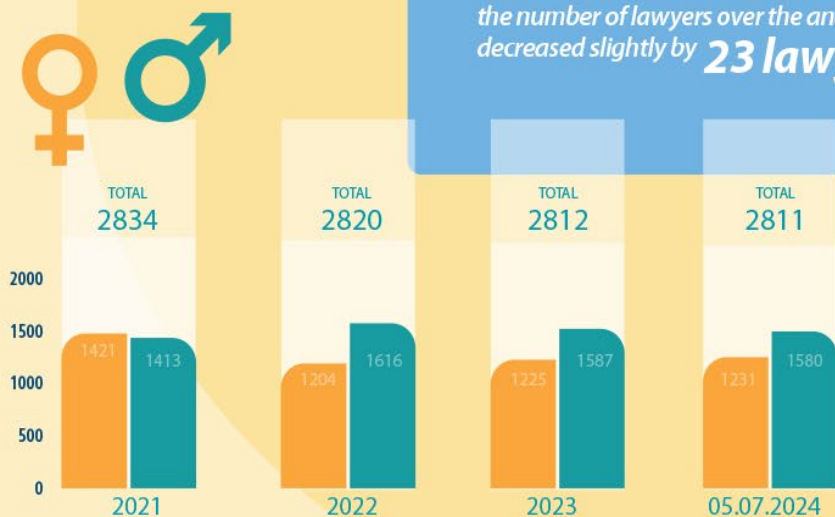
Given the fact that prosecutors in the Basic Public Prosecutor's Office for the Prosecution of Organized Crime and Corruption (PPO OCC) are appointed by already selected prosecutors, PPO OCC is not separately presented in the data. However, it is useful to get an idea of the composition and structure of prosecutors and their ethnicity, which is contained in the table below.



BPPO OCC

LAWYERS

In collaboration with the Bar Association of North Macedonia, aggregate data were obtained on the total number of active lawyers in North Macedonia for the period 2021–2023, disaggregated by gender. The project team analysed the available data from the website of the North Macedonia Bar Association (NMBA), and the chart below illustrates the status of the number of lawyers and the gender distribution of the data as of July 5, 2024.



When analysing the gender-disaggregated data, an inverse proportional relationship can be observed.

Namely, while the number of women lawyers has decreased by more than 190 over the years, the number of men lawyers has increased by nearly 170.

To obtain a closer representation of the regional distribution of lawyers, following the analysis of the available data on the NMBA website, gender-disaggregated data were compiled based on the cities where the lawyers are registered.

A total of 32 cities are covered, and data are presented as of 05.07.2024. Cities can be divided into several groups according to the number of women and men lawyers.



- no women lawyers at all
- no men lawyers at all
- identical or almost equal number of lawyers
- men outnumber women
- women outnumber men

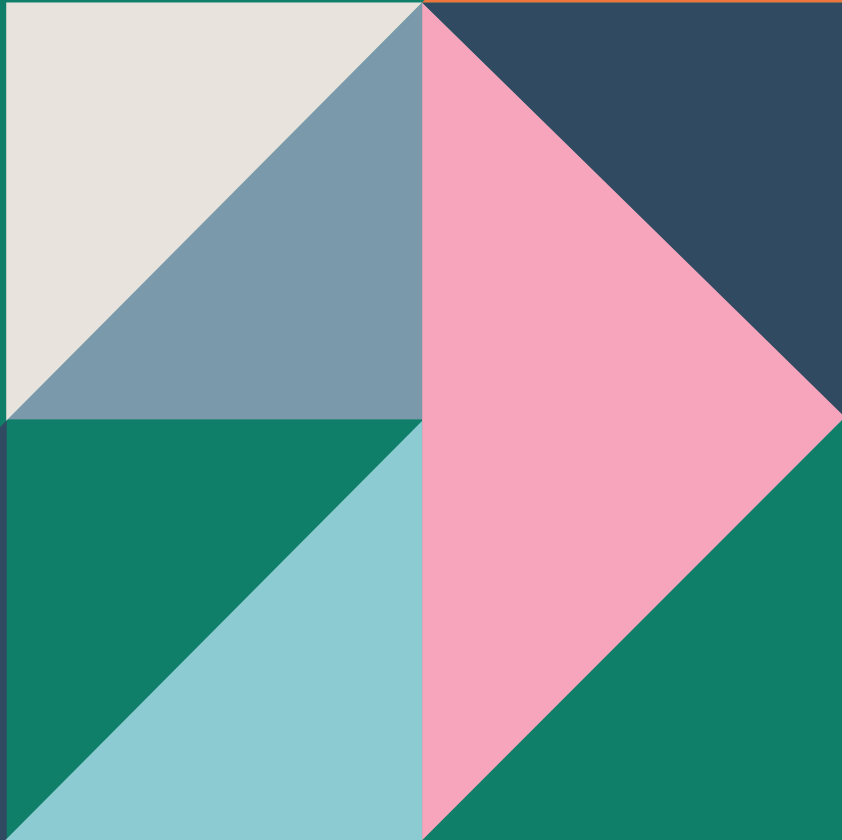
4.1. CONCLUSIONS FROM THE STATISTICAL ANALYSIS

- **Women are increasingly represented in legal studies, with 53% of graduates between 2016 and 2023 being female.** In the second cycle, 59% of those who hold a master's degree are female, while in the third cycle, women are almost equally represented at the level of doctoral studies as men, with 49%.
- Regarding the higher cycles of legal studies, women are more represented in the second cycle, with 59% of women holding a master's degree, and almost equally represented in the third cycle, with a total of 49% of women with a doctoral degree.
- At the oldest Faculty of Law "Justinianus Primus" in Skopje, part of the University of Ss. Cyril and Methodius, since its founding in 1951, **no woman has ever been elected dean**, although there have been female candidates on several occasions, and women are equally represented among the professors.
- **Since its founding in 2006, all directors of the Academy for Judges and Public Prosecutors have been women**, with the exception of one acting director, who was a man.
- In the initial training at the Academy for Judges and Public Prosecutors, 61.7% of participants were women, but **significant disbalance has been observed in the representation of women from ethnic communities, with not a single candidate from the Roma community** in the seven generations so far.
- **The first woman president of the Supreme Court of the Republic of North Macedonia** was elected in 2012, 67 years after the establishment of the Supreme Court in 1945.
- **The number of female judges has decreased from 296 in 2021 to 239 in 2024.** Although partly due to the overall decrease in the number of judges, this trend indicates the need for measures to maintain the representation of women in the judiciary.
- Women hold 50% of leadership positions in the judiciary, which, in relation to their overall representation of 63% in the judicial system, points to a **gender gap in leadership positions within the judiciary**. Furthermore, **representation of women from ethnic communities** in leadership positions is low.
- Among **lay judges, 88% are female lay judges**, predominantly ethnic Macedonians, with visible gender discrepancies among certain ethnic communities. Lay judges face marginalization and insecurity due to the **precarious working conditions and insufficient institutional support**.
- Although the number of women public prosecutors is increasing, their **representation in higher positions remains lower than the one of men**, with cases of discrimination against female candidates for promotion. In the public prosecution, **women from smaller ethnic communities are underrepresented**.

- To date, **no woman has ever been appointed as the state public prosecutor** since the establishment of the prosecutor's office in 1945, although there have been women candidates.
- **In advocacy, too, a decline in women's participation has been observed**, with a significant decrease of 190 registered female lawyers, while the number of male lawyers has increased by 170. **Women perceive the judicial professions as safer with better workers' rights compared to the advocacy.**
- In the history of the **Bar Association**, from 1951 to the present, **there has never been a woman president**, which is particularly indicative and points to a lack of gender sensitivity.

5.

**ANALYSIS
OF GENDER
ASPECTS IN
THE JUDICIARY**



5.1. Results from Research Tools

As previously mentioned, the methodological approach involved the use of both quantitative and qualitative methods for data collection, namely survey questionnaires and interviews with judges, public prosecutors, and court and prosecutorial staff. The analysis of the quantitative and qualitative data obtained through the surveys and interviews is presented in this section.

Interviews:

For the purposes of this analysis, a total of **15 detailed interviews** were conducted with 14 women and 1 man from various judicial institutions and positions, or specifically 6 judges, 4 public prosecutors, 1 judicial officer, 1 public prosecution officer, 1 lay judge, 1 member of the Judicial Council, and 1 person from the Academy for Judges and Public Prosecutors. The interviewed individuals work in several appellate regions, including the Skopje Appellate Region, the Bitola Appellate Region and the Gostivar Appellate Region. A detailed overview of the gender of the interviewees, their years of work experience, and their ethnic background is provided below.

Chart 1: Interviewees by gender

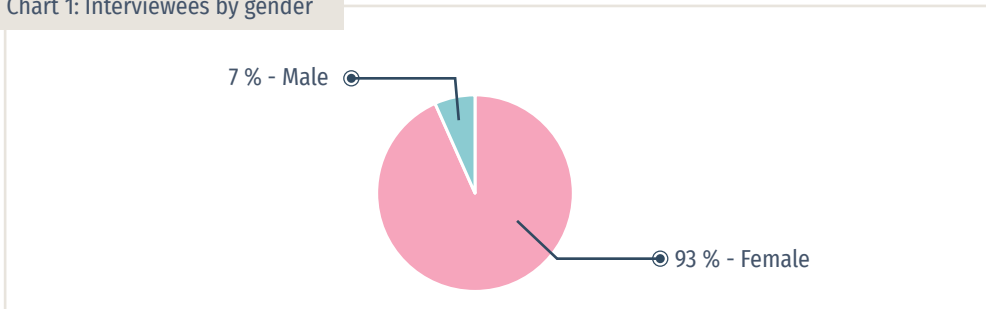


Chart 2: Interviewees by years of professional experience in the judiciary

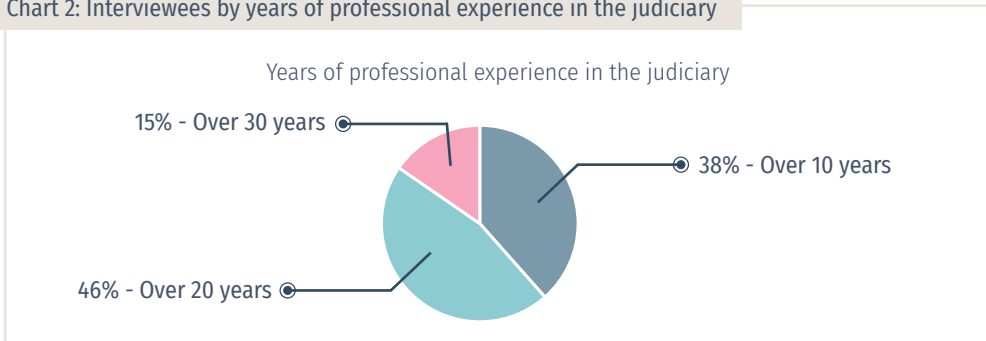
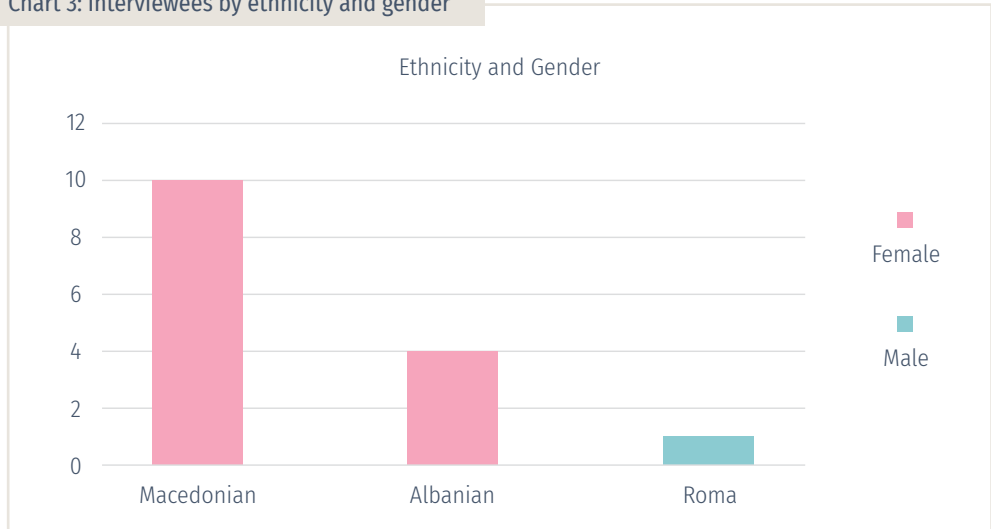


Chart 3: Interviewees by ethnicity and gender



1. Understanding Gender Equality in the Context of the Judiciary, Employment/Selection, and Career Path

The majority of the interviewees associate gender equality in the judiciary with formal equality²⁰ and with the equal rights of men and women to be selected and to advance in their careers within the judicial system. Furthermore, many individuals also covered the aspect of material equality,²¹ believing that both women and men have equal opportunities to be selected in the judiciary. However, all the interviewed individuals pointed out that a change is needed in the societal awareness on this topic, as there are still strong gender stereotypes and norms regarding the roles of men and women in our society, which are reflected in the judicial system as well.

20 Formal equality – refers to the formal recognition of equality, meaning that all individuals are equal and have the same rights and freedoms recognized by the law, regardless of their personal characteristics.

21 Substantive equality represents the materialization of equality, that is, the implementation of equality in practice.

5.2. Employment/selection

The perception of most of the interviewed individuals is that the process of employment, or selection in the judiciary, is not discriminatory for either men or women which, according to them, is reflected in the higher percentage of women in positions as judges and public prosecutors, as well as the higher number of women applicants for initial training at the Academy for Judges and Public Prosecutors (AJPP). Specifically, out of a total of 188 selected candidates in the past 7 generations, 116 are women (61.7%), and 72 are men (48.4%).

This percentage is also due to the fact that a larger percentage of women graduate from law faculties compared to men. In the period from 2016 to 2023, the total number of law graduates in the country was 5,166 students; 53% (2,743) of them were female and 47% (2,423) were male. A similar trend is observed among master's students, with 59% being female and 41% male.

From the perspective of intersectionality, the interviewed individuals pointed out that women from ethnic minorities are underrepresented, especially Roma women and people with disabilities. Among the reasons affecting this situation, gender and social norms were identified as the most important reasons why women from ethnic minorities are less represented in the judiciary than men from ethnic minorities, as well as their overall underrepresentation in legal studies. The statistics on enrolled students from 2016 onwards show a significant difference in the number of students from Macedonian and Albanian ethnicity compared to other ethnic groups. More specifically, 94.4% of the total number account for Macedonians (57.41%) and Albanians (36.98%), while only 5.6% are students from other ethnic minorities (Turks 2.21%, Roma 0.5%, Vlachs 0.5%, Serbs 1.7%, Bosniaks 0.1%, and others 1.23%).

Some of the interviewees pointed out that education is not always the problem, as these groups are not represented even as lay judges, while they are found in more stereotypical roles, such as individuals who assist with maintaining hygiene in judicial institutions. Regarding people with disabilities, it was noted that the inaccessibility of law schools and judicial institutions further complicates their ability to reach certain judicial positions, including that of a lay judge.²² For example, available research on the accessibility of courts in the country shows that most courts do not meet basic accessibility standards for people with disabilities, both in terms of physical accessibility and access to information. Another factor influencing this situation is the quota system for selection of candidates within the Academy for Judges and Public Prosecutors (AJPP), specifically the lack of an intersectional approach, which should be reconsidered. This means that, in the

quotas for selecting candidates from ethnic minorities, there is no additional gender quota. Furthermore, the Academy does not encourage participation of people with disabilities through quotas. However, most of the interviewees believe that quotas for entry into the Academy should be replaced with other encouraging measures that would have an intersectional approach i.e. when applicants have the same entrance exam scores, preference should be given to specific underrepresented groups.

A positive example was highlighted regarding appropriate accommodations for a woman with a physical disability made by the Supreme Court, and later by the Academy for Judges and Public Prosecutors (AJPP). This individual, who was initially a professional associate at the Supreme Court, became a candidate in the initial training for judges and public prosecutors at the AJPP. However, individuals with disabilities may face potential discrimination right from the selection process for judges or public prosecutors, given that the Law on Courts clearly states that after completing the AJPP training, individuals must apply to all open calls for judges and public prosecutors. However, many courts and public prosecutor's offices are not accessible for people with physical or sensory disabilities. This practically means that the inaccessibility of judicial institutions would prevent or hinder the performance of their duties, and the law does not provide an option for these individuals to reject the selection or reassignment to these positions for these reasons. On the other hand, even where courts are accessible, often no sufficient attention is given to ensure full accessibility, by limiting the use of available resources, such as the use of lifts. For example, at the Criminal Court, the use of the lift on the first and second floor is restricted to save electricity, which impacts people with disabilities, whether they are parties in proceedings or officials carrying out their duties, making it difficult for them to access the first and second floor of the court. A significant segment is related to cases when the disability is acquired or temporary, due to certain events, and when a judge or public prosecutor acquire temporary disability (for example, a broken leg) and therefore cannot perform their duties due to the inaccessibility of the courts. This leads to long delays in proceedings and impacts the general quality of justice that citizens receive. As one example illustrates: "For instance, I broke my leg, but because there was no elevator in the court, I couldn't come, and this led to delays in hearings. I only needed an elevator. I didn't have to be on sick leave; I could have been at work, but there were no conditions."

According to the interviewees, the inclusion of marginalized and disadvantaged groups in society, especially women from these groups, also depends on their inclusion in education. Specifically, in public university education, there are quotas of 10% of the total number of students for people from ethnic minorities, but these quotas are not intersectional, meaning there is no additional gender quota

within the ethnic minority quota. Furthermore, there are no quotas for people with disabilities within university education. The old Law on Higher Education had a quota for students parented by a single parent as people from marginalized groups, but with the new Law from 2018, this provision was abolished, leaving the quota for these students to be decided on by the rector's councils of each university individually. Additionally, there is a generally limited access to information regarding the open competitions of the AJPP. Therefore, a strategic communication plan is necessary to improve access to information for certain categories of people, especially women from smaller ethnic communities and people with disabilities.

The inclusion of different groups in the judiciary can be achieved through the participation of diverse groups as lay judges, and the state should create a strategic plan and encourage these individuals to apply, considering that the calls for lay judges are only published in the Official Gazette. However, it was highlighted that although the position of lay judges is important in the overall judicial system, considering their role in the decision-making, they also face marginalization regarding their work status. After being elected, lay judges do not enter into any work contracts or agreements, and the compensation they receive for their service is insufficient considering the difficult duties they perform. This uncertainty particularly affects women, as more than 70% of all lay judges are women. From an intersectional perspective, the data shows that there is low representation of women from ethnic minorities, particularly from smaller ethnic communities, with no Roma women serving as jurors. Furthermore, due to this social and work status of lay judges, many of them often resign from their position, which then leads to delays in judicial proceedings and affects the right to a trial within a reasonable time.

5.3. Career Advancement

The views differ when it comes to career advancement. Specifically, a larger portion of the interviewees pointed out that they **believe women are underrepresented in leadership positions, such as Presidents of Courts, Heads of Public Prosecution Offices**, but also as members of the Judicial Council and the Council of Public Prosecutors.

Regarding leadership roles in courts, the data show that in 15 out of a total of 34 courts, women serve as Presidents of the Courts, mostly Macedonian women, with two Albanian women and one Turkish woman. Other ethnic communities are not represented at all. The members of the Judicial Council, from its establishment as the Republic Judicial Council in 1994 to its current form as the Judicial Council of the Republic of North Macedonia, have been predominantly men, with a total of 54 men compared to 18 women members. However, in the last two generations, from 2012 onwards, there has been a noticeable balance in representation, with a sharp increase in the membership of women; however, men still dominate, despite of the lead being slight. In contrast, prior to 2012, 85% of the members were men, and only 15% were women. Regarding the position of President of the Judicial Council, the numbers still favour men, but they have also been balanced over the years, with a total of 7 men and 5 women presidents.

Men also dominate in leadership positions among public prosecutors; specifically, the Chief Public Prosecutor, all 4 Higher Public Prosecutors and the Head of the Basic Public Prosecutor's Office for Prosecuting Organized Crime and Corruption are all men. The share of Basic Public Prosecutors has become balanced over the years, with 10 female Basic Public Prosecutors and 7 male Basic Public Prosecutors currently in office. Similar to the Judicial Council, the Council of Public Prosecutors has also been predominantly male over the years (25 men as opposed to 5 women since 2008). However, there has been a positive trend in the most recent composition, with 6 women and 3 men. As for the position of President of the Council of Public Prosecutors, since 2008, there has been only one woman, while the remaining 5 presidents are all men.

The reasons for the underrepresentation of women in leadership/management positions are found in the lower social, i.e. political power of women, the gender norms and the stereotypes associated with emotions, which are perceived to affect the leadership capabilities of both women and men. As a result of these perceptions of women, some of the interviewees themselves demonstrated **internalized gender stereotyping related to emotionality and leadership in women**, pointing out that *"although we, as women, are more emotional than men, we still prove that it does not affect our position as judges or public prosecutors, nor does it affect us when we are in leadership positions in the judiciary."* It is also

clear that female judges and public prosecutors constantly feel the need to prove that they deserve to be in these positions and must act "tougher" than necessary to show they are not "weak" compared to their male colleagues. However, most of the interviewed individuals agreed that there has been some progress in this regard, particularly in the judiciary, highlighting the election of the president of the Supreme Court and the Judicial Council as a positive step. Furthermore, they agreed that a difference appears in the advancement opportunities for women judges and public prosecutors, as *the public prosecutor position is still more perceived as a "male position," which is confirmed by the fact that no woman has yet been chosen as a Chief Public Prosecutor of the Republic of North Macedonia*, even though there have been women candidates considered for this position. Finally, the Public Prosecutor's Office of the Republic of North Macedonia is dominated by men, with a total of 8 men compared to 4 women.

Another gender aspect highlighted by the interviewed individuals, **which affects the career paths of women in the judiciary, is pregnancy and motherhood**. They noted that the entire system is not adapted to support women during pregnancy and the period following the maternity leave on one hand, and on the other, gender stereotypes discourage women from advancing within the judicial hierarchy. On the contrary - it was emphasized that the evaluation system during maternity leave is particularly limiting, which was further confirmed by a recent case of discrimination based on pregnancy, childbirth and parenthood, committed by the Council of Public Prosecutors against a woman prosecutor who applied for promotion multiple times but was not selected—once due to her age and another time due to her use of parental leave. Therefore, most of the interviewees pointed out **the need for greater emphasis on education regarding gender equality, as well as deconstructing gender stereotypes and biases**, both at a societal level and at the level of the judiciary, knowing that these biases not only affect decision-making but also the quality of justice delivered to the public.

The interviewees highlighted that although the initial training at the Academy for Judges and Public Prosecutors (AJPP) includes one session on non-discrimination and the principle of equal treatment, it is insufficient to dismantle the existing stereotypes and biases present in the judicial system, especially those related to men, women, and disadvantaged or marginalized groups. In the sphere of societal power and its influence on career advancement and selection for higher courts or public prosecutor positions, it was noted that **the criteria for choosing men in cases where candidates score the same points remain unclear**. As one respondent put it, *"it is a fact that men advance more easily in the judicial system."* Consequently, several interviewees called for the **strengthening of selection criteria within the judicial hierarchy to protect women from gender-based discrimination**. It was also pointed out that there are instances where women apply for promotions

but withdraw during the process. While the reasons for this may vary and include personal factors, the respondents believe this often occurs because the women either face pressure to withdraw or are aware they will not receive support, as *"you can usually hear `through the grapevine` who will be selected, who is encouraged, which again highlights the weak societal power of women."* Additionally, it was highlighted that the (un)acceptance of gender norms can influence career advancement or lack thereof; factors such as family status, dress code, and behaviour can make someone *"suitable or unsuitable for promotion."* It was also noted that **male judges tend to form groups and support each other**, which facilitates their application for leadership positions and promotions, in contrast of women, who are still not courageous enough to do so. *"When it comes to leadership roles, it's all about men forming groups, coordinating themselves, and we are not included. It's as if they are self-sufficient. Also, in terms of work, we handle it, we get it done, yet they get more opportunities to travel and, in the end, they take the credit. They interrupt us and don't listen to us in many situations."* There is a need for a **mentoring network to help women build their capacities and self-confidence**, enabling them to develop leadership skills, express their opinions and apply for leadership positions. Generally, women tend to fear to express their opinions, while men are more courageous in speaking up and applying for leadership roles.

One of the proposed ways to encourage women to advance in their careers is the **establishment of a mentoring network**. **In this network**, experienced women judges and public prosecutors or those from higher courts and prosecution offices would mentor newly appointed women judges or public prosecutors, or to that matter anyone who might need such support.

5.4. Reassignment, Sanctions and Dismissal

Considering the shortage of judges that courts face, over the past two years a significant number of reassignments of judges have been made from one court to another. However, some interviewees noted a **lack of clarity regarding the criteria used to determine which judges are reassigned**, pointing out that personal and family circumstances are not sufficiently considered when making these decisions. Several examples were highlighted, such as cases where women judges with young children were reassigned to courts in other towns, forcing them to commute daily to avoid moving with their families and changing their children's schools or kindergartens. In one instance, as reported, a single mother with young children was reassigned to a distant town and had to move with her children because of the distance of the new reassignment. Some reassignment decisions have been appealed to the Supreme Court; however, despite of the Supreme Court returning many of these cases for repeated reassignment, the Judicial Council often reissues the same decisions, which are final. Interviewees found it noteworthy that a **significant number of reassignments involved judges with short work experience or the newly appointed ones**. This raises concerns about potential agism bias in the Judicial Council's decision-making, as younger judges are disproportionately reassigned. This trend is particularly concerning given the **correlation between age and parental status**, which could result in a higher proportion of reassigned judges and public prosecutors – mothers and fathers of young children. Consequently, the interviewees who identified these potential biases suggested that the law should include provisions requiring the consideration of specific circumstances during the reassignment decision-making process.

Regarding sanctions and dismissals, most interviewed individuals believe that the same rules apply to everyone and that there is no gender bias in the Judicial Council's decisions. However, the majority of them also expressed the view that it is easier to initiate disciplinary proceedings against a woman judge or public prosecutor with negative consequences, than against a man judge or prosecutor. The primary reason cited for this perception is the unequal social and political power of women, which influences these processes, even though they are supposed to be impartial by default. An additional reason are gender stereotypes about women's emotionality and the perception that women are "softer than men," leading to the assumption that they are more likely to succumb to pressure and resign from their positions. Examples cited to support these claims include the attempted dismissal of the President of the Supreme Court and the overall process against the President of the Judicial Council, both women; these cases are perceived as efforts to pressure women in the highest positions in the judiciary to step down from their roles.

5.5. Gender-based discrimination

Regarding the Academy for Judges and Public Prosecutors (AJPP) and the initial training, it was highlighted that there are significant limitations for pregnant candidates and **use of pregnancy, childbirth, and maternity leave**. One example was shared involving a candidate diagnosed with a high-risk pregnancy and was consequently prescribed bedrest. However, she had to attend theoretical classes and lie on chairs in the classrooms, as she was not offered the option to attend the lectures online. Under the new Law on the Academy for Judges and Public Prosecutors, maternity leave or sick leave longer than 60 days—such as pregnancy, childbirth, or parenting leave — is only permitted immediately before the start of the theoretical training. In such cases, the candidate begins theoretical training with the next regular generation of trainees. However, the law does not regulate the rights to such leave for candidates who have already started the training, and they are expected to continue with the training regardless of their new circumstances. In comparison, Serbia's Law on the Judicial Academy allows postponing initial training for individuals on pregnancy or parental leave. Therefore, one way to address this form of discrimination is to enable pregnant candidates who have already started the initial training to fulfil their right to sick leave if needed, or to maternity leave, and resume their training with the next generation of trainees from the point where they stopped with the initial training.

Some of the interviewees highlighted that **sexism exists within the judiciary at multiple levels, both in decision-making processes and in the everyday work**. Certain men judges and public prosecutors still question women's abilities to perform their roles, especially in the public prosecution service. *"I have faced sexism. For instance, there were doubts whether a female prosecutor could handle being on duty alone at night, and I had to prove that"* one interviewee shared. Additionally, several interviewees believe that there is still an imbalance of power between men and women judges and prosecutors, where women are often ignored, interrupted, and subjected to attempts to undermine their integrity. Some interviewees also pointed out instances of **gender-insensitive language used by lawyers, which could also be interpreted as sexist**, generally directed at women public prosecutors and to a lesser extent at women judges handling criminal cases. While the overall sentiment among the interviewees is that there has been progress in the dynamics of power between men and women judges and prosecutors—reflecting the broader societal picture — they believe there is still significant work to be done in breaking down gender stereotypes and roles.

A small number of interviewees noted that **instances of sexual harassment still occur, manifesting through unsolicited touching, but also frequent comments about clothing, physical appearance, and even private life**. However, there is no

clear mechanism for reporting such cases, which can be especially critical for court staff and other technical personnel when there is a power imbalance, such as when the harassment is perpetrated by a public prosecutor or judge against court staff. Another highlighted issue is the **lack of a mechanism for protection against sexual harassment or other forms of gender-based discrimination within the Academy for Judges and Public Prosecutors**, especially by trainers and directed at trainees in the initial training program²³. The majority of interviewees believe that the reporting mechanism for sexual harassment should be part of the Judicial Council or the Council of Public Prosecutors, through the strengthening or amendment of the existing Codes of Ethics. Some interviewees suggested that the protection mechanism should include the possibility of reporting to the president of the court or to the head of the public prosecution office, depending on where the harassment occurs, especially when the sexual harassment is directed against employees. It was also noted that there should be a designated contact person within courts and public prosecution offices to provide support and even to do the reporting. However, most interviewees do not feel that establishing such mechanisms would change the prevailing culture of non-reporting, as these bodies are perceived as centres of power that lack the needed gender sensitivity and are unlikely to protect those who report the harassment, who are most often women. **Due to the absence of internal mechanisms for support and protection, sexism is often normalized as a workplace culture and behaviour.** Female interviewees expressed their impression that cases of discrimination are swept under the rug in the public prosecution system, and that the truth rarely comes to light, which is discouraging for the victims and unfortunately, very encouraging for the perpetrators.

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This finding has already been identified in the Assessment of the Internal Operations of the Academy for Judges and Public Prosecutors from a Gender and Intersectional Perspective, available at the following link: [MK Analiza .pdf \(jpacademy.gov.mk\)](#).

5.6. Security

Some interviewees highlighted that the **security of judges, public prosecutors, and lay judges has a gender dimension**, particularly for those working on criminal matters. Security is most often associated with threats to their lives or the lives of their families and less frequently with workplace conditions and whether they enable secure performance of their duties. Regarding threats, interviewees noted that **both men and women judges, prosecutors and lay judges face risks, but for women they are more pronounced and gender-specific**, especially threats to their physical integrity and the one of their children. One reason for the gendered nature of such threats, such as threats of sexual violence or sexual harm against them or their daughters, is that there is a gender dimension to criminality itself, with approximately 90% of defendants in criminal cases being men.

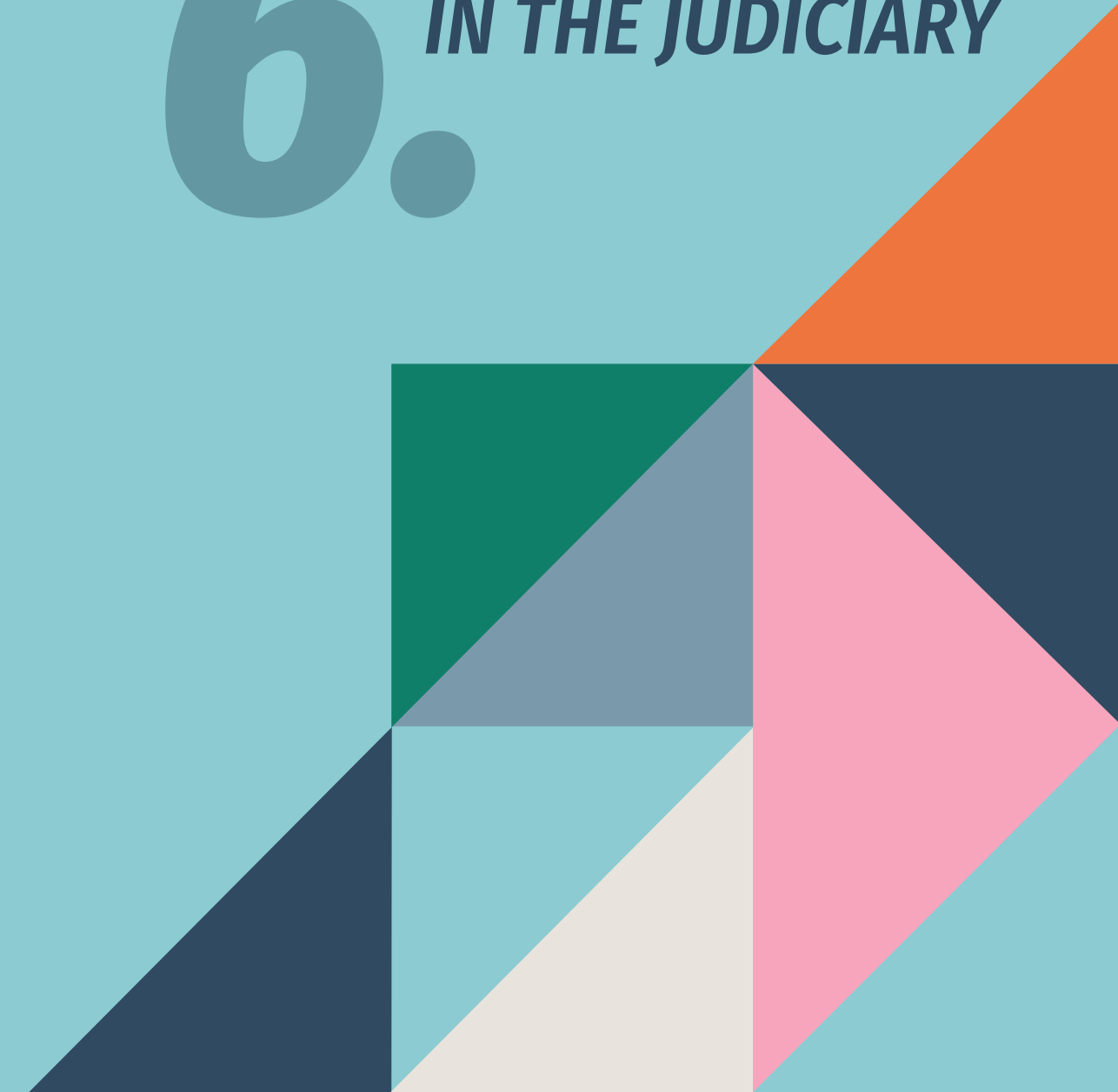
From the perspective of safe working conditions, the most vulnerable are the lay judges, who lack designated workspaces; they enter court hearings through the same entrance as the defendants and wait together with them to enter the courtroom and for the trial to begin. *"I've had instances where I waited outside the courtroom with the defendants, and they gave me threatening looks and made threatening remarks—it's truly unsettling."* Additionally, they neither have official identification tags nor robes that would distinguish them from the general public involved in the proceedings. Since they lack an office, they spend the time between hearings outside the courthouse, which further increases their risk of potential attacks. Although the conditions for the lay judge position apply equally to both men and women, the impact is not the same considering that 70% of the total number of lay judges are women.

Regarding protection in cases where the safety of judges and public prosecutors is at risk, some interviewees noted that *"protection should only be sought when there is a genuinely serious threat, and we should also see this as part of the job,"* reflecting a high tolerance for threats and an acceptance of violence and insecurity as occupational hazards. However, some interviewees stated that they had sought protection or informed the authorities in situations where they or their colleagues had received threats, but the decision on when to provide protection is left to the institutions, and this is typically in cases of the highest degree of threat. *"I had a case where I received serious death threats through messages. I reported it to the court president, and they told me this was a normal thing for this job and that I shouldn't be afraid, but I was genuinely terrified. And no, I didn't know who to turn to – probably the Ministry of Internal Affairs. **There should be a protocol for reporting and requesting security measures.**"* As for lay judges, it is obvious that they are not informed that they can request protection or who to address for protection in such cases.

5.7. CONCLUSIONS FROM THE ANALYSIS OF GENDER ASPECTS IN THE JUDICIARY

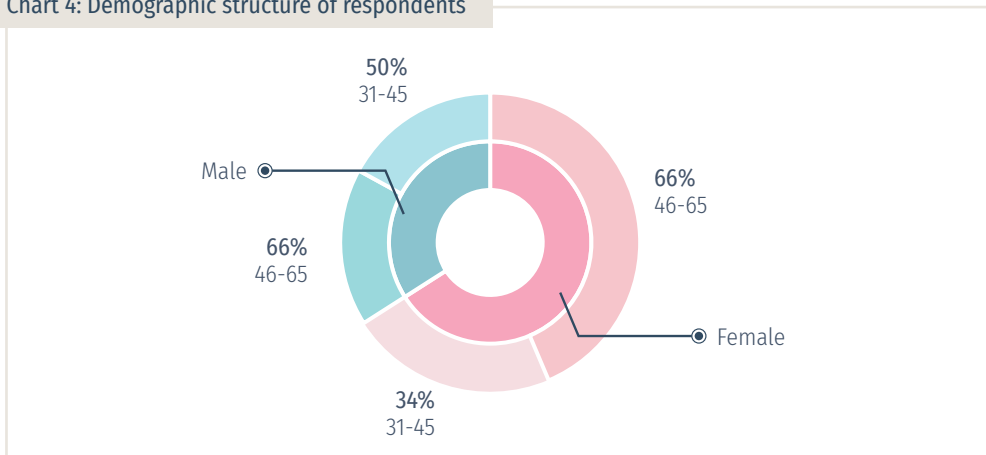
- **Persons with disabilities are almost entirely unrepresented in the judicial system.** This is due to the significant barriers these individuals face in accessing judicial institutions and educational establishments.
- The laws and procedures of the Academy for Judges and Public Prosecutors (AJPP) **do not provide adequate conditions and support for pregnant trainees.**
- **The analysis revealed that the career progression of women in the judiciary is negatively influenced by factors such as pregnancy and motherhood.** Gender stereotypes discourage women from pursuing **career advancement during pregnancy and after maternity leave** within the judicial hierarchy.
- **Reassignments within the judiciary** are not based on predefined criteria, which can lead to uncertainty and discrimination based on gender and years of work experience.
- Women in the judiciary and public prosecution offices **face gender-based threats, particularly in criminal proceedings.** Moreover, there are **no adequate internal mechanisms for reporting sexual harassment and gender-based discrimination.**

6. *ANALYSIS OF GENDER STEREOTYPES IN THE JUDICIARY*



Out of the total number of interviewees judges and public prosecutors, members of the Judicial Council and the Council of Public Prosecutors, i.e. 106 respondents, more than **two-thirds are female, compared to one-third who are male**. The majority, 60%, of the respondents are **aged** between 46 and 65, with the remaining respondents aged between 35 and 45 years. Gender-wise, both age groups are equally represented among men, while two-thirds of the women are between 46 and 65 years old, with the remaining women are in the 31 to 45 age range

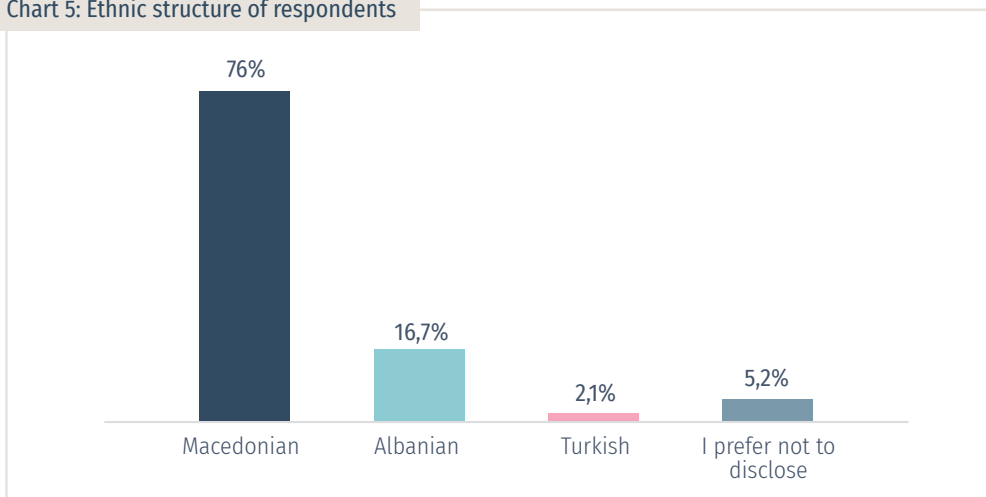
Chart 4: Demographic structure of respondents



In terms of the **ethnicity**, the majority of respondents (76.0%) are of Macedonian ethnic origin, 16.6% are Albanian, 2.1% are Turkish, and 5.2% chose not to answer to this question.

Of all the respondents, **only one person reported having some form of disability, i.e. visual impairment.**

Chart 5: Ethnic structure of respondents



In terms of the **job position**, more than half of the respondents are judges (58.3%), 37.5% are public prosecutors, and 2.1% are members of the Council of Public Prosecutors and the same percentage are the Judicial Council members. Analysed from a gender perspective, the percentage of women judges among the respondents is higher compared to men judges, with 62.9% of all female respondents being judges, compared to 50.0% men judges out of the total number of respondents. On the other hand, 49.0% of the respondents are men public prosecutors, compared to 32.3% women public prosecutors.

Chart 6: Job positions of respondents

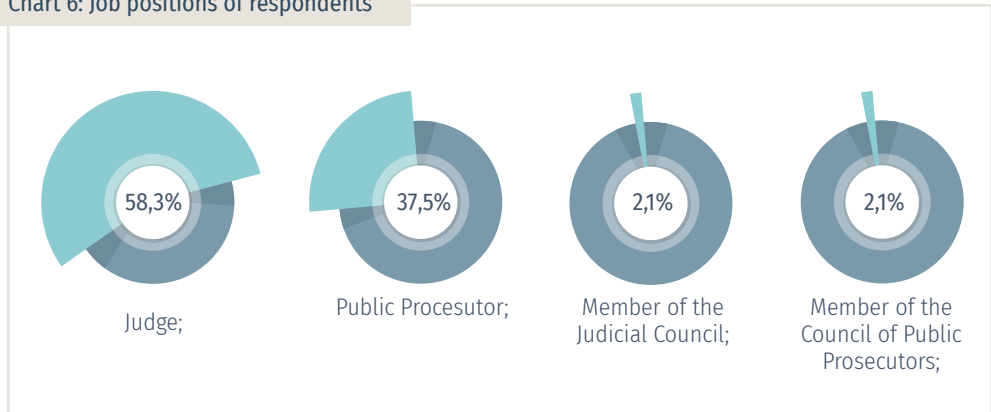
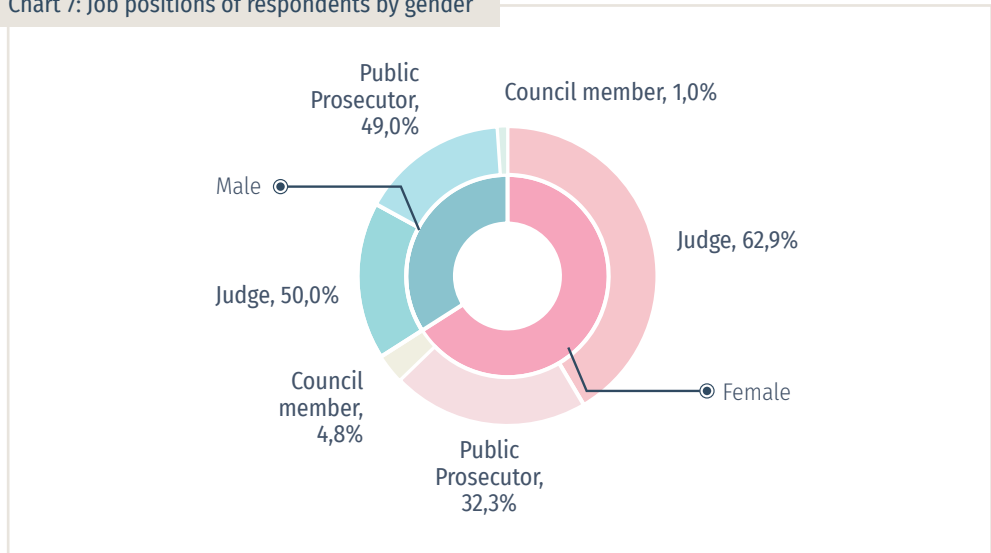


Chart 7: Job positions of respondents by gender



The majority of respondents come from the Skopje **appellate region** - 53.3%, followed by the Bitola appellate region with 17.7%, the Gostivar appellate region with 12.5%, and only 8.3% come from the Stip appellate region.

Chart 8: Respondents by appellate area in which they work

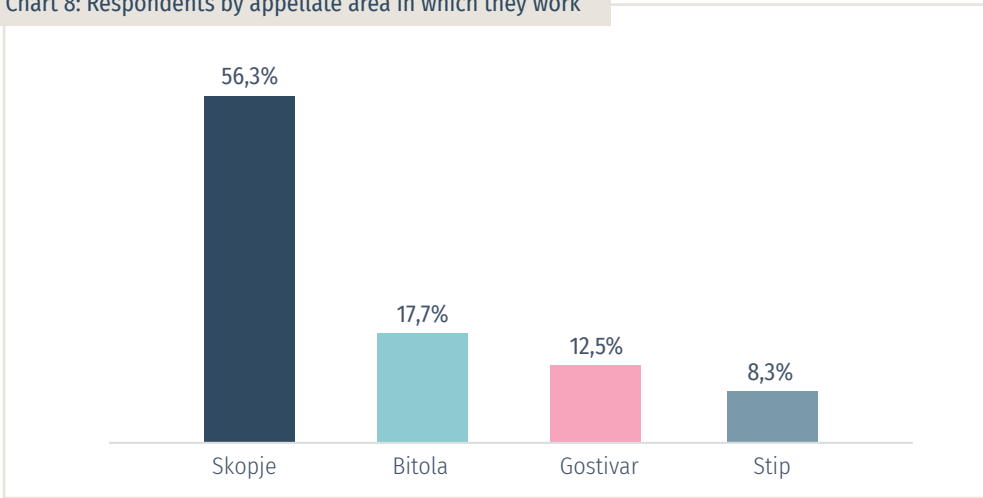
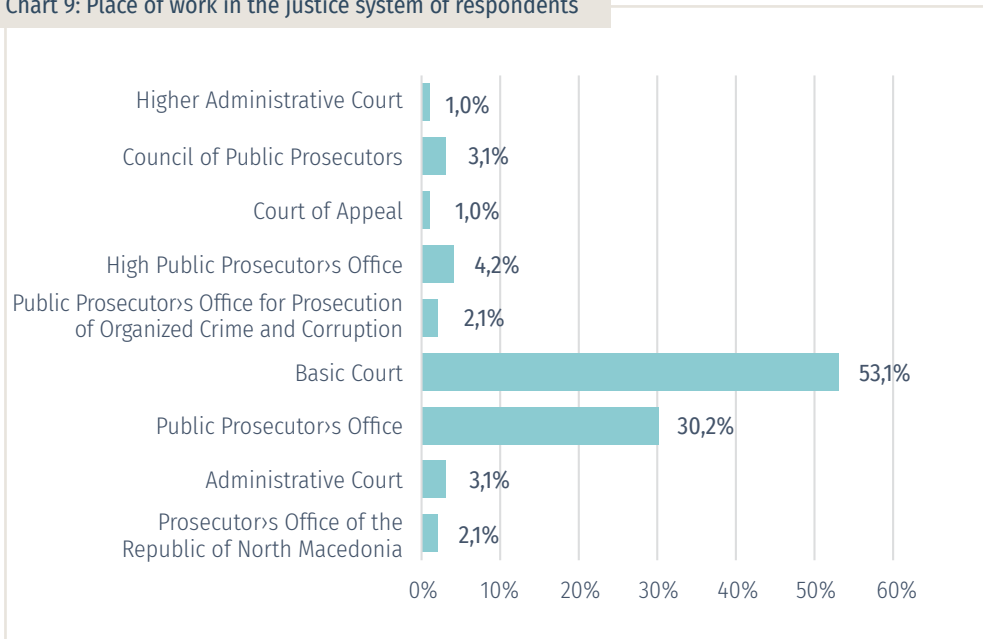


Chart 9: Place of work in the justice system of respondents

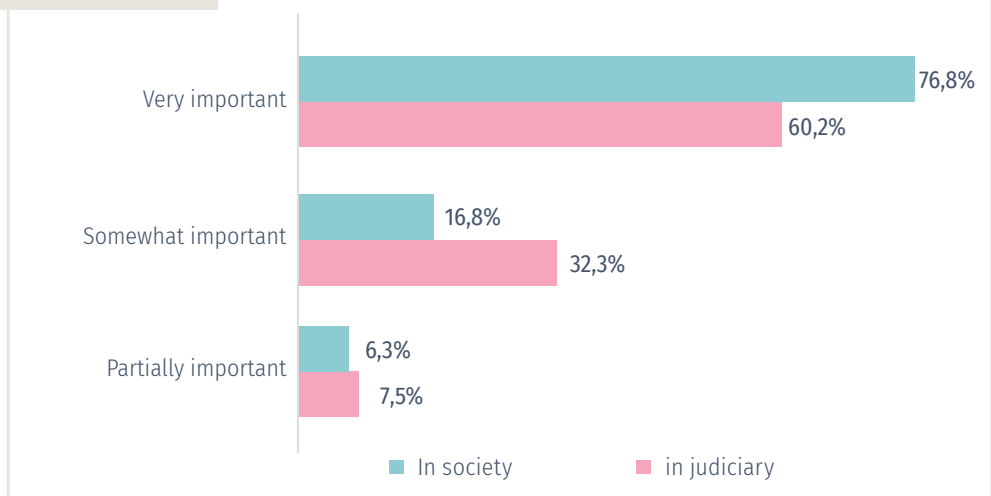


Regarding their **place of employment in the judiciary** of the country, more than half of the respondents (53.1%) are members of the Basic Courts within their appellate regions, followed by members of the Basic Public Prosecution (30.2%). The remaining respondents are members of the Higher Public Prosecution (4.2%), the Administrative Court, and the Council of Public Prosecutors (each 3.1%), the Public Prosecution of the Republic of North Macedonia and the Basic Public Prosecution (2.1% each), and 1.0% are members of the Appellate Court and the Higher Administrative Court.

When asked, “**What do you associate gender equality with?**” where multiple answers were allowed, the respondents most frequently (64.5%) associated it with “Equal rights and opportunities for all people, regardless of their gender expression,” which represents a relatively inclusive understanding of gender equality. In contrast, a significant percentage (51.0%) selected “**Equal rights and opportunities between men and women,**” which reflects a narrower, binary approach to gender equality. A small percentage (2.1%) selected answers such as “Women’s rights and issues,” “LGBT people,” and “Policies adopted from other countries.” None of the respondents associated gender equality with feminism.

The majority of the respondents (99.0% and 96.9%, respectively) believe that **gender equality is important both for society and for the judiciary** in the Republic of North Macedonia. Most of them, in both questions, consider it to be of great importance, with the percentage of respondents who share this opinion in the context of the judiciary being lower compared to those who share this opinion in the context of the society in the country (60.2% versus 76.8%, respectively).

Chart 10: How important do you think gender equality is in society/judiciary in the Republic of North Macedonia?



Analysed from a gender perspective, nearly 80% of men (78.1%) believe that gender equality is very important in society, compared to 68.8% who think the same about its role in the judiciary. A further 15.6% and 25.0% of men consider it somewhat important for society and the judiciary, respectively, while 3.1% and 6.2% regard it as partially important. On the other hand, almost the same percentage of women (74.2%) find gender equality of great importance for society, but only half (53.2%) believe it is of great importance for the judiciary. Additionally, 17.7% of women consider it somewhat

important for society, compared to 33.9% for the judiciary, while 8.0% and 11.3% see it as partially important. Only 1% of respondents believe that gender equality is not at all important for society, while 2.1% think it is of no importance for the judiciary.

Chart 11: How important do you think gender equality is in society/judiciary in the Republic of North Macedonia? According to male respondents

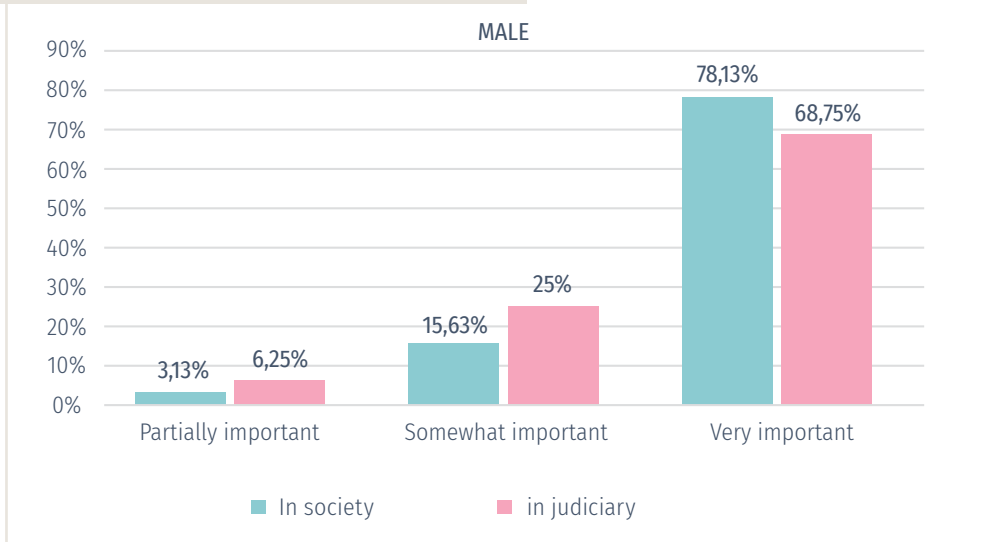
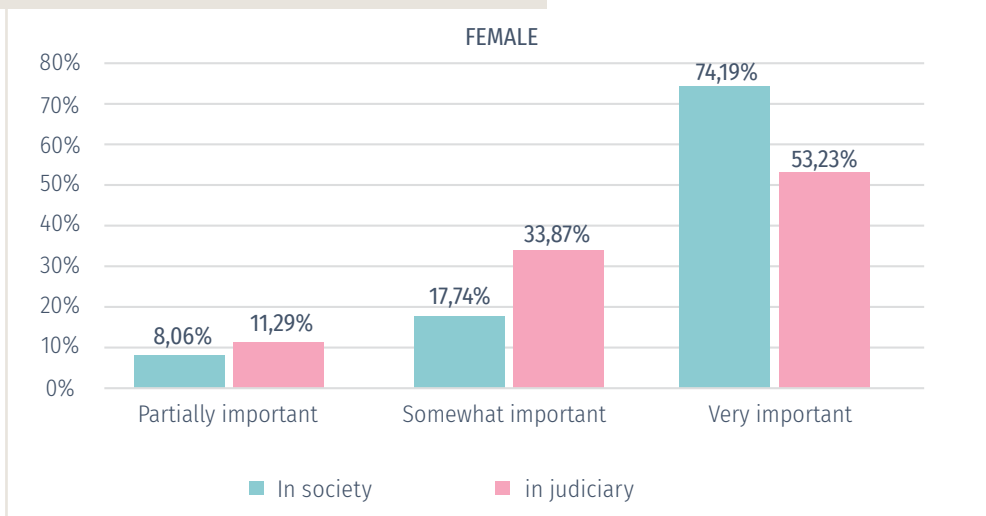


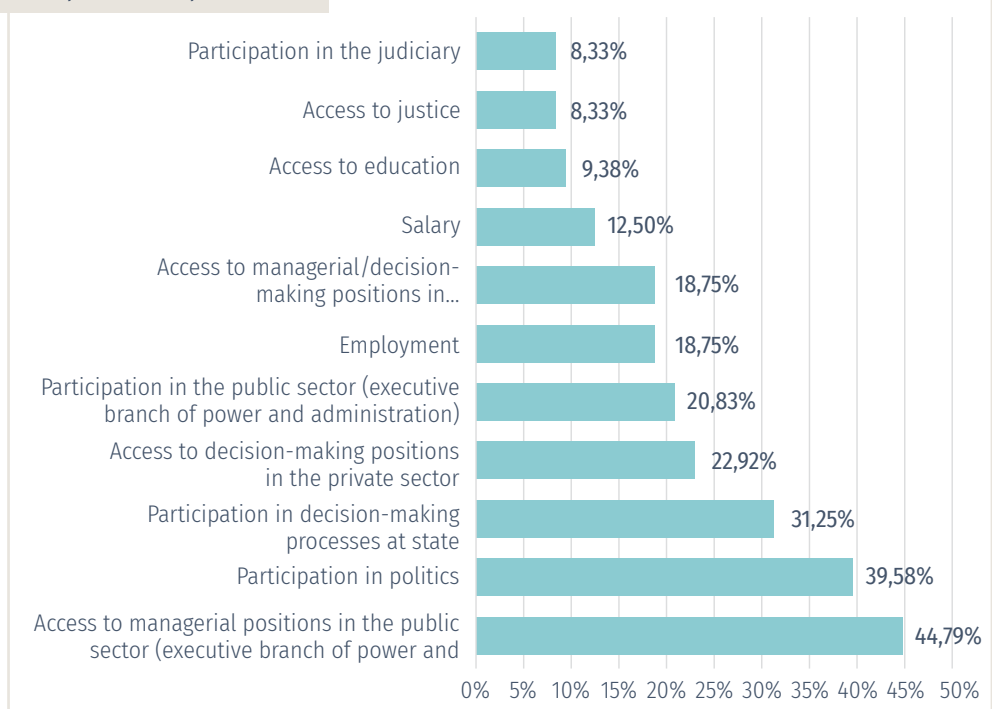
Chart 12: How important do you think gender equality is in society/judiciary in the Republic of North Macedonia? According to female respondents



Nearly half of the respondents (44.8%) identified **access to leadership positions in the public sector (executive branch of power and administration) as the area where they believe gender inequality is most pronounced**, in contrast to the access to leadership positions in the private sector, where 22.5% perceive it as prevalent, and access to managerial and decision-making positions in the judiciary, cited by 18.8%.

The second most prominent area of perceived gender inequality (39.6%) was participation in politics. Additionally, 31.2% of respondents believe that gender inequality is present in participation in decision-making processes at the national and local levels, while 20.8% see gender inequality as present also in the public sector (executive branch of power and administration). Some 18.7% believe that gender inequality is evident in employment processes, and 12.5% consider it present in the valuation of work (e.g., determining salaries). **The areas where respondents believe gender inequality is least present include access to education and justice, as well as participation in the judiciary (below 10.0%).**

Chart 13: In which area do you think gender inequality exists?
(multiple answers possible)

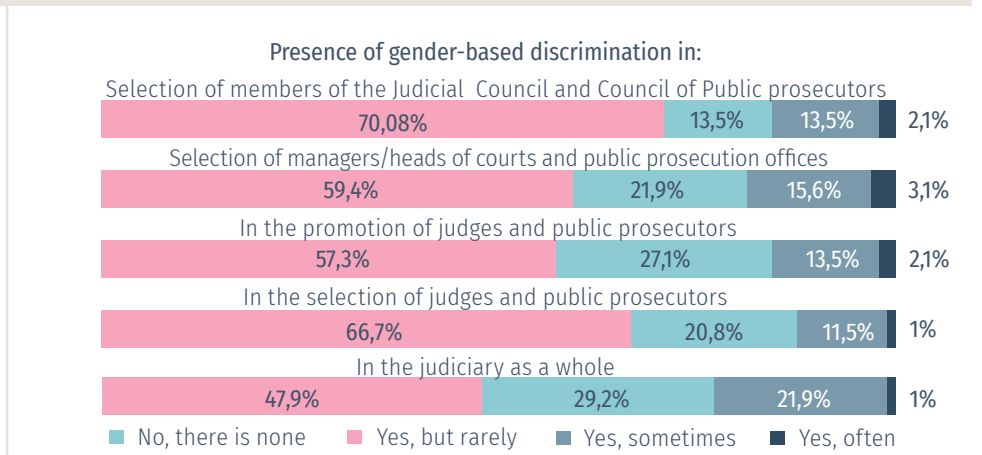


The survey included a section where respondents were asked for their **opinion whether they believe gender-based discrimination exists in various aspects of the judiciary's functioning in the country, as follows: during the selection of members**

of the Judicial Council/Council of Public Prosecutors, the appointment of managers/heads of courts and public prosecutor's offices, the promotion of judges and public prosecutors, the selection of judges and public prosecutors, and the judiciary as a whole. The comparative analysis of the responses leads to the conclusion that respondents believe gender-based discrimination is least present in the selection of members of the Judicial Council/Prosecutorial Council (70.8%), compared to the judiciary as a whole, where less than half of respondents (47.9%) share this view. The second area where discrimination is perceived to be less prevalent is the selection of judges and public prosecutors, at 66.7%, followed closely by the selection of managers/heads of courts and public prosecutor's offices (59.4%) and the promotion of judges and public prosecutors (57.3%). However, it is important to note that the total percentage of respondents who believe that gender-based discrimination exists in these processes, in some form and to some extent, ranges between 50% (in the judiciary as a whole) and more than 40% for the promotion of judges and public prosecutors.

(A graphical representation of the **overall opinions regarding the presence of gender-based discrimination** in various aspects of the judiciary's functioning can be found below).

Chart 14: Do you think there is gender-based discrimination in the judiciary?
(Gender-based discrimination is any distinction, exclusion or restriction which has the effect or purpose of impairing or impairing the recognition, exercise or enjoyment of human rights and fundamental freedoms on a basis of equality of women and men in the political, economic, social, cultural, civil or any other field.)



Comparing the responses of male and female respondents, it is evident that **men, in a higher percentage, believe that gender-based discrimination exists in all areas except in the judiciary as a whole.** This response may be closely related to the lower representation of men in the judiciary system, but also how gender equality is understood – as revealed during the interviews, it is often associated with the representation of women and men in the judiciary system. However, the data

analysis shows that when women consider the judiciary as a whole, the majority believe there is a certain degree of gender-based discrimination. This indicates a perceived decrease in women’s influence when looking at the “big picture” of the judiciary system, including opportunities for making strategic decisions related to the judiciary.

(A graphical representation of opinions on the existence of gender-based discrimination in various aspects of the judiciary’s functioning, analysed from a gender perspective, following the aforementioned order is presented below.)

Chart 15: Do you think there is gender-based discrimination in the judiciary?
According to male respondents

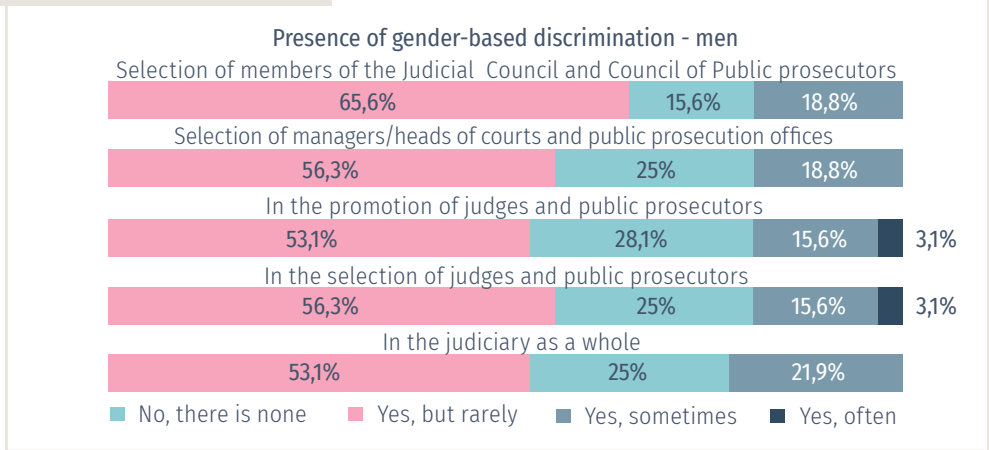
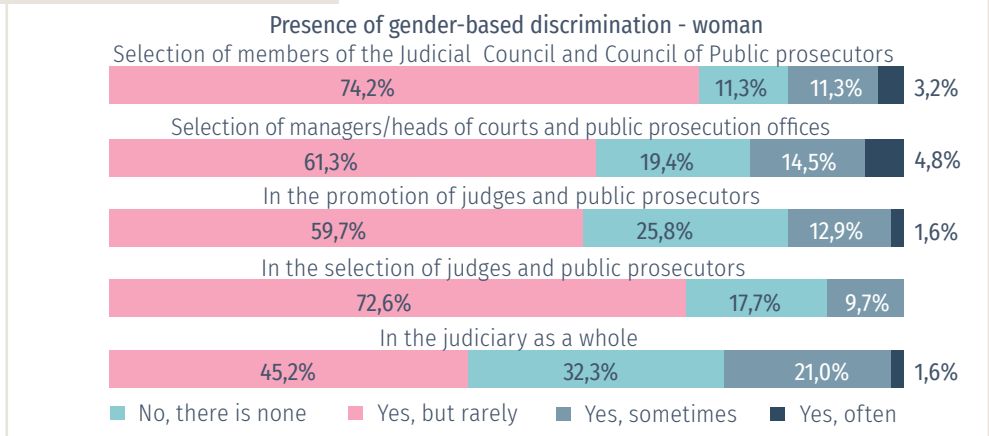


Chart 16: Do you think there is gender-based discrimination in the judiciary?
According to female respondents



When asked **whether they had experienced gender-based discrimination during various processes in their work—such as the selection of judges and public prosecutors, selection for the Judicial Council/Council of Public Prosecutors, promotion of judges or public prosecutors, and selection of managers/heads in courts and public prosecutor’s offices**—only a small percentage of respondents who had participated in such processes answered affirmatively.

Chart 17: Have you experienced gender-based discrimination in employment in the judicial system?

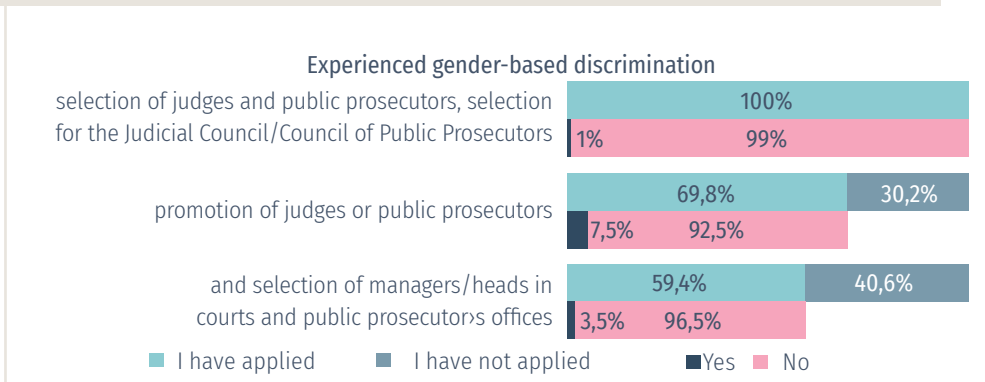
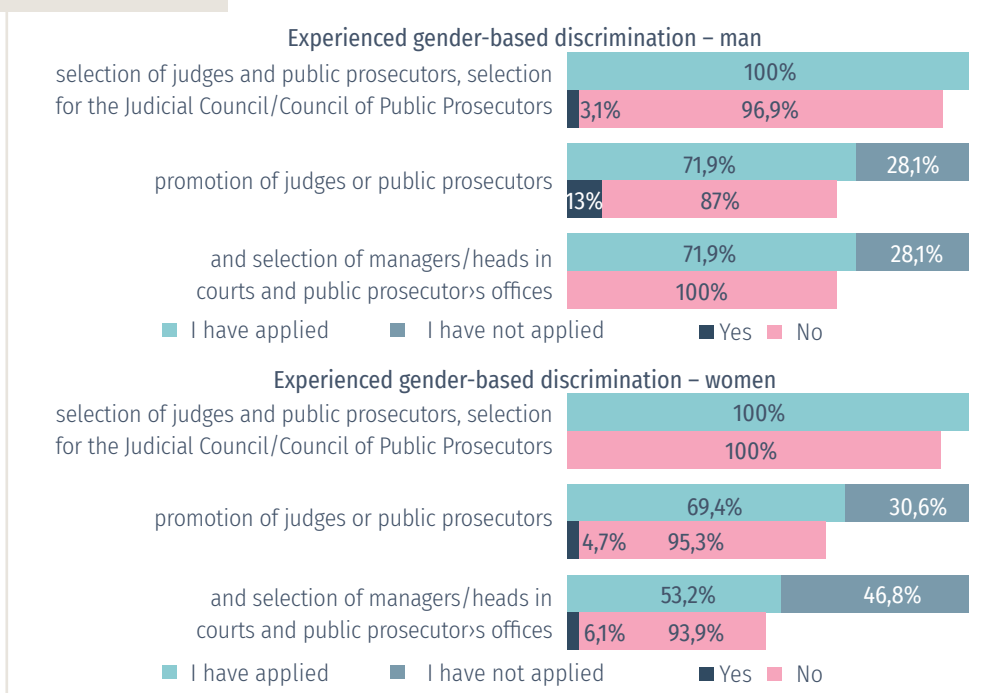


Chart 18: Have you experienced gender-based discrimination in employment in the judicial system? By gender



From a gender perspective, the most significant discrepancy is observed in experiences of gender-based discrimination during the promotion process of judges and public prosecutors, where 13.0% of male respondents who had participated in such a process felt discriminated against, compared to only 4.7% of female respondents.

In parallel, **female respondents experienced gender-based discrimination at a higher rate during the selection of leaders in courts and public prosecutor's offices**, with 6.1% compared to 0% of male respondents. There is also a notable tendency for women to refrain from applying for such leadership positions altogether (46.8%).

A significant percentage of respondents believe that **gender biases** exist in determining disciplinary accountability and/or dismissals of men and women judges and public prosecutors, as well as in the evaluation of their work and performance, with 38.0% and 31.5%, respectively. When asked about the frequency of such biases, 44.8% of respondents who believe **such gender biases exist in the work evaluation and performance assessment of judges and public prosecutors stated that these biases are rare**, 48.3% said they rarely occur, and 6.9% considered them frequent. In contrast, regarding disciplinary accountability and/or dismissal processes of women and men judges and public prosecutors, 11.4% of the respondents who recognized gender biases in this area described them as a frequent phenomenon.

Chart 19: Do you think there are gender biases in the assessment of the work and results of women and men in the judicial service?

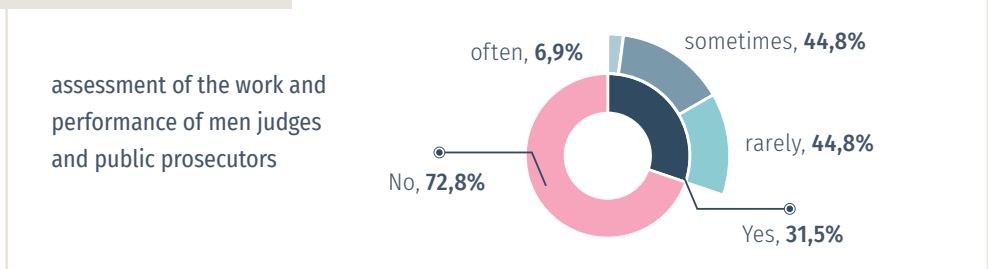
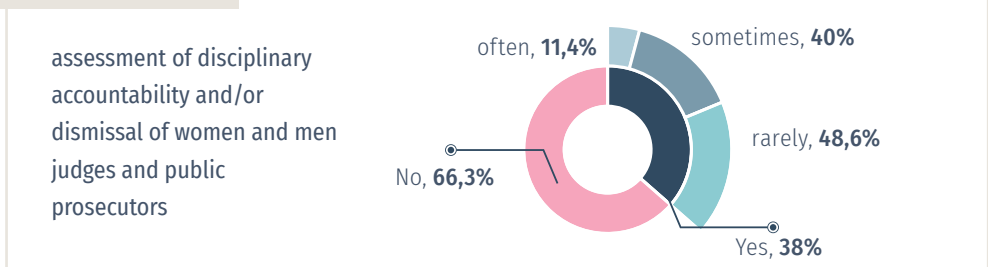


Chart 20: Do you believe that there are gender biases in determining disciplinary liability and/or dismissal in the judicial service?

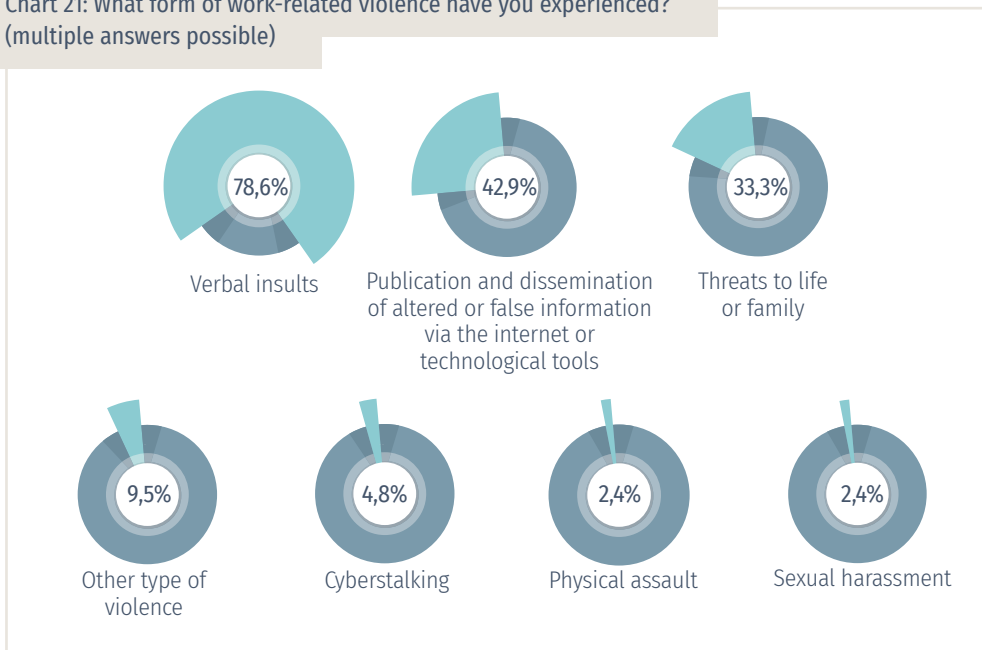


Nearly two-fifths of respondents reported **experiencing some form of work-related violence during their careers; in the majority of cases**, such violence occurred rarely (92.1%), while in 7.9% of the cases it occurred occasionally. **From a gender perspective, the percentages of men and women who experienced some type of violence are nearly identical (40.6% and 40.3%, respectively)**, yet 15.4% of the men who experienced violence stated that it occurred more frequently, compared to only 4.0% of the women. Identical analysis of the collected data was conducted for respondents holding positions as judges or public prosecutors.

The data reveal that women judges experienced violence by 12% more often than men judges. Conversely, among prosecutors, men prosecutors reported having experienced violence by 11% more than women prosecutors. One reason for the lower percentage of women prosecutors acknowledging exposure to violence may be **the normalization of violence, which is often perceived as an inherent part of the profession.**

Regarding the **types of work-related violence faced**, respondents who have been victims most frequently identified **verbal insults (78.6%)**, **the publication and dissemination of altered or false information via the internet or technological tools (42.9%)**, and **threats to their life or family (33.3%)**. A small percentage of victims reported being subjected to **cyberstalking (4.8%)**, **physical assaults, and sexual harassment (2.1% each)**.

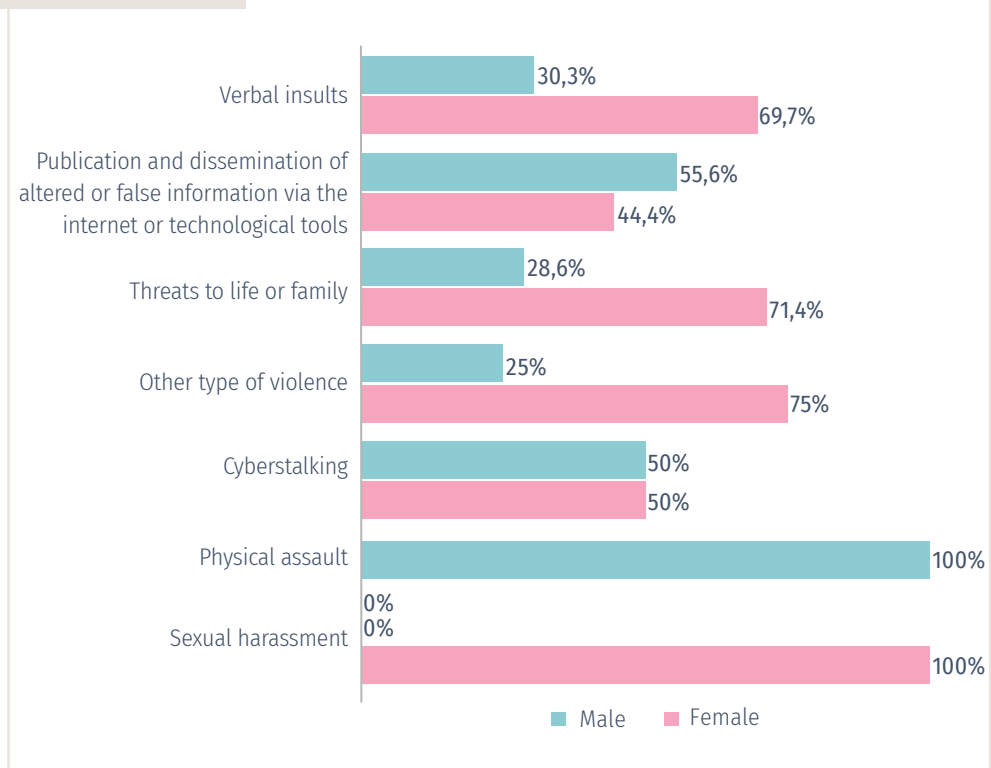
Chart 21: What form of work-related violence have you experienced?
(multiple answers possible)



Additionally, some respondents reported other forms of violence they had experienced, including psychological violence, attacks on personal property, and “lowering performance evaluations to favour others, workplace harassment (mobbing), and trivializing irregularities and illegalities to conceal the true situation.”

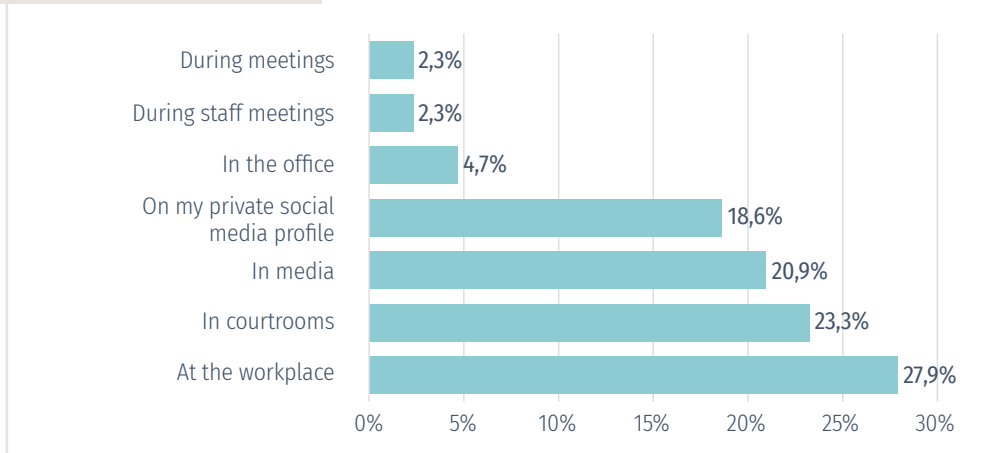
Women were more frequently the target of verbal attacks (69.7% compared to 30.3%) and threats to life (71.4% compared to 28.6%), while the publication and dissemination of altered or false information via the internet or technological tools and cyberstalking were reported at nearly equal rates for women and men (44.4% vs. 55.6% and 50.0% each, respectively).

Chart 22: Do you believe that there are gender biases in determining disciplinary liability and/or dismissal in the judicial service?



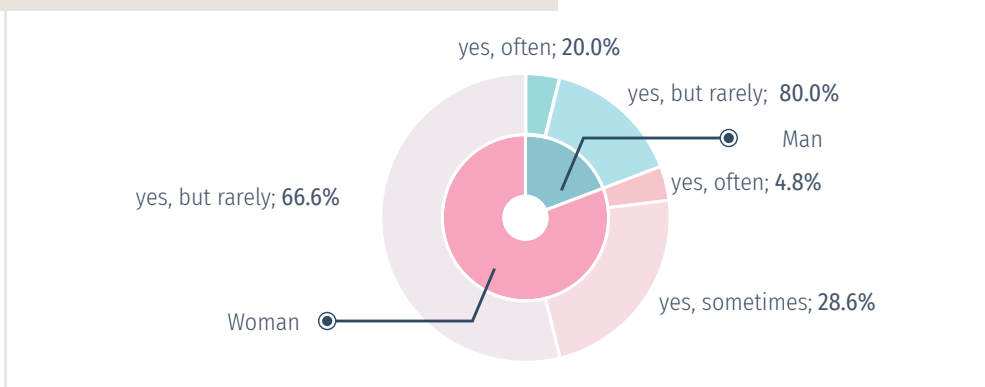
The most common **place where respondents encountered violence** was the workplace, but it also frequently occurred in courtrooms, in media and on private social media profiles. A smaller percentage of respondents experienced violence in the office or during staff meetings or meetings in general.

Chart 23: Where have you had such experiences (violence at work)?
(multiple answers possible)



A smaller percentage of respondents, 27.1% reported witnessing some type of violence (compared to 39.6% who experienced it), while the remaining 72.9% have not witnessed any form of violence. When considering those who did witness violence, the majority, 80.8%, were women, compared to 19.2% who were men.

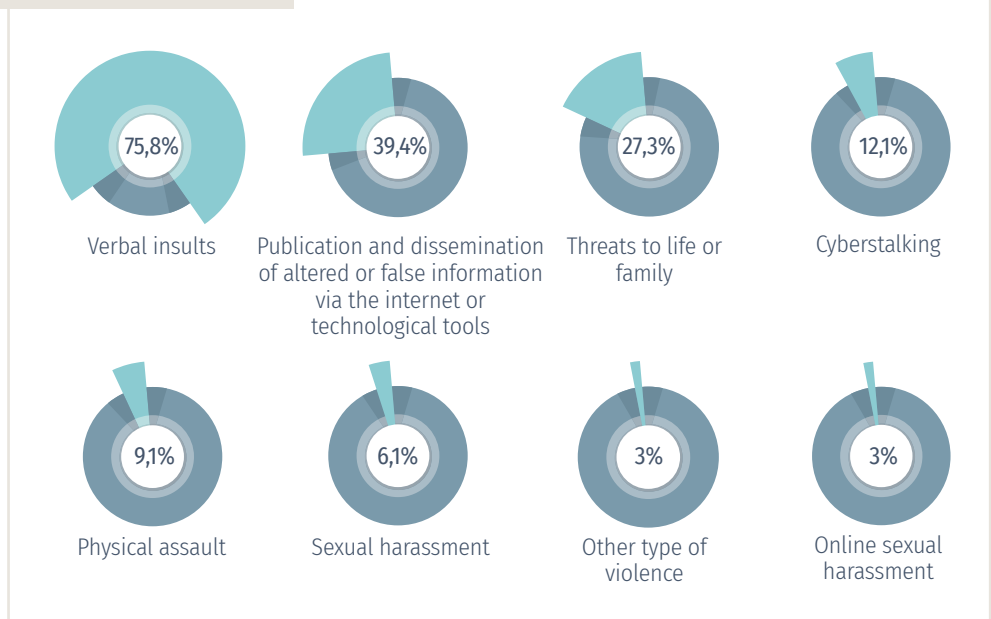
Chart 24: Have you witnessed work-related violence?



Again, the respondents who were witnesses to violence pointed to verbal abuse as the form of violence they witnessed (75.8%), followed by the posting and spreading of altered or false information through the internet or technological tools (39.4%), which is almost the same percentage as the victims' responses; threats to life and family were witnessed by a smaller percentage, compared to those who experienced this form of violence (27.3% witnesses, compared to 33.3% victims). A higher percentage of witnesses compared to victims is also observed for those who witnessed

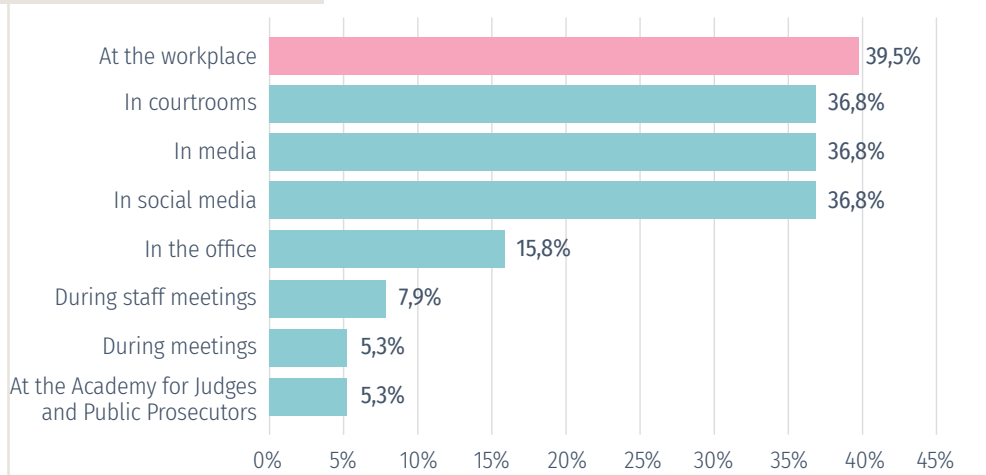
cyberstalking, as opposed to those who experienced it (12.9% witnesses versus 4.8% victims), as well as 9.1% who witnessed physical assault, and 6.1% who witnessed sexual harassment, while 3.1% witnessed sexual humiliation online. The respondents who stated that they had witnessed other types of violence mentioned: “Taking away part of annual leave, unjustified denial of basic working conditions, unjustified and biased reporting by a superior, failure to inform or providing incorrect information about important and mandatory work-related data and decisions.”

Chart 25: What form of work-related violence have you witnessed?
(multiple answers possible)



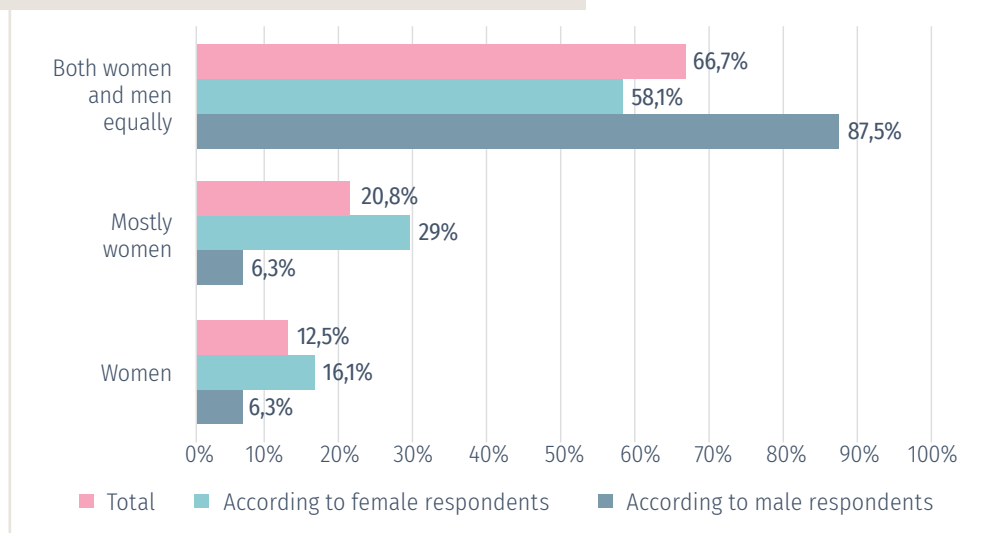
As for the place where they most frequently witnessed work-related violence, the respondents again pointed to the workplace as the most common place (39.5%), but a significant percentage (36.8% each) also indicated the courtroom, the media, and social networks. The percentages of witnesses compared to victims were also higher in the office (15.8% vs. 4.7%), at the staff meeting (7.9% vs. 2.3%), and at meetings (5.3% vs. 2.3%). Additionally, the respondents who were witnesses stated that they had also witnessed violence at the Academy for Judges and Public Prosecutors (5.3%), which was not mentioned as a place where such violence was experienced.

Chart 26: Where have you witnessed such events?
(multiple answers possible)



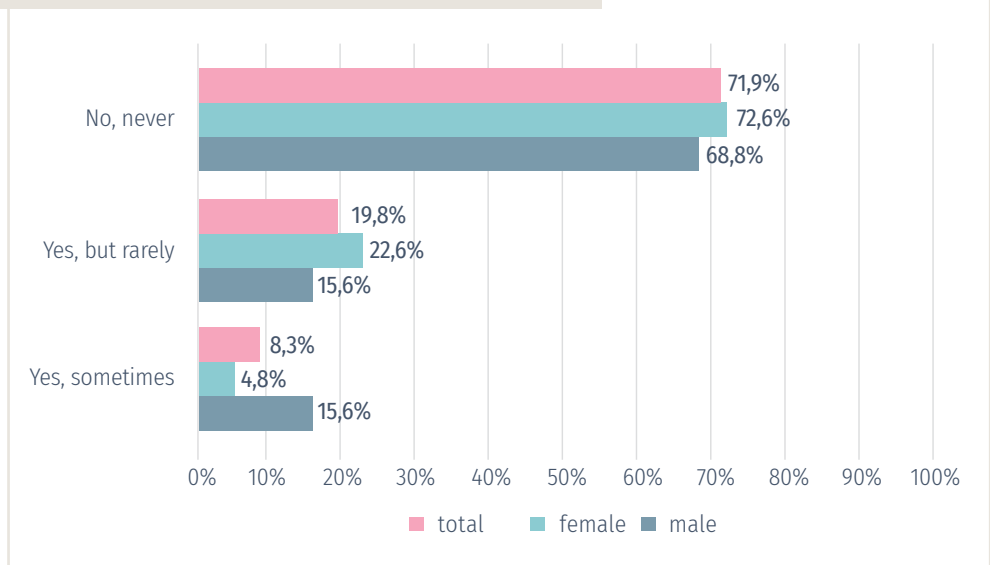
The general opinion among the respondents about who is most often the victim of such cases is that both women and men are victims equally, 66.7%, followed by the belief that women are most often the victims, 20.8%, and that only women are victims, 12.5%. However, when viewed from a gender perspective, female respondents are more likely to believe that they are the most frequent victims compared to male respondents (a total of 45.1% vs. 12.6%). The majority of male respondents, on the other hand, believe that both women and men are victims equally. None of the respondents believe that only men are or most often are victims of such violence

Chart 27: Who is the most common victim of such cases?



Asked **whether they had been subjected to ridicule in the professional environment or in the media for certain opinions or specific public prosecutor/judicial decisions**, nearly three-quarters of the respondents (71.9%) answered that they had never been ridiculed, 19.8% said it had happened, but rarely, and 8.3% said it occurred occasionally. A difference is observed between the responses of male and female respondents, with a smaller percentage of men stating that they had never been ridiculed (68.8% vs. 72.6%), and that it happened occasionally (15.6% vs. 4.8%). On the other hand, female respondents were more often subjected to ridicule that occurred rarely (22.6% vs. 15.6%).

Chart 28: Were they exposed to ridicule in the professional environment or in the media for certain views or in relation to certain public prosecutorial/court decisions?



Regarding the types of comments they were exposed to, those respondents who answered affirmatively to the previous question identified unpleasant jokes as the main form of ridicule (65.4%), followed by comments about the family/marital/parental status of the offended individuals, mentioned by 44.4% of the respondents who were subjected to insults. There were also derogatory comments based on gender stereotypes (26.9%), as well as comments about clothing (15.4%).

Chart 29: Work-related, have you been exposed to: (multiple answers possible)

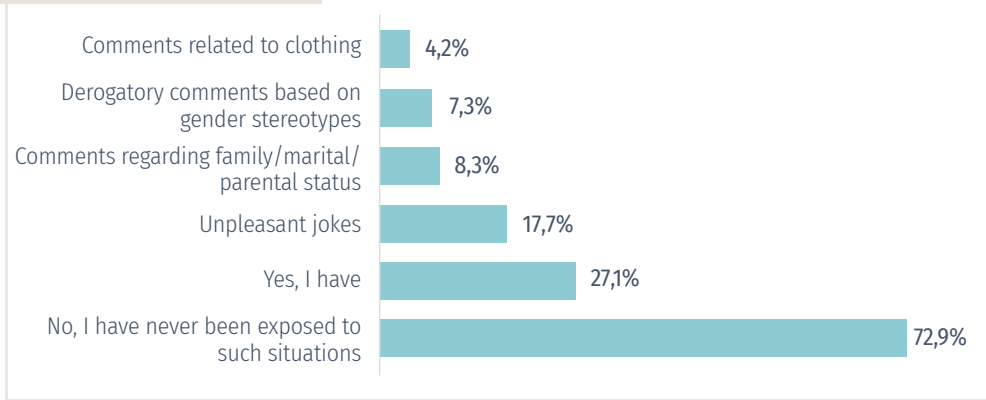
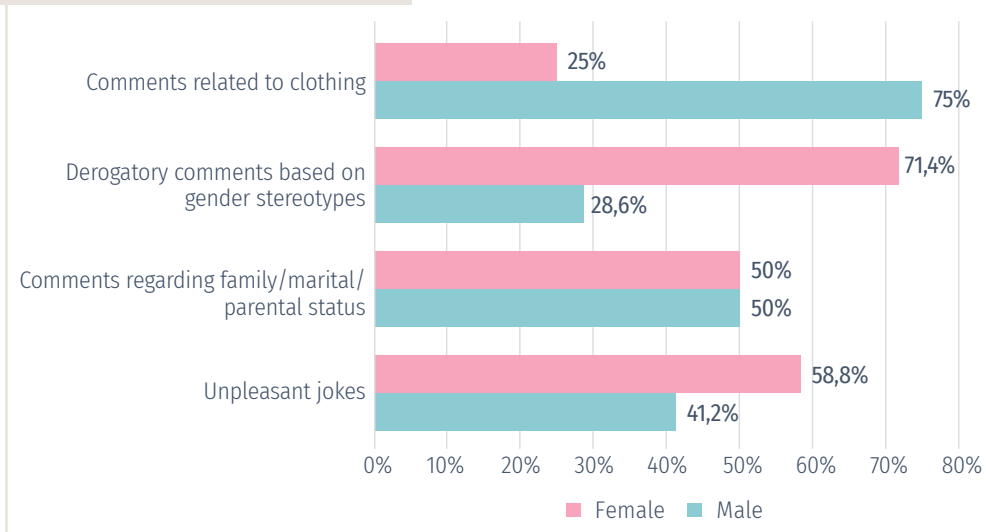


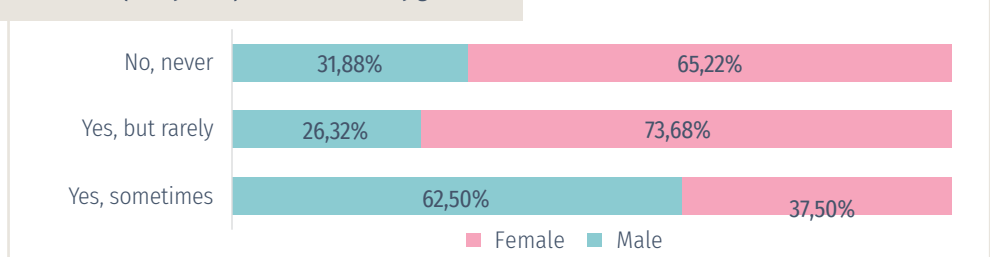
Chart 30: Work-related, have you been exposed to: (multiple answers possible) by gender



The majority (58.8%) of the respondents who were exposed to unpleasant jokes were women, and the same applies to derogatory comments based on gender stereotypes (71.4% women vs. 28.6% men). Comments regarding family/marital/parental status were equally represented among both men and women who experienced insults, while most of the respondents who were exposed to comments about clothing were men (75.0% men vs. 25.0% women).

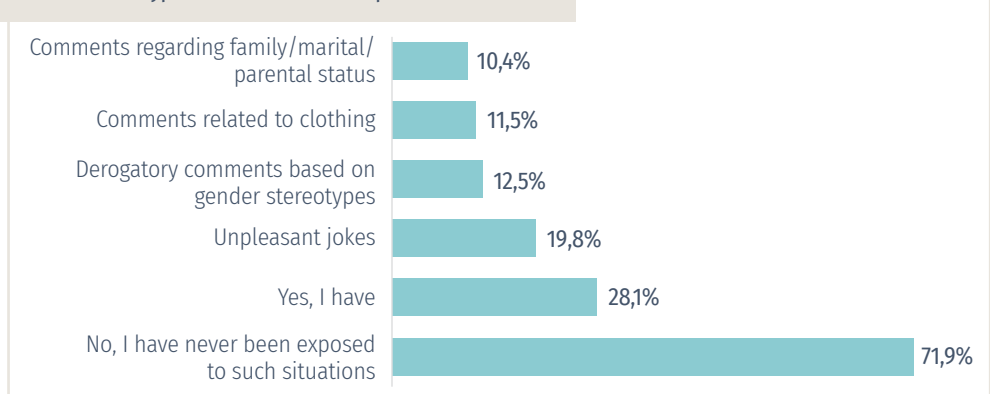
Analysed from the perspective of the victims of these comments, respondents who were exposed to insults that occur rarely were mostly women (73.7% vs. 26.3% men), while among those who experienced them occasionally, men were more represented (62.5% vs. 37.5%).

Chart 31: Frequency of exposure to insults by gender



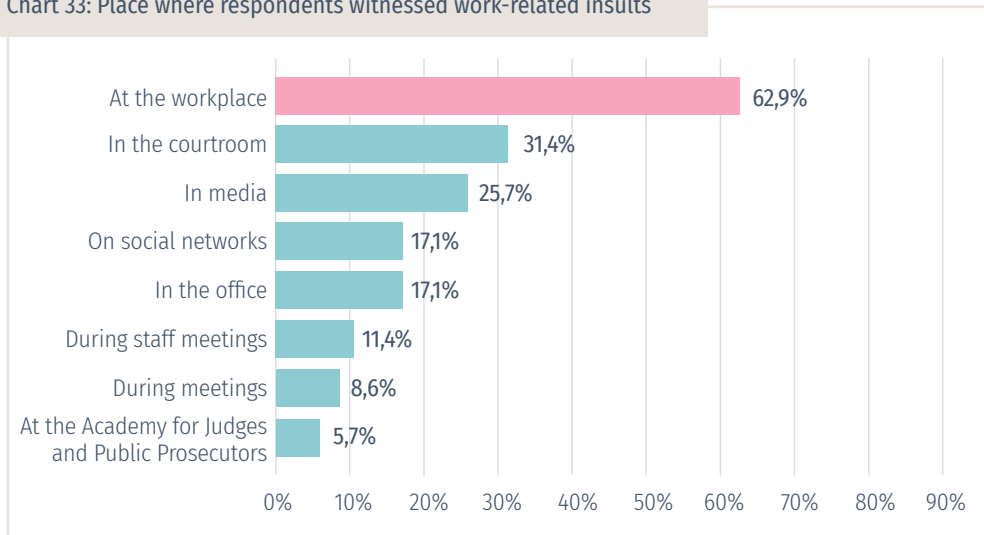
Regarding the types of insults witnessed by the respondents, regarding the total number, the situation is almost identical to the one about the comments they were exposed to, with 71.9% of respondents not witnessing such situations, compared to 28.1% who did. Again, the main form of insult reported was unpleasant jokes (70.4% of those who witnessed such situations), followed by comments based on gender stereotypes (44.4%), comments about clothing (40.7%), and comments about family/marital/parental status (37.0%).

Chart 32: What type of insults did the respondents witness?



The workplace is once again highlighted as the main location where respondents where respondents witnessed workplace insults (62.9%). Additionally, the media and courtrooms are also frequently mentioned by the respondents as places where insults occur (25.7% and 17.1%, respectively). In this case, the staff meetings are also more frequently cited as a location where insults take place (17.1%).

Chart 33: Place where respondents witnessed work-related insults



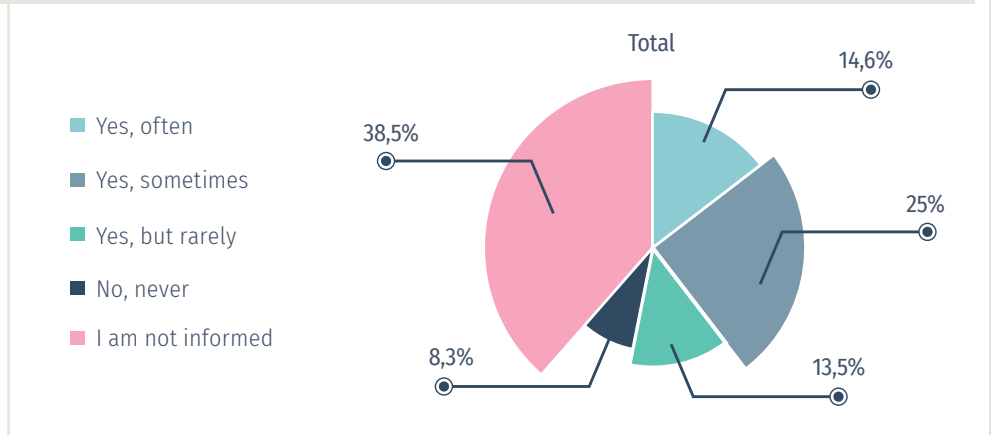
Some of the respondents pointed to informal gatherings among employees (e.g., coffee break, lunch, etc.) where they witnessed insults, particularly when it involved a larger group or groups of people.

When asked **whether they believe certain categories of people are underrepresented as judges and public prosecutors**, the responses indicate support for a more inclusive judiciary, where various groups would be represented. Two groups that stand out are the Roma (both women and men) and people with disabilities (both women and men), with Roma women leading at 46.9% according to the respondents' views. Additionally, members of the LGBT community and women from smaller communities are also mentioned as underrepresented in the judiciary. A small percentage of respondents answered that they "do not believe anyone is underrepresented."

The final question in the survey was **whether the respondents believe that topics related to gender equality and gender-based discrimination and violence are included in the initial and continuous training at the Academy for Judges and Public Prosecutors**. The majority of the total number of respondents (53.1%) believe that these topics are, in some way, represented, with most of them considering that they are adequately covered. However, a large percentage of respondents (38.5%)

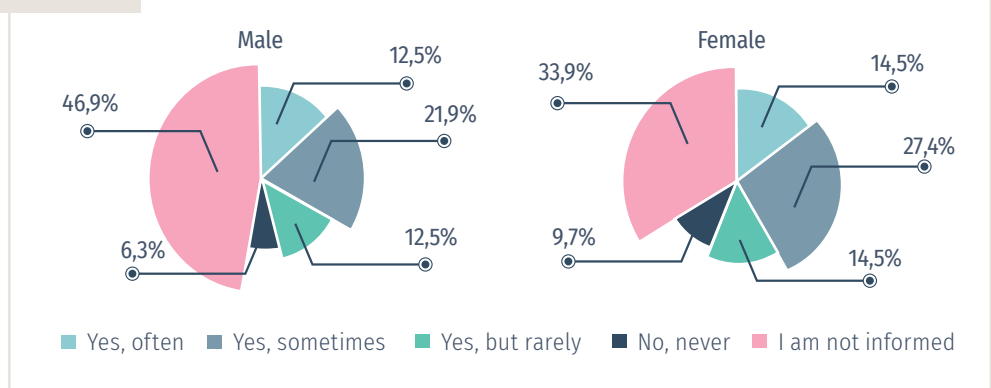
are not informed about this topic. Less than ten percent believe that topics related to gender equality, gender-based discrimination, and violence are not covered at all in the training at the Academy for Judges and Public Prosecutors.

Chart 34: Do you think that topics related to gender equality, gender-based discrimination and violence are represented in the initial and continuous training of the Academy for Judges and Public Prosecutors?



Viewed from a gender perspective, it can be concluded that female respondents are more informed about these topics than male respondents (66.1% vs. 53.1%). Additionally, a larger percentage of women share the opinion that these topics are not represented at all in the training at the Academy for Judges and Public Prosecutors (9.7% vs. 6.3%).

Chart 35: Do you think that topics related to gender equality, gender-based discrimination and violence are represented in the initial and continuous training of the Academy for Judges and Public Prosecutors? By gender



Regarding the court service and the public prosecution service (hereinafter referred to as the judiciary service), 128 respondents answered the questionnaire - 27% male, 73% female, and one person who identified as "other."

Regarding the age, 12% belong to the age group 18 - 30, 60% are in the 31 - 45 age group, and 28% are in the 46 - 65 age group.

Regarding the ethnic affiliation, the largest percentage of the respondents are Macedonians (88%), followed by Albanians (8%), and the remaining respondents either preferred not to answer or selected "other."

Regarding the disability, only two individuals stated that they have a disability, one with visual impairment and one with hearing impairment.

Regarding the job position, 62% are judicial officers, and 38% are public prosecution officers.

Regarding the appellate region, 13% of the respondents come from the Bitola appellate region, 6% from the Gostivar appellate region, 55% from the Skopje appellate region, and 26% from the Stip appellate region.

For the most part, the responses and gender distribution among the judiciary service employees align with those of judges and public prosecutors across all questions, including their understanding of gender equality. However, **there were some responses indicating that this issue is associated solely with LGBT individuals or perceived as foreign imposed policies, in correlation with a few negative comments, including one made by a male respondent in the form of hate speech:** "Brainwashing, all of this requires mandatory treatment in psychiatric hospitals under 24-hour supervision, together with all those who promote, support, and propagate this so-called gender-based equality. Such a thing does not exist; it is all part of a global satanic agenda, let them be freely pierced with snipers for protection against the morona virus and fed worms, cockroaches, and insects." It can be concluded that the influence of anti-gender movements is also felt within institutions.

In the area of gender-based discrimination, the **perception of female respondents is that gender-based discrimination is present in the judiciary**, compared to the responses given by the male respondents. The situation is the same in relation to the perception of experienced violence. Female respondents from the judiciary report having experienced more workplace violence than those from the public prosecutor's office. **Most of the attacks are verbal and occur in the workplace.** It is obvious that there is also a high prevalence of gender-stereotypical jokes and comments, as well as an organizational culture, especially in the courts, that does not prevent such behaviour, considering that many of the female respondents re-

ported **having experienced or witnessed unpleasant jokes or comments based on gender stereotypes, as well as comments related to clothing or family status.**

In the responses, several female respondents made comments pointing at the use of official positions by judges for “mobbing, discrimination, and insulting subordinates.”

Regarding the underrepresented groups, Roma and persons with disabilities were highlighted, emphasizing the need to “overcome the stigma of working with people with disabilities. There are many qualified individuals who could fill various positions, but these individuals are often not chosen. Furthermore, many courts (and other institutions) do not have access to the entrance door due to the lack of ramps, etc., not to mention what it would be like if such an individual was to work there.”

6.1. CONCLUSIONS ON GENDER BIAS IN THE JUDICIARY

- Respondents believe that there is the least discrimination when selecting members of the Judicial Council or the Council of Public Prosecutors, while the most discrimination is observed during the selection of leadership positions in courts and public prosecutor's offices.
- 40% of the respondents - judges and public prosecutors - have experienced some form of work-related violence, with women being more frequently exposed to verbal attacks and threats to their lives.
- The gender equality concept is most frequently associated by the respondents with "Equal rights and opportunities for all people, regardless of their gender expression," which represents a rather inclusive understanding of gender equality (64.5%). In contrast, a large percentage of respondents (51.0%) chose the answer "Equal rights and opportunities between men and women," which represents a narrower, binary approach to gender equality.
- Respondents have experienced and witnessed violence most frequently in the workplace, in courtrooms, in the media, and on social networks, in that order.

7.

RECOMMENDATIONS



Gender-based discrimination

- The fact that women give birth should not be an obstacle to their career development in the judiciary. Therefore, it is recommended to amend the laws governing the Academy for Judges and Public Prosecutors (AJPP) to provide flexible conditions for pregnant trainees and the possibility to continue their training with the next generation of trainees.
- Greater education on gender equality is needed, as well as the dismantling of gender stereotypes (including those related to motherhood), both at the societal level and within the judiciary, as these stereotypes influence decision-making and the quality of justice.

Security and Protection Mechanisms

- It is necessary to enhance the system for protecting the security of judges and lay judges from risks of violence, threats, and intimidation.
- Introducing measures to prevent violence at the workplace, in courtrooms and in media, with the aim of strengthening the protection of judicial officials.
- Introducing measures to prevent violence at the workplace, in courtrooms and in media, with the aim of strengthening the protection of judicial officials.
- Establishing a mechanism for reporting sexual harassment and gender-based discrimination within the judicial institutions, as well as adopting a Protocol for reporting and protection of judges, public prosecutors and lay judges in cases of threats, including support for victims who face gender-based threats.

Education and Inclusion

- Through scholarships, mentorship programs and career guidance, universities should support the enrolment, graduation, and professional advancement of women from ethnic communities, especially in higher academic cycles, thereby directly influencing their career development.
- The Academy for Judges and Public Prosecutors (AJPP) should use established channels of communication (such as the Ministry of Education and Science and civil society organizations) to inform members of the Roma community and women from smaller ethnic communities in a timely manner about announcements for the recruitment of candidates for judges and public prosecutors.
- The reasons why women from ethnic communities, especially from the Roma community, do not apply as candidates to the Academy for Judges and Public Prosecutors need to be investigated. Programs should be introduced to attract candidates from smaller ethnic communities.

- In order to ensure ethnic diversity among lay judges, measures should be taken to attract jurors from ethnic communities, particularly from the Roma community.
- Campaigns should be conducted to promote employment opportunities in the judiciary for marginalized groups, with a focus on women from ethnic communities and persons with disabilities, to increase their participation.

Representation and Positions

- To maintain the representation of women in higher positions, the Judicial Council should be involved in projections and measures to sustain the trend of increasing the number of female judges.
- Mentorship programs should be introduced to support women in public prosecutor's offices, with a focus on increasing their representation in higher and leadership positions.

Gender Mainstreaming

- It is necessary to introduce a gender component into the ethical codes for judges and public prosecutors to promote and protect gender equality and eliminate discrimination, including sanctions for violations of these codes.
- It is essential to explicitly integrate gender aspects into the Law on Courts, the Law on Public Prosecution, the Court Service Law and the Law on the Public Prosecutorial Service.
- Introduction of gender equality modules in the initial and continuous training of the Academy for Judges and Public Prosecutors is recommended, which would also be aimed at lay judges.

