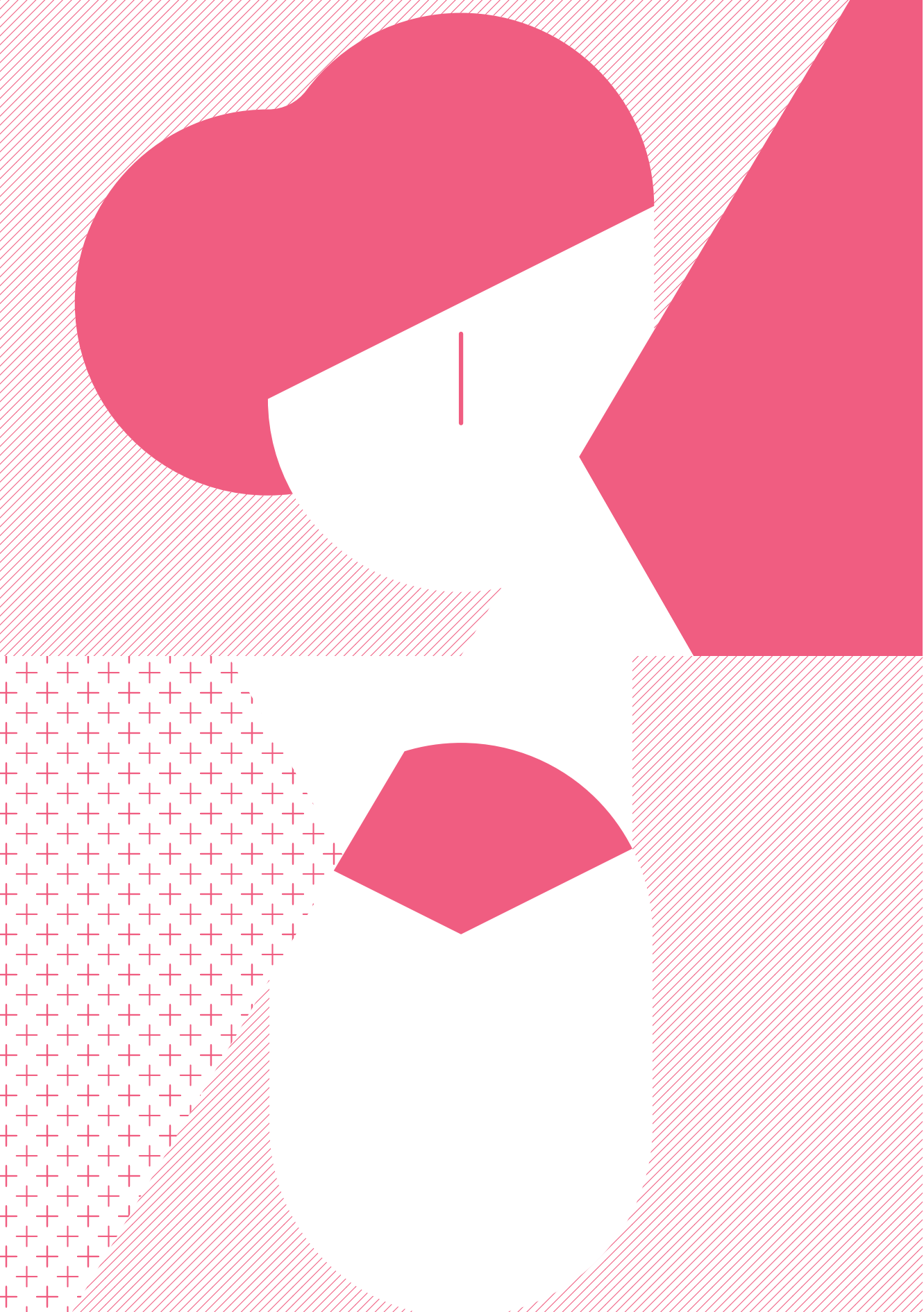


IN A NUTSHELL:
BRIEF GENDER
ANALYSIS OF THE
2023 COUNTRY
REPORT

DECEMBER, 2023





In a Nutshell: Brief Gender Analysis of the 2023 Country Report

Skopje, 2023



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OVERALL ASSESSMENT

This reporting period for North Macedonia was marked by the beginning of accession negotiations and the launch of the screening process. The 2023 country report noted that the political situation in the country remained polarized, which had an impact on the proper functioning of democratic institutions. After being mentioned for two consecutive years, references to gender mainstreaming are excluded from this year's edition of the country report. Compared to the 2022 report, there is no significant change in the number of times gender, women and girls are mentioned. While both in 2021 and 2022 there were two official recommendations, the 2023 report has only one grey-box recommendation related to gender equality in Chapter 23: Judiciary and fundamental rights. The official recommendation included in Chapter 19: Social policy and employment mentions "vulnerable groups", but the specific reference to women disappears from this year's report. A very positive change is that for the first time, serious concern is expressed over the anti-gender campaigns which, at times, are supported by local government officials, religious and political leaders. The effect of the growing anti-gender movement on adopting important legislation (like the Law on Gender Equality) is also recognised. Additionally, while references to women, peace and security WPS were omitted from the previous report, the 2023 report mentions UNSC Resolution 1325 both in Chapter 23: Judiciary and fundamental rights and in Chapter 31: Foreign, security and defence policy.

CLUSTER 1: THE FUNDAMENTALS OF THE ACCESSION PROCESS

FUNCTIONING OF DEMOCRATIC INSTITUTIONS AND PUBLIC ADMINISTRATION REFORM

The revised methodology for EU accession¹ puts a stronger focus on the fundamental reforms. Cluster 1 – The Fundamentals of the Accession process is the cluster that will be opened first and closed last and therefore it will determine the overall pace of negotiations.

ELECTIONS, PARLIAMENT, GOVERNANCE

It is noted in the 2023 report that a “comprehensive review of legislation on the electoral process is needed to address existing inconsistencies and further align the system with European and international standards”. Regarding women’s participation in decision-making and political processes, it is also noted that after some Members of Parliament (MPs) were replaced, the number of women MPs reached 42.5%, the highest percentage ever. Data is also presented on the percentage of women in the executive branch of government (25% of ministers, 31% of deputy ministers and 29% of state secretaries), while adding that “women held 15% of the executive positions in different government bodies and agencies”. However, there is no additional interpretation of these data and **the recommendation included in the narrative of the previous report urging political parties to take steps to encourage the participation of women in the electoral process, is excluded this year**. The report also notes that more than half of public service employees are women, but without any information on the percentage of women in management (data which was provided in the previous report) and no additional interpretation or concrete recommendation.

1 Enhancing the accession process – A credible EU perspective for the Western Balkans. Available at: https://ec.europa.eu/neighbourhood-enlargement/enhancing-accession-process-credible-eu-perspective-western-balkans_en

The active involvement of women in politics and their presence in decision-making roles are indispensable for the development of a democratic society. The 2021 local elections exacerbated the gender gap in decision-making, with women being underrepresented in the electoral process. Consequently, out of the overall elected mayors, a mere 2.5% are women². Additionally, within the present composition of the Government, out of 20 members, only five are women³. Therefore, it is evident that in positions of power where quotas are not in place, a substantial gender gap exists. Moreover, research indicates that women in the Republic of North Macedonia encounter greater challenges in seeking access to positions with decision-making authority. For instance, the manner in which political parties assign candidates to winnable seats or include them in lists has significantly contributed to the limited success in electing women from the pool of available candidates⁴. Additionally, new research by Reactor indicates that female councilors demonstrate greater aspirations for extended political engagement in roles where gender representation quotas exist (such as municipal councilors and MPs), in contrast to their male counterparts⁵. This implies that female councilors typically have greater aspirations in settings where their participation is ensured.

In 2022, the Gender Equality Strategy 2022-2027⁶ was adopted as a fundamental national strategic document that is to guide the efforts of national institutions in terms of promoting gender equality and women's rights. One of the specific objectives foreseen in the Strategy is the equal participation of women in decision-making at all levels of political and public life⁷, aligning with the 50-50 commitment.

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- 2 Pekovska, Neda (2021). Local Elections 2021, Review of Candidate Lists for Mayors and Selected Representatives from Gender Aspect. Reactor – Research in Action, 2021. Available at: https://reactor.org.mk/wp-content/uploads/2021/11/analiza_od_rodov_aspekt_lokali_izbori.pdf (only available in Macedonian)
 - 3 Composition of the Government of the Republic of North Macedonia, available at: <https://vlada.mk/node/18031?ln=en-gb>
 - 4 Korunovska, Neda, Srbijanko, Jana K. Ilikj, Sneshka, Maleska, Tanja (2015). Women in Politics: Paths to Public Office and Impact at the Local Level in Macedonia. Reactor – Research in Action, 2015. Available at: <https://reactor.org.mk/en/wp-content/uploads/sites/4/2020/05/Women-in-politics.pdf>
 - 5 Bojchevska-Mitrevska, Ana, Maleski, Blazhen. (2023). Women in Politics 2: Paths to Public Office and Impact at the Local Level in North Macedonia (A Follow-up Study). Reactor – Research in Action, 2023. Available at: https://reactor.org.mk/en/wp-content/uploads/sites/4/2023/09/women_in_politics_2.pdf
 - 6 Gender Equality Strategy 2022-2027. "Official Gazette of the Republic of North Macedonia" no. 170/22.
 - 7 Specific objective 2.4

Recommendations:

- » Recommend amendments to the Electoral Code which aim to align with the 50-50 commitment and ensure an increase in women's participation in politics.
- » Reinstate the recommendation included in the narrative of the previous report urging political parties to take steps to encourage the participation of women in the electoral process.

CIVIL SOCIETY

The 2023 report recognises the vital role of civil society organisations (CSOs) and their crucial role as watchdogs and as part of decision-making processes. The report also underlines the need for systematic and meaningful consultation of CSOs on draft legislation, adding that “the role of civil society in the EU accession negotiation process needs to be strengthened”. The Commission also recommends providing consistent mechanisms for awarding public funding to CSOs and urges local authorities to be proactive in developing consistent approaches to involving civil society in policymaking at local level.

Civic organization and activity play a pivotal role in furthering gender equality in the accession process. Some preliminary findings from Reactor's ongoing research indicate a notable gap in women's CSO (WCSO) participation in SAA processes. Additionally, it was also observed that civil society participation in sector working groups (SWGs) is not uniform and formalized and that even when CSOs are represented, they face obstacles for meaningful participation. Besides creating an enabling environment, active involvement in policy-making processes is crucial for (W)CSOs. This entails **regular consultations with civil society, ensuring timely notice, providing all necessary materials and allowing ample space in discussions for their voices to be heard**. This approach would enable (W)CSOs to contribute their expertise to the integration process within their respective areas of focus, as well as to be actively involved in shaping public policies that align with the interests of the citizens they represent.

Recommendations:

- » Recommend consulting (W)CSOs ahead of the SAA Committee and Sub-Committee meetings.
- » Recommend representation and meaningful participation of (W) CSOs in all SWGs.

RULE OF LAW AND FUNDAMENTAL RIGHTS

CHAPTER 23: JUDICIARY AND FUNDAMENTAL RIGHTS

The only official recommendation relating to gender equality in the 2023 report is included in Chapter 23: Judiciary and fundamental rights. Namely, in the fundamental rights section it is recommended that national authorities “allocate the necessary resources to the Commission for the Prevention and Protection against Discrimination enabling it to fulfil its mandate”. Under the freedom of expression section, the need for additional measures to promote gender equality in the media industry is recognised as well.

The report gives a brief overview of the state of play in terms of gender equality and women’s rights. **The anti-gender movement is explicitly mentioned for the first time and serious concern is raised over the support at times given by local government officials, religious and political leaders.** The report also acknowledges that **the Law on gender equality has not been adopted yet largely due to this movement.**

While reflecting on the gender gaps in employment and labour force participation, the 2023 report addresses some intersectionality aspects, noting that the gaps are wider for marginalised women, in particular Roma women aged between 40 and 44. Additionally, statistics on the percentage of women out of the labour force due to their caring responsibilities are presented while adding that “unpaid care work directly contributes to inequalities in women’s participation in the labour force and women’s exclusion more generally”. The report also acknowledges the obstacles faced by women individual farmers, which are excluded from the Law on health insurance when it comes to compensation due to illness, workplace injury and maternity leave. **Although not formulated as a concrete recommendation, it is then noted that the adoption of the Law on labour relations and the Law on harassment in the workplace has been pending for several years.**

The report **reaffirms that the lack of reliable sex disaggregated data across sectors** is a significant obstacle for evidence-based policymaking. It is also noted that relevant institutions lack the capacity and coordination for proper gathering and analysis of gender statistics. It is regrettable that this information did not result in an official recommendation in Chapter 18: Statistics. Another important reflection which was included in the previous report but omitted this year is regarding the lack of proper gender-strategic planning and budgeting tools, which limits the opportunities for effective gender mainstreaming in policymaking and for integrating the gender perspective into sector dialogue and public finance management.

What started as separate groups of people has evolved into an organized anti-gender movement that has been gaining momentum in North Macedonia in recent years. These anti-democratic movements vehemently oppose gender equality, and their representatives consistently target CSOs and human rights activists, employing online intimidation, direct threats, and dissemination of false information. While it is very relevant that the report recognised the seriousness of the situation, it is necessary to **recommend to national authorities to address these issues and formulate a clear and resolute response to the anti-gender and anti-democratic movements in the country.** Additionally, while the report notes that the Law on gender equality has not been adopted yet largely due to these movements, it is equally important to **emphasize the need for the proposed legislative solution, which has been trapped in the drafting phases for years, to be finalized and adopted by Parliament.**

The draft Law on gender equality, developed over an extended period, delineates measures to attain gender equality, the implementation of gender mainstreaming, the competences and obligations of entities responsible for enforcing the law, gender mechanisms, and the methodology for monitoring and reporting on the outcomes of law implementation. The anticipated key novelties include, among others, the establishment of Gender Equality Secretariat, the formalization and legislative regulation of the already existing Resource Center for Gender Responsive Budgeting, the systematization of the role of coordinator for gender equality, and the imposition of obligations on all entities encompassed by the law on the collection of gender-disaggregated data and gender statistics. Additionally, the new Law on gender equality envisions the reinforcement of the role of the State Statistical Office (SSO) as the coordinator of gender statistics.

Specific objective 2.1 of the national Gender Equality Strategy envisages reducing the gender gap in women's economic participation and in the labor

market, with an intersectional approach. Among other things, the expected outcomes include the reduction of gender inequality in the labor market, narrowing the gender wage gap, minimizing sectoral and hierarchical job segregation, and implementing measures to harmonize professional and private life. **A key prerequisite for achieving these outcomes and fostering a balance between private and professional life is the adoption of the new Law on labor relations.** The legislative solution needs to be harmonized with the EU Work-Life Balance Directive⁸, encompassing the following aspects in particular: protection of female workers on fixed-term contracts during pregnancy, childbirth, and parenthood (by eliminating the option of non-renewal of the contract during maternity leave), the right to protection for female workers during pregnancy, birth, and parenthood engaged in unpaid work or on informal contracts, as well as shared parental leave for both parents. Surveys conducted by Reactor on gender-based discrimination and labor rights in 2018 and 2021 reveal that instances of gender-based discrimination and labor rights violations persist. However, these incidents are often not reported or are underreported to the relevant institutions and mechanisms⁹. Research indicates that, alongside discrimination related to stereotypes of motherhood and caregiving responsibilities, working women are frequently exposed to sexual harassment in the workplace¹⁰. Therefore, it is imperative **to clearly recommend to national authorities to adopt the new Law on labour relations and the Law on prevention and protection from harassment at work, aligning it with ILO Convention no. 190 on Eliminating Violence and Harassment in the World of Work¹¹, which North Macedonia ratified in 2023¹².**

Recommendations:

- » Recommend to national authorities to formulate a clear, robust and resolute response to the anti-gender movements in the country.
- » Recommend to national authorities to urgently finalise and adopt the new Law on gender equality and its alignment with the EU Work-Life Balance Directive.
- » Recommend that the Law on labour relations and the Law on prevention and protection from harassment at work are finalised and adopted by Parliament.

8 Official Journal of the European Union. "DIRECTIVE (EU) 2019/1158 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 20 June 2019 on work-life balance for parents and carers and repealing Council Directive 2010/18/EU". Достапно на: <https://bit.ly/2PNaDKt>.

9 Leshoska, Vaska. Jolevska, Irina. Koteska, Biljana. Maleski, Blazhen (2022). Gender-based Discrimination and Labour in North Macedonia. Reactor – Research in Action, 2022. Available at: <https://reactor.org.mk/en/publication-all/gender-based-discrimination-and-labour-in-north-macedonia-2/>

10 Ibid.

11 https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C190

12 https://www.ilo.org/budapest/whats-new/WCMS_899634/lang-en/index.htm

CLUSTER 2: INTERNAL MARKET

CHAPTER 19: SOCIAL POLICY AND EMPLOYMENT

The specific reference to women included in the official recommendation in Chapter 19 of the previous report, has been excluded this year. Namely, the grey-box recommendation in this year's report is more general and only uses the phrase "vulnerable groups".

This section of the report also recognises the gender gap in labour market participation, providing disaggregated data on the employment and activity rate. Furthermore, it is noted that although childcare and pre-school capacities have increased during 2022 with the opening of seven new institutions and 10 facilities within public institutions, they need to be further increased, particularly in urban areas.

While no official recommendation is included in this chapter, it is important that the persisting gender pay gap is recognised and authorities are urged to produce reliable data monitoring the gap. Furthermore, it is noted in the report that the 2022 Labour Force Survey indicated that the gap is a result of the fact that women are mostly concentrated in low-paying sectors and positions and that the average net wage for men in 2021 was 2.6% higher than the average net wage, while the average net wage for women was 3.9% lower than the average net wage. The data presented in this section of the report have not been made publicly available by national institutions.

It is regrettable that the specific reference to women was excluded from the official recommendation in this Chapter, especially considering that the persistently large gender gaps in employment and labour force participation are highlighted several times throughout the report.

The findings and recommendations on childcare and pre-school capacities presented in the report largely coincide with Reactor's analyses. For instance, according to the [Gender Equality Index of Municipalities](#)¹³ childcare availability varies considerably across municipalities. 21 rural municipalities lack public institutions for childcare and education, specifically kindergartens, based on the data from the State Statistical Office. Calculations indicate that, on average,

¹³ The Gender Equality Index was created by Reactor, and it is a composite indicator of the status of women and men in different spheres of life, the availability of public services relevant for gender equality and the municipality efforts for promoting gender responsive policies. The last available index is based on data from 2021. Available at: <https://rodovindeks.mk/>

there are 1.3 kindergartens per 1,000 preschool-age children. Delving only into municipalities with kindergartens, the average paints a picture of one state kindergarten overseeing 562 children. Across the board, more than half of municipalities exhibit coverage rates below 30%. These figures accentuate the importance of equitable kindergarten distribution and accessibility.

It is noted in the report that extensive public consultations were held across the country on the yet-to-be adopted new Law on labour relations. However, the final phase of the drafting had transparency issues, with CSOs being excluded from the process without explanation. Additionally, the public debates were organised at a time when the final draft of the law was unavailable to the general public, for which a reaction was issued by the Platform for Gender Equality and the Network for Protection against Discrimination¹⁴.

It is crucial that authorities are urged to produce relevant data monitoring the gender pay gap. The latest available data on the (unadjusted) gender pay gap is from 2014¹⁵, and there is data on the pay gap by sectors from 2018¹⁶. **It would be important to encourage national institutions to regularly produce data not only on the unadjusted, but also on the adjusted pay gap, as well as on the gender pension gap.** As mentioned above, the data presented on the average net wage for men and women is not made publicly available on the website of the State Statistical Office (SSO). The SSO regularly publishes data on the average monthly wage paid per employee, meaning this data is not disaggregated by sex. If the data presented in the country report is produced, national authorities should be urged to make it easily accessible and available to the general public.

Recommendations:

- » Reinstate the specific reference to women in the official recommendation included in Chapter 19.
- » Continue highlighting the need to increase childcare and pre-school availability and capacity.
- » Recommend to national authorities to produce and publish data on the gender pay gap (both adjusted and unadjusted) as well as on the gender pension gap.

¹⁴ Available at: <https://bit.ly/46mz57i> (text available only in Macedonian)

¹⁵ https://makstat.stat.gov.mk/PXWeb/pxweb/en/MakStat/MakStat_OdrzlivRazvoj_CeliNaOdrzlivRazvojCOR2030/225_OdrzRaz_Mk_SDG_05_Gender_ml.px/table/tableViewLayout2/?rxid=46ee0f64-2992-4b45-a2d9-cb4e5f7ec5ef

¹⁶ https://makstat.stat.gov.mk/PXWeb/pxweb/en/MakStat/MakStat_PazarNaTrud_StrukturaNaZarobotuvacki/625_PazTrud_mk_asz20_ml.px/table/tableViewLayout2/?rxid=46ee0f64-2992-4b45-a2d9-cb4e5f7ec5ef

OTHER CHAPTERS

There is an increase in the number of chapters that mention gender and/or women in the 2023 report. Aside from Chapter 23 and Chapter 19, references to gender equality are included in the following Chapters: **Chapter 24: Justice, freedom and security** (the amendments to the Criminal Code and the Law on state compensation for victims of violent crimes are mentioned), **Chapter 18: Statistics** (reference to the gender-based violence survey conducted by the State Statistical Office), **Chapter 6: Company law** (alignment with the 2022 Directive on gender equality on boards of directors is recommended), **Chapter 10: Digital transformation and media** (it is noted that the Agency for Audio and Audio-visual Media Services continued to analyse gender equality in the media), **Chapter 17: Economic and monetary policy** (recommendation to implement in full the provisions of the new Organic Budget Law¹⁷), **Chapter 26: Education and culture** (sex disaggregated data on children enrolled in primary and secondary education), **Chapter 22: Regional policy and coordination of structural instruments** (the new gender equality strategy is mentioned), **Chapter 31: Foreign, security and defence policy** (women, peace and security mentioned as a priority, as well as the monitoring of the second national action plan on the implementation of UNSC 1325). The other chapters and clusters remain gender neutral. While it is commendable that this year's report references women and gender equality in more chapters than previous ones, a critical assessment of gender equality issues is essential to inform concrete recommendations.

¹⁷ Gender equality is one of the key principles of the new OBL.