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ASSESSING INSTITUTIONAL DATA COLLECTION PRACTICES FOR EQUALITY AND ANTI-DISCRIMINATION IN NORTH MACEDONIA

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Abstract

This paper examines the extent to which public institutions in the Republic of North Macedonia collect, disaggregate, and manage data relevant for measuring discrimination and promoting equality. Drawing on data collected through a questionnaire administered to 1,445 public institutional information holders, of which 363 responded (25.12%), the paper evaluates two main components: (1) whether institutions are legally authorized to collect data directly for measuring discrimination or collect data that can be repurposed for this goal, and (2) how this practice aligns with national and international principles and standards for equality data collection.

International framework, predominantly under the United Nations, Council of Europe and the European Union, including the United Nations Convention on the Rights of Persons with Disabilities, the European Convention on Human Rights, the EU primary and secondary law such as the Treaties, the Charter of Fundamental Rights, and the anti-discrimination and gender equality directives, establish obligations for comprehensive and disaggregated data collection systems aimed atidentifying unequal treatment and ensure design of effective anti-discrimination measures. Similar to the international standards, the national legislation of the Republic of North Macedonia, particularly the 2020 Law on Prevention and Protection from Discrimination (LPPD) and the 2012 Law on Equal Opportunities between Women and Men, mandates the collection and presentation of data according to discriminatory grounds.

According to the findings from the field-study conducted with a representative sample of public institutions, while 69% of surveyed institutions are authorized to collect relevant data, only a minority of them systematically collect such data, especially with regard to intersectionality, when two or more discriminatory grounds intersect each other (for example when ethnicity intersect gender, or disability with residential status or age with religion). Most of the collected data in North Macedonia are divided by gender and ethnicity, with limited collection on grounds such as gender identity or political belief. The majority of institutions do not share data with relevant national human rights institutions, and a significant share lack clarity about their legal duty.

The paper concludes with policy recommendations for improving equality data systems to support evidence-based discrimination prevention and equality promotion. The text uses results from research and surveys that have been conducted in the country and abroad as an illustration of trends and patterns.

Keywords: *data collection, discrimination, equality data, intersectionality, North Macedonia*

INTRODUCTION

Advancing efforts to combat discrimination and promote equality depends on a comprehensive understanding of how discrimination emerges and operates, including its underlying causes, forms of occurrences, and impact. This also involves identifying the social groups and subgroups of women and men who are most affected, often disproportionately in comparison with others, by specific types of discrimination, as well as exploring effective ways to address and overcome these societal challenges. Understanding how discrimination affects individuals and groups in society depends critically on the availability of reliable equality data disaggregated on particular discriminatory grounds (personal characteristics). Data, whether quantitative, qualitative, or administrative, serve as the empirical basis for policymaking, judicial proceedings, and monitoring the effectiveness of equality interventions and anti-discrimination measures at large. Data is any information, whereas in numerical or any other form and the function of data is to reveal something about some aspect of reality so their practical value for analysis, judgement and decision-making is major. When data refers to a concrete individual or an individual can be identified by the data itself, it is called personal data (Poposka, Shavreski, 2023, p.6).

Personal data referring to a certain protected characteristic belongs to the group of sensitive data or according to the terminology of the European Union

(Regulation (EU) 2016/679) as a *special category of personal data*. On the other hand, *equality data* is any useful information for the purposes of analyzing the equality situation, whether of a qualitative or quantitative nature, and includes, but is not limited to, all types of disaggregated data. Which means that data is divided on the basis of variables such as age or disability in order to assess the comparative situation of one or more groups at risk of discrimination. It is important to note that equality data can derive from a variety of data sources, such as censuses, administrative registers and surveys, some of them collected for completely different purpose, which can be used also to produce equality data (Makkonen, 2016, p.15).

The *Law on Prevention and Protection from Discrimination* ("Official Gazette of the Republic of North Macedonia" No. 258/2020) (LPPD) of October 2020 in Article 3 paragraph 3 provides that the entities that apply the law, i.e. all state authorities, bodies of local self-government units, legal entities with public authorities and all other juridical and natural persons, have the obligation to take measures or actions for the promotion and advancement of equality and prevention of discrimination. Additionally, Article 3 paragraph 4 assigns an obligation for all entities that are obliged by law to collect, record and process data, to display this data according to the discriminatory grounds from Article 5 of the LPPD, relevant in the area, and with the purpose of promoting and advancing equality and prevention of discrimination.

In this context, the project *Equality through the prism of statistics* sought to assess the practices of institutions in North Macedonia regarding data collection relevant to measuring discrimination. This paper reports findings from an analysis designed to answer two overarching questions: (1) to what extent do public institutions collect data directly for measuring discrimination or collect data that can be repurposed for that function; and (2) how do current practices align with international standards and national legislation regarding equality data collection.

1. STANDARDS FOR EQUALITY DATA COLLECTION AND ANTI-DISCRIMINATION MEASUREMENT

According to Makkonen, it is crucial to collect data on equality and discrimination for several reasons. First, they support informed decision-making, as the effectiveness of laws, affirmative measures, and equality campaigns depends on accurate data about the forms of discrimination to be addressed. Second, statistical data are necessary in legal proceedings to demonstrate the existence of discrimination. Third, they help assess the extent to which individuals enjoy their human rights across different grounds of discrimination. Fourth, such data allow institutions, like employers and educational organizations, to evaluate whether their policies comply with equality and anti-discrimination laws. Additionally, statistics are important for designing education and awareness-raising measures (Makkonen, 2016, pp.19-21). As a prerequisite, the collection and storage of these data must comply with legal safeguards, including personal data protection laws, to ensure confidentiality, respect for privacy, and adherence to internationally recognized human rights standards and ethical principles. Classification of individuals into groups should be based on self-identification.

1.1 **International standards at the United Nations**

Within the framework of the United Nations, non-discrimination is a right in itself, but it also represents a constitutive element of all other human rights and the enjoyment of all rights must be guaranteed taking into account the principle of non-discrimination. Additionally, numerous conventions, such as the *International Covenant on Civil and Political Rights* and the *Convention on the Elimination of All Forms of Racial Discrimination* foresee not only a negative obligation of the state, i.e. to refrain from discrimination, but also a positive obligation, i.e. to take measures aimed at effectuating the right to non-discrimination in various areas of social life. Article 31 of the *Convention on the Rights of Persons with Disabilities* refers explicitly to the collection of data and statistics for persons with disabilities. Paragraph 1 establishes an obligation for the State Parties to collect appropriate information, including statistical and research data, in order toenable the formulation and implementation of policies that will enforce the provisions of the Convention. At the same time, the process of data collection and storage should be in accordance with legally established protective measures, including the legal regulation for the protection of personal data, in order to ensure confidentiality and respect for the privacy of persons with disabilities (para.1 line a); and the internationally accepted norms for the protection of human rights and basic freedoms and ethical principles in the collection and use of statistics (para.1 line b). Data collected in that manner should be disaggregated appropriately and used to help assess the implementation of States Parties' obligations under this Convention and to identify and address barriers faced by persons with disabilities in exercising their rights (para.2). In that regard, *General Comment No. 6 of the Committee on the Rights of Persons with Disabilities*, provides that States Parties must collect and analyse appropriate data and research information in order to identify inequalities, discriminatory practices and inequality trends and to analyse the effectiveness of measures to promote equality.

The Committee on the Rights of Persons with Disabilities, international mechanism for oversight the implementation of the Convention, notes that in many State Parties there is a lack of up-to-date data on discrimination based on disability and that often, in cases where national law and regulations allow, disaggregation of data by disability, gender, sex, gender identity. ethnicity, religion, age or other identity characteristics are lacking. Such data and their analysis are of great importance for developing effective anti-discrimination measures and measures for the promotion of equality (para.34). In addition, the data collected should be broad and include statistics, narratives and other forms of data, such as indicators to assess the implementation and monitor the progress and effectiveness of new or ongoing initiatives and policies. Disability inclusiveness indicators must be developed and used in a manner consistent with the *United Nations 2030 Agenda for Sustainable Development* and in consultation with organizations of persons with disabilities (para.70). Finally, paragraph 3 stipulates that the State Parties take responsibility for the dissemination of these statistical data and for ensuring their accessibility and availability to persons with disabilities and others.

In 2013, the UN Economic and Social Council, following the Statistics Commission's recommendation, adopted *10 Fundamental Principles of Official Statistics*, emphasizing that statistical agencies must base decisions on professional judgment, scientific methods, and ethics; ensure data quality, timeliness, and efficiency when using various sources; maintain strict confidentiality of individual data; and apply international concepts and classifications for consistency(Resolution adopted by the Economic and Social Council, 2013). Building on this, the UN Office of the High Commissioner for Human Rights in 2018 issued *Guidance Note to Data Collection and Disaggregation*, highlighting participation of relevant population groups, disaggregation of data by protected characteristics, self-identification, transparency and public access to data, metadata (information that describes the collected data) and paradata (information about the process of data collection), privacy protection, and accountability of states and institutions for upholding human rights in statistical systems (UN OHCHR, 2018).

1.2 **International standards at the Council of Europe**

The same standards are guaranteed with the *European Convention on Human Rights* (ECHR) in the framework of the Council of Europe. The case law of the European Court of Human Rights foresees an obligation for states to thoroughly and effectively investigate allegations of discrimination, leaving room for that effective investigation to be based on statistical data, depending on the circumstances of the case (D.H. and Others v. Czech Republic, [GC] App. no. 57325/00, Judgement of 13 November 2007, para.188). On the other hand, Article 8 of the ECHR, which protects private and family life, provides protection against the violation of privacy in the processing of sensitive personal data, regardless of whether they result from the actions of public or private legal entities. Article 8 strictly requires balance in determining which data collection operations are necessary, an element which is part of the proportionality test which envisions that the methods of data collection must always be those which least intrude on the privacy of the individual concerned. These standards apply only to data from which the citizen can be identified, and not to data collected anonymously.*Recommendation No.R (97) 18 concerning the protection of personal data collected and processed for statistical purposes* provides additional guidelines for protection of personal data.

1.3 International standards at the European Union

Equality and protection against discrimination are the foundations of the European Union and are provided for both in the primary (Article 2 of the *Treaty on the European Union,* Article 10 of the *Treaty on the Functioning of the European Union)* and in the secondary legislation of the Union. *The Charter of Fundamental Rights of the European Union* guarantees equality in front of the law and prohibits discrimination based on *inter alia* sex, race, ethnic or social origin, religion or belief, disability, age and sexual orientation (Articles 20-21). The anti-discrimination directives (*Racial Equality Directive 2000/43/EC* and *Employment Equality Directive 2000/78/EC*) as well as the *Gender Equality Directives* have significantly regulated this issue in the Union's secondary legislation. However, it was proven that legislation alone is not enough for societies to deal with discrimination. The research on this topic, the *Eurobarometer for Equal Opportunities*showed that, on an annual level, one out of five citizens of the Union believes that they have been discriminated against, which is approximately 100 million people every year (Special Eurobarometer 493, 2019). Thus, equality data is needed to overcome the situation because it can show whether specific policies and legislation are functioning or not, and what needs to be done in the future. The Anti-discrimination directives (recital 15 in both directives) expressly allow member states to introduce certain rules that allow discrimination to be proven using any method, including statistical data.

Directive 2012/29/EU requires EU Member States to provide relevant statistical data to the Commission on the implementation of national procedures for victims of crime, including the number and type of reported crimes and, where available, the victims' age and gender. All personal data collected within the EU must comply with the six data protection principles under Article 5 of the *General Data Protection Regulation (GDPR)*, while Article 9 restricts the processing of sensitive personal data, such as racial or ethnic origin, political or religious beliefs, union membership, genetic or biometric data, health information, and sexual life or orientation, except under specific conditions like explicit consent, public interest, judicial processes, or archival purposes. The EU has a strong framework for collecting gender-disaggregated data, particularly through the *Gender Equality Index*, but data on other protected characteristics remain inconsistent, non-comparable, and often outdated or based on indirect proxies. Equality bodies seeking to collect such data frequently lack the necessary resources (Makkonen, 2016, p.13).

In 2018, the European Union's Group on Non-Discrimination, Equality, and Diversity adopted the *Guidelines on Improving the Collection and Use of Equality Data*, which provide two types of guidance. The first type, institutional and structural guidance, helps Member States establish frameworks that enable a systematic, long-term, and cooperative approach to collecting and using equality data. These are mainly aimed at policymakers and public administrations, which have both the authority and potential to drive institutional-level change. The second type, operational guidance, focuses on ensuring the comprehensiveness, timeliness, validity, reliability, and representativeness of equality data and helps improve their comparability. This guidance targets institutions involved in collecting, analysing, and disseminating equality data, such as national statistical offices, ministries, other national or local administrative bodies, research institutes, equality bodies, and civil society organizations. Additionally, in 2021, the same group issued the *Guidance Note on the Collection and Use of Equality Data Based on Racial or Ethnic Origin*, emphasizing the same principles mentioned above, with a specific focus on race and ethnic origin.

1.4 **National standards**

The Republic of North Macedonia established the principle of equality within Article 9 of the Constitution (1991), and has ratified all relevant international agreements that prohibit discrimination and provide for the right to equality. In 2010, the first national Law on Prevention and Protection from Discrimination (LPPD, the Law) was adopted as *lex specialis*, which precisely establishes the principle of equality, the prohibition of discrimination on multiple grounds and the judicial and quasi-judicial mechanisms for protection against discrimination. In 2020, the Parliament adopted the new Law on Prevention and Protection from Discrimination, which entered into force on October 30, 2020.

1.4.1. Law on prevention and protection against discrimination

LPPD regulates and prohibits diverse forms of discrimination, namely direct discrimination (Article 8 para.1), indirect discrimination (Article 8 para.2), incitement, encouragement and instruction to discrimination (Article 9), harassment (Article 10), victimization (Article 11), segregation (Article 12) and more serious forms of discrimination (Article 13). The prohibition of these forms of discrimination is in accordance with the EU law, and it is especially significant because in North Macedonia this is the only law where the all forms of discrimination are clearly defined. The LPPD also regulates the special procedures for protection against discrimination, the court procedure for protection against discrimination (Articles 32 to 40) and the procedure before the Commission for Prevention and Protection from Discrimination (CPPD) (Articles 23 to 31). CPPD has broad competences provided for in Article 21, which include both prevention and protection measures.

Article 3 of the LPPD refers to the application of the Law, both in terms of the persons to whom it applies (lat. *ratione personae*) and the areas of application (lat. *ratione materiae*). In paragraph 1 of Article 3, in relation to the subjects to whom the obligation to prohibit discrimination applies, the LPPD is clear that every natural and legal person, that is, every subject of the law, has such an obligation. Thus, the LPPD has a wide application *ratione personae*. Of course, every natural and legal person should respect the obligation to prohibit discrimination within the framework of the rights, obligations and powers they have, when deciding on the rights and freedoms of individuals. As far as the material scope (lat. *ratione materiae*) of the LPPD is concerned i.e., the areas in which the LPPD applies are broadly set. Therefore, the LPPD itself appears as a general law (in terms of areas), unlike other special laws that prohibit discrimination i.e., offer protection from discrimination, in precisely defined areas, such as labour relations, education, access to goods and services and similar. On the other hand, in relation to the issue of equality and non-discrimination, the LPPD appears as a specialised lawand no other law can regulate the issue of equality and non-discrimination differently. With that, the LPPD should have an advantage in application compared to other laws, which treat the issue of equality and non-discrimination only partially, and refer to specific areas. Article 3 paragraph 3 foresees a broad obligation for the entities to which the LPPD applies, i.e., state authorities, authorities of local self-government units, legal entities with public powers and all other legal and natural persons, to undertake measures for the promotion of equality and the prevention of discrimination. Apparently, here the intention of the legislature is to take measures to prevent discrimination, i.e., to promote equality as a value and to take measures to prevent discrimination from occurring. These measures can be of a different nature, from raising awareness to implementation of affirmative measures.

What is important for this paper is Article 3 paragraph 4 of LPPD, which foresees a special obligation for entities that are obliged by law to collect, record and process data. These entities have a duty to present such data disaggregated bydiscriminatory grounds from Article 5 of the LPPD that are relevant in the respective area where the entity functions. Disaggregated data on a discriminatory ground means dividing data according to a protected characteristic. For example, the division on the grounds of ethnicity of the overall results of the final exam of students in secondary schools (graduation exam) as well as their intersection with the grounds sex and gender, of male and female students, in order to observe the situation using the principle of intersectionality. The same analysis can be performed disaggregating the data by disability, further intersected by gender. In addition, the disaggregation of data on public service users by discriminatory grounds would include data in the area of access to service, satisfaction with the particular service, complaints, petitions and proposals, and they are the basis for performing an analysis of the principle of equality in the operation of the relevant institution. However, this does not apply only to the users of the public service, but also to the employees of the entities themselves. For example, the disaggregation of employee data on discriminatory grounds into job profiles, qualifications, job positions and levels, the hiring and promotion process, the number of full-time and part-time employees, salary and benefits, training and promotions, termination and dismissal, disciplinary measures, complaints, petitions and proposals, is the basis for performing an analysis on the principle of equality in employment and work policies in that specific institution. The goal is for the collected data to help define policies and legal solutions, programs, budgets and activities that are evidence-based and thus targeted to those who need them. The benefit of collecting this data is multidimensional; it helps to identify key issues/challenges, potential discrimination and key equality issues within the entity itself, through them an assessment of the entity's own performances carried out externally (towards users) as well as internally (toward employees), and helps in taking specific measures to meet the needs of employees and service users who share a certain relevant protected characteristic and adoption of a specific policy.

Finally, Article 21, paragraph 1, line 24 assigns authority to CPPD for collecting statistical and other data, and establishing databases. This is of particular importance not only because of the obligation and importance of recording cases of discrimination, but also because the shifting of the burden of proof in cases of discrimination is often, in the absence of concrete evidence, based on statistical data, analyses and studies, especially in cases of indirect discrimination. Statistical data and data from the administrative data sets may be useful in court proceedings in which CPPD could appear as a friend of the court (lat. *amicus curiae*). For the consistent implementation of this duty, it is necessary to establish an efficient and competent professional service that will regularly collect, process and store the necessary equality data.

1.4.2. Other laws of interest

Article 18 of the *Law on Equal Opportunities for Women and Men* ("Official Gazette of the Republic of Macedonia" No. 6/2012, 30/2013, 166/2014, and 150/2015, and "Official Gazette of the Republic of North Macedonia" No. 53/2021) stipulates that all state bodies, institutions, associations, foundations, public enterprises, political parties, media outlets, other entities, and entities legally obligated to collect, record, and process statistical data must present these data disaggregated by sex and submit them to the State Statistical Office. The *Law on State Statistics* ("Official Gazette of the Republic of Macedonia" No. 54/1997, 21/2007, 51/2011, 104/2013, 42/2014, 192/2015, 27/2016, 83/2018 and 220/2018, and "Official Gazette of the Republic of North Macedonia" No. 31/2020) regulates the organization, principles, and functioning of the national statistical system, ensuring professional independence, objectivity, confidentiality, and data protection. The State Statistical Office acts as the central coordinator and may collect data through registers, censuses, surveys, and observation, while strictly limiting the use of individual data to statistical purposes only. Special categories of personal data must be anonymized, and where identification is necessary, enhanced safeguards must be applied to prevent misuse. In parallel, the *Law on Personal Data Protection* ("Official Gazette of the Republic of North Macedonia" No. 42/2020 and 294/2021) establishes comprehensive rules for the processing of personal data, including strict limitations on the processing of special categories of data and guarantees of non-discrimination and data subject rights. Oversight is exercised by the independent Personal Data Protection Agency. The *Law on the Central Population Register* ("Official Gazette of the Republic of North Macedonia" No. 15/2015) creates a unified electronic register to ensure standardized, secure, and purpose-limited use of population data by competent authorities, while safeguarding individual access rights. Finally, the *Law on the Use of Public Sector Data* ("Official Gazette of the Republic of North Macedonia" No. 98/2019 and 275/2019) obliges public institutions to publish datasets for reuse through a central open-data portal, ensuring free and open access while remaining consistent with data protection requirements.

2. THEORETICAL FRAMEWORK ON EQUALITY, NON-DISCRIMINATION AND INTERSECTIONALITY

2.1 Main theoretical concepts

Three theoretical concepts are intertwined. *First*, the equality and non-discrimination, *second*, the intersectionality, and *third*, the human rights-based approach to data, all elaborated below.

i) Equality and Non-Discrimination

Equality constitutes one of the foundational principles of international human rights law and is based on the inherent dignity and equal worth of all human beings. As noted by Poposka Jovevski and Rostas, the principle of equality is articulated across all major international and regional human rights instruments and serves as the normative basis for the prohibition of discrimination. Equality and non-discrimination are conceptually intertwined and are often regarded as the positive and negative formulations of the same principle: equality represents the desired outcome, while non-discrimination functions as the legal mechanism through which equality is pursued (Poposka, Jovevski, Rostas, 2024, pp.21-23). A distinction is commonly made between formal equality and substantive (material) equality. Formal equality is rooted in the Aristotelian principle that “equal should be treated alike and unequal unalike” (Aristotle, Nicomachean Ethics, V.3). This approach focuses on equal treatment before the law and assumes that equality is achieved when legal rules are applied uniformly to all individuals. While formal equality has been instrumental in dismantling explicit forms of discrimination, scholars such as Fredman (2011) argue that it is insufficient because it fails to address structural disadvantages and indirect discrimination that affect historically marginalized groups. Substantive equality emerged as a response to these limitations. Rather than focusing exclusively on equal treatment, substantive equality examines the actual effects and outcomes of laws, policies, and practices. According to Fredman (2011), substantive equality requires addressing systemic disadvantage, recognizing difference, facilitating participation, and promoting structural transformation. This understanding recognizes that identical treatment may perpetuate inequalities when individuals and groups begin from unequal social positions. The jurisprudence of the European Court of Human Rights (ECtHR) reflects this substantive approach. In *Thlimmenos v. Greece* (2000), the Court established that discrimination may arise not only when states treat similar situations differently without justification but also when they fail to treat differently persons whose situations are significantly different. This principle acknowledges that achieving genuine equality may require differentiated treatment and positive measures. The relationship between equality and non-discrimination is further emphasized in the *Explanatory Report to Protocol No. 12 to the European Convention on Human Rights*, which highlights that equal treatment must be accompanied by appropriate recognition of relevant differences. Consequently, anti-discrimination law increasingly aims not only to guarantee equality of opportunity but also to contribute to equality of outcomes.

Contemporary human rights discourse has further evolved towards the concept of inclusive equality. In its *General Comment No. 6 on equality and non-discrimination, the United Nations Committee on the Rights of Persons with Disabilities*(CRPD Committee, 2018) conceptualizes inclusive equality as comprising four interrelated dimensions: (1) a redistributive dimension addressing socio-economic disadvantage; (2) a recognition dimension combating stigma, stereotypes, and prejudice; (3) a participatory dimension ensuring full inclusion in society; and (4) an accommodating dimension that respects human diversity and difference. This multidimensional understanding reflects broader efforts to move beyond formal legal guarantees towards transformative equality. Within this framework, discrimination is understood as unjustified differential treatment based on protected characteristics such as sex, gender, race, ethnicity, disability, age, religion, sexual orientation, gender identity, or other status. As established by the ECtHR in the *Belgian Linguistics Case* (1968), differential treatment constitutes discrimination when it lacks an objective and reasonable justification or when there is no reasonable proportionality between the means employed and the legitimate aim pursued.

ii) Intersectionality

The concept of intersectionality has fundamentally transformed contemporary understandings of equality and non-discrimination. Originating from Black feminist scholarship and activism, intersectionality emerged as a critique of approaches that treated gender, race, and other identity categories as separate and independent axes of disadvantage. Early contributions from scholars such as Angela Davis, bell hooks, and Patricia Hill Collins highlighted the inadequacy of mainstream feminist and anti-racist frameworks in capturing the experiences of Black women and other marginalized groups. The term “intersectionality” was first introduced by Kimberlé Crenshaw (1989) to explain how African American women experience discrimination through the simultaneous interaction of race and gender. Crenshaw argued that traditional anti-discrimination frameworks often failed to recognize the unique forms of disadvantage that arise when multiple systems of oppression intersect. Rather than being merely additive, these forms of discrimination create qualitatively distinct experiences that cannot be understood through a single-axis analysis.

Intersectionality therefore functions both as a theoretical framework and an analytical tool for understanding how multiple social identities and systems of power interact. It recognizes that individuals occupy multiple social positions simultaneously and that these positions shape experiences of privilege, exclusion, and discrimination. As Patricia Hill Collins (2019) explains, intersectionality highlights how individual experiences are embedded within broader structures of domination, including sexism, racism, classism, ableism, xenophobia, heteronormativity, and other systems of power. A key contribution of intersectionality is its emphasis on the relational and structural nature of inequality. It moves beyond viewing identities as isolated categories and instead examines how they mutually constitute one another. For example, a Roma woman with a disability may experience discrimination not solely because she is a woman, Roma, or a person with a disability, but because these characteristics interact in ways that create a distinct form of vulnerability. Similarly, older women, migrant women, religious minorities, and LGBTQ+ persons often encounter unique forms of exclusion that cannot be adequately explained through single-ground discrimination analysis.

Scholars Cho, Crenshaw, and McCall (2013) further developed the concept by introducing the notion of political intersectionality, which examines how social movements, institutions, and public policies may inadvertently marginalize individuals located at the intersections of multiple forms of disadvantage. Political intersectionality therefore provides a framework for challenging existing power structures and for designing more inclusive laws, policies, and interventions.The practical relevance of intersectionality has increasingly been recognized within international human rights law and equality jurisprudence. Courts, equality bodies, and treaty-monitoring mechanisms now acknowledge that discrimination may occur through the interaction of multiple protected characteristics. Cases such as *Carvalho Pinto de Sousa Morais v. Portugal* from the ECtHR illustrate how gender stereotypes may intersect with age-related prejudice to produce specific forms of discrimination. Similarly, decisions of *the Committee on the Elimination of Discrimination against Women* (CEDAW) have emphasized the need to address the intersecting effects of gender, ethnicity, socio-economic status, disability, and other grounds of discrimination.

From a policy perspective, intersectionality offers a valuable framework for promoting substantive and inclusive equality. It enables policymakers to identify structural barriers, assess differential impacts of laws and policies, and design interventions that respond to the lived realities of diverse population groups. By recognizing the complexity of human identities and social structures, intersectionality contributes to more effective equality policies and strengthens efforts to combat discrimination in all its forms.

iii) Human rights-based approach to data

A human rights-based approach (HRBA) to data is grounded in the principle that data collection, analysis, dissemination, and use should serve the realization of human rights and uphold the fundamental principles of equality, participation, accountability, transparency, privacy, and non-discrimination. The approach emerged in response to growing recognition that traditional statistical systems often fail to capture the experiences of marginalized and vulnerable groups, thereby perpetuating existing inequalities. According to the Office of the United Nations High Commissioner for Human Rights (OHCHR, 2018), data are not neutral; rather, they reflect underlying social, political, and institutional power relations. Consequently, a human rights-based approach requires that data be disaggregated by relevant prohibited grounds of discrimination, such as sex, age, disability, ethnicity, migration status, and other characteristics, to reveal patterns of exclusion and unequal enjoyment of rights. Drawing on the work of scholars such as Sakiko Fukuda-Parr, Alicia Ely Yamin, and Diane Elson, HRBA to data emphasizes that measurement should move beyond aggregate outcomes and focus on identifying rights-holders who are being left behind, thereby supporting the implementation of the Sustainable Development Goals and the principle of "leaving no one behind" (Fukuda-Parr & McNeill, 2019).

The OHCHR's publication *A Human Rights-Based Approach to Data: Leaving No One Behind in the 2030 Agenda for Sustainable Development* (2018), stated above, conceptualizes data as both a tool for advancing human rights and a domain that itself must be governed by human rights standards. The framework is built around participation, self-identification, data disaggregation, transparency, privacy, and accountability. It recognizes that individuals and communities should not merely be objects of data collection but active participants in determining what information is gathered and how it is used. This perspective aligns with broader theories of democratic governance and social justice advanced by Amartya Sen (1999) and Martha Nussbaum (2011), who argue that development and public policy must be evaluated according to people's substantive freedoms and capabilities rather than solely through aggregate indicators. From this perspective, human rights-based data systems become essential mechanisms for exposing structural discrimination, monitoring state compliance with human rights obligations, and enabling evidence-based policies that promote substantive and inclusive equality, particularly for groups experiencing multiple and intersecting forms of disadvantage.

2.2 **Types of equality data**

There are several types of equality data, that is, data for measuring discrimination. It is necessary to distinguish between the sources of data and the methods by which the data can be analyzed. A set of data can be analyzed using multiple methods. For example, data from the legal system can be a source for quantitative annual statistics of reported crime as well as for qualitative analysis of such crimes. The analysis can rely either on pre-existing data (secondary data sources) or on data that was specifically collected for that particular analysis (primary data sources). The main sources of data, can be grouped as follows:

- Official statistics (consisting of population census, administrative registers and official surveys),
- Data from complaints,
- Research (data from victim surveys, i.e., victimization surveys, situational testing and self-report surveys), and
- Monitoring diversity (internal analysis that evaluates the effect of policies towards certain groups) (Poposka, Shavreski, 2023, pp.13-14).

Below, in Table 1, a visual representation is provided showing the different practical uses of data for equality, based on assessment of Makkonen (2016, pp.21-22).

Table No. 1

Type of action	**Body**	**Typical data needs**
Policy-making	Political and administrative bodies at the national, European and international levels	- baseline data, such as demographic data and socio-economic data (census, register or survey data); - data on material and experienced inequalities (e.g. census or register data, data from official surveys, data from victim surveys and self-report surveys); - data which allow assessment of current policies.
(1) The equality impact assessment is a particularly valuable tool in this respect. It is a way of systematically and thoroughly assessing the effects which a proposed policy is likely to have (prospective impact assessment) or that an already		

implemented policy has had (retrospective impact assessment) on members of an equality group.		
Monitoring human rights and fundamental freedoms	Bodies such as the UN CERD Committee, UN Human Rights Committee, FRA, ECRI and national equality and human rights bodies	- data on discrimination experiences (e.g. victim survey data; data from discrimination testing; qualitative data); - baseline data, such as demographic data and socio-economic data (census or register data, data from official surveys)
Judicial proceedings	Complainants, respondents, courts	- context-specific data, such as data on hiring and firing practices of a specific organisation (internal data; data from discrimination testing experiments; qualitative data); - baseline data broken down by the equality grounds (census or register data, data from official surveys
Workplace and service delivery monitoring	Private and public organisations	- monitoring data on the composition of the workforce or recipients of services (internal data; qualitative data); - benchmark data (census or register data, data from major surveys, data from comparable organisations)
Awareness-raising and educational activities, communication and media	National and international public and private bodies, NGOs, equality groups, the media	- easily understandable and accessible, compelling information (e.g. victim surveys; discrimination testing; self-report surveys)

Research	The scientific community	- the data needs are vast, as, basically, any set of data can be useful in this context; there is a need for both qualitative and quantitative information.

Source: European Handbook on Equality Data

3. TYPES OF DATA COLLECTED BY INSTITUTIONS IN THE REPUBLIC OF NORTH MACEDONIA FOR MEASURING ANTI-DISCRIMINATION

3.1 Methodology of data collection

The questionnaire was administered electronically in July 2023 and distributed to all 1,445 public authorities and institutions listed by the Agency for Protection of the Right to Free Access to Public Information as holders of public information in the Republic of North Macedonia. The analysis presented in the paper is based on 363 complete responses received from institutions across the country. The primary objective of the survey was to identify the types of data collected by public institutions and to assess whether such data are collected directly for the purpose of measuring discrimination or, alternatively, gathered for sectoral purposes, such as education, healthcare, social protection, or employment, but could subsequently be used to identify and measure discrimination. The questionnaire contained 17 questions and eight sub-questions, combining closed-ended and open-ended formats, with several questions allowing multiple responses. Data were processed and analysed through descriptive statistics and cross-tabulations of selected variables to identify patterns across respondent groups.

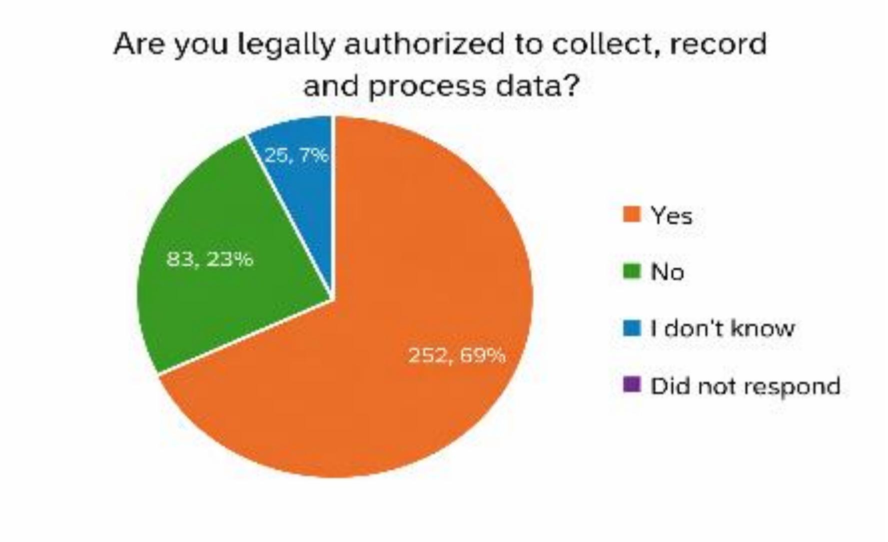
Several methodological limitations and mitigating measures should be acknowledged. The Agency for Protection of the Right to Free Access to Public Information as responsible institution to hold data of all holders of public information in the Republic of North Macedonia administered the questionnaire. However, lacks to identify the category of officials designated to respond on behalf of each institution or the criteria used for their selection. Furthermore, the 363 responses represent all responses received, which amounts to response rate of approximately 25.1%. This potentially raised concerns regarding representativeness and the potential for systematic non-response bias. To mitigate this, a follow-up contacts were conducted to increase participation of responsible management in the institutions that responded to the questionnaire in addition, to the undertaken assessment to determine whether non-responding institutions differed systematically from respondents. The questionnaire items were operationalized or validated against the definitions and concepts contained in the Law on Prevention and Protection from Discrimination through set of four focus groups and workshops that enabled more in-depth subject-matter information. The respondents were classified into categories such as state authorities, local self-government units, public bodies exercising delegated powers, and other legal entities, enabling to assess the representativeness of responses across different types of institutions making sure that does not affect the interpretation of the findings and conclusions.

3.2 **Institutions with authorities for collecting equality data**

This chapter is based on the responses to the questionnaire that was sent to a total of 1,445 institutions that, according to the Agency for the Protection of the Right to Free Access to Public Information, are classified as holders of information. A total of 363 institutions responded, i.e., a quarter of all information holders (25.12%). From the target sample, the largest number, i.e. 135 (37.2%) stated that they are state authorities, 116 (32%) are local self-government units and authorities affiliated with them, 48 i.e., 13.3% are legal entities with public authorities, while 64 (17 .6%) fall under the category of other legal entity. The questionnaire probed institutions' legal authorization, data storage formats, discriminatory grounds used for data disaggregation, data collection intervals, sources of data, survey use, and data sharing practices with national bodies such as the CPPD and the State Statistics Office (SSO).

Of the responding institutions, 252 (69%) reported being legally authorized to collect, record, and process data that either directly measures discrimination or can be used to do so; 83 (23%) reported no such authorization, and 25 (7%) were uncertain (Graph number 1).

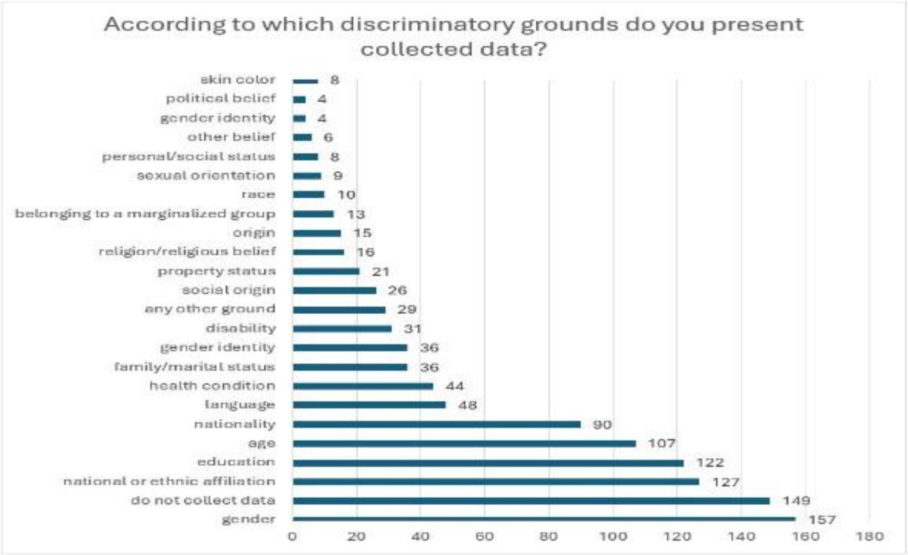
Graph number 1: How many of the institutions are authorized, according to the law, to collect, record and process data



The responded stated that, data were predominantly stored in electronic form (59.1%), with smaller shares using analog formats (33.4%) or open formats (8.6%). Only 17% reported cross-compatible database formats.

Institutions reported dividing data most frequently by gender (43.4%), ethnicity (35.1%), education (33.7%), and age (29.6%). Data on sensitive grounds such as gender identity (1.1%) and political belief (1.1%) were rare. A notable proportion (149 institutions) indicated that they do not collect data disaggregated on any discriminatory ground (Graph number 2).

Graph number 2: Discriminatory grounds on which the collected data are presented



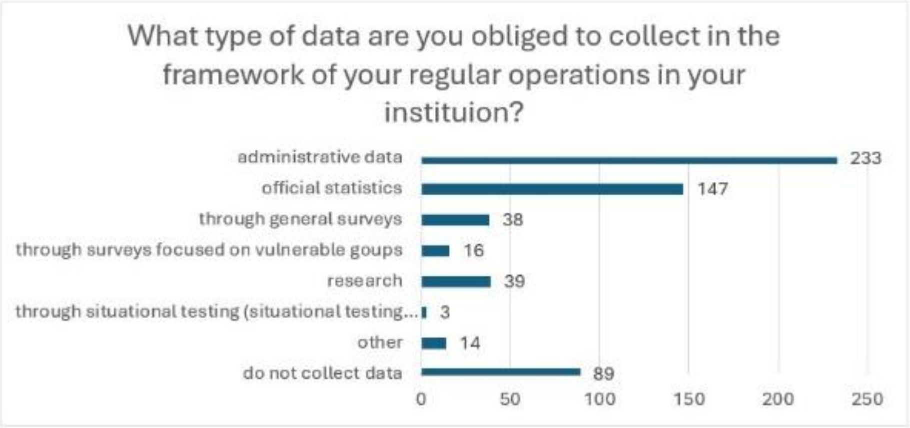
Only 19 institutions (5.2%) reported collecting intersectional data (simultaneously across multiple grounds). The majority (60.5%) did not, and 34.5% were unsure, indicating significant gaps in capturing complex, intersecting inequalities.

Data collection occurred most often in the areas of work and labour relations (38.1%), followed by the area of education, science, and sports (34%).

The majority collected data on an annual basis (35.1%), with some collecting daily or quarterly.

Most institutions collected administrative data (64.4%) and official statistics (40.6%), while only 10.5% used general surveys and a mere 0.8% used situational testing (Graph number 3).

Graph number 3: Types of data that institutions collect within the framework of regular operations



Of those conducting surveys, 14.6% aimed to measure real experiences, and 10.5% measured perceptions. However, 71% of institutions did not conduct surveys at all.

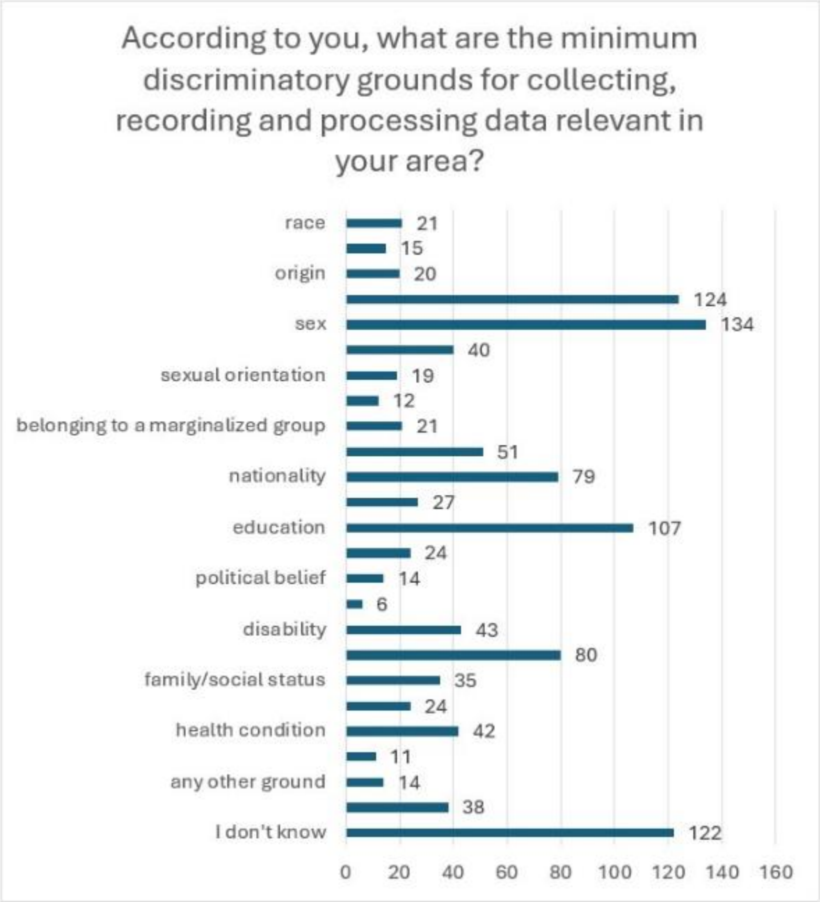
Only a minority reported that they are bounded by law to share individual-level data with either the Commission for Prevention and Protection from Discrimination (9%) or the State Statistics Office (18%), with only 12% able to do so withboth. A significant proportion (42%) were uncertain about data sharing duty and practice.

3.3 **Improving the system for collecting equality data**

While 19.9% of institutions believed they were legally obliged to collect data that can be used for measuring occurrences of discrimination, 23.5% believed they had both direct and indirect obligations, and 42.5% stated they do not collect any data.

Regarding minimum discriminatory grounds upon which they should collect data, institutions prioritized gender (37%), national or ethnic belonging or origin (34.3%), education status (29.6%), and age (22.1%), with least emphasis on sexual orientation, skin color, political belief, and gender identity (Graph number 4).

Graph number 4: What are the discriminatory grounds on which data should be collected, recorded and processed as a minimum requirement



Particularly noteworthy is the extremely low rate of data collection on sensitive grounds such as gender identity and political belief (1.1% each). This finding is consistent with international literature on equality data collection, which identifies institutional risk aversion, concerns regarding personal data protection, lack of methodological guidance, and uncertainty regarding lawful processing of sensitive personal data as common barriers to data collection (Makkonen, 2016; European Union Agency for Fundamental Rights, 2017). Public institutions frequently adopt restrictive interpretations of privacy legislation, resulting in the under-collection of information necessary to identify structural inequalities affecting marginalized groups. Consequently, the absence of such data may reflect institutional caution rather than the absence of discrimination risks.

Similar challenges have been identified across the Western Balkans and EU accession countries. Reports by the European Commission and the European Union Agency for Fundamental Rights indicate that administrative systems throughout the region generally collect data on sex, age, ethnicity, and disability, while significantly underperforming in collecting information related to sexual orientation, gender identity, religion, political opinion, and multiple discrimination. North Macedonia therefore appears broadly consistent with regional trends, although the particularly low level of intersectional data collection observed in this study suggests a need for more systematic implementation of equality data standards.

The findings can also be interpreted through the broader theoretical literature on administrative implementation gaps. Scholars such as Fredman (2011), Makkonen (2016), and Simon (1997) have demonstrated that equality legislation often creates ambitious legal obligations that are only partially translated into administrative practice due to institutional inertia, fragmented responsibilities, lack of technical capacity, insufficient resources, and weak accountability mechanisms. The results of this study support this observation, as institutions generally recognize the importance of equality data but demonstrate limited operational capacity to collect, analyse, share, and utilize such data systematically.

The data reveal substantial gaps between legal obligations and current data collection practices. Although the national legal framework mandates disaggregation by discriminatory grounds, institutional practices remain limited in scope and depth. The underuse of intersectional data and low engagement with surveys suggest barriers to comprehensive equality monitoring thus depriving the institutions such as the CPPD and SSO to provide evidence-based findings and thus determine developing policy and legislation based on facts.

High rates of uncertainty about legal responsibilities and data sharing rights indicate a pressing need for capacity building of administrative data collection institutions and clear guidance by CPPD and SSO to institutions on implementing the LPPD requirements effectively.

4. **CONCLUSIONS**

Equality data are essential for informed policy-making, litigation support, assessment of human rights enjoyment, implementation of evidence-based affirmative measures, evaluation of institutional compliance with equality legislation, and awareness-raising through education. At the same time, the collection, storage, and use of such data must comply with personal data protection laws and safeguards, ensuring confidentiality, privacy, and alignment with international human rights and ethical standards. Any classification related to membership in a particular group should be based on self-identification. In this regard, national legislation, most notably the Law on Prevention and Protection from Discrimination, requires entities that collect and process data to disaggregate it by relevant grounds of discrimination, providing a solid legal framework consistent with EU and international standards.

In practice, questionnaire findings show that 69% of surveyed institutions are legally authorized to collect, record, and process data, predominantly in electronic form (59.1%), yet only 17% of databases are cross-compatible. Data collection is most often conducted annually or biennially, although 21.8% of institutions collect data daily and a smaller number quarterly. Institutions primarily collect data on gender, national and ethnic belonging and origin, education status, and age, while substantially less data is gathered on skin color, political belief, gender identity, or other beliefs. Intersectional data collection remains limited, with institutions either disaggregating by multiple grounds (32.7%) or focusing on a single dominant ground (22.4%). Data is concentrated in the areas of labour and work relations and, to a lesser extent, education, science, and sports, with minimal coverage of housing, culture, and media. Administrative data is collected by 64.4% of institutions, official statistics by 40.6%, largely by units of local self-government, while surveys capturing lived experiences of discrimination are rare, with 71% of institutions not conducting them at all.

Data-sharing practices further constrain the effective use of equality data. Only a small proportion of institutions share data with the Commission for Prevention and Protection from Discrimination (9.4%), the State Statistics Office (19.9%), or both (13.3%), while some provide only aggregated summaries (11.6%). A significant share of institutions, between 37.5% and 48.5%, are uncertain about their legal obligation to share data, and between 6.3% and 11% report having no possibility to do so. This uncertainty persists despite the explicit obligation under Article 3, paragraph 4 of the Law on Prevention and Protection from Discrimination, which requires institutions to collect data for the purpose of measuring discrimination.

Notably, institutions tend to perceive gender, national or ethnic belonging and origin, education status, and age as the minimum relevant discrimination grounds for data collection within their respective areas of work, while considering personal and social status, political or other beliefs, gender identity, and skin color to be of lesser relevance. One third of surveyed institutions (33.7%) reported that they do not know which minimum discrimination grounds should be used for data collection in their field of operation, underscoring a significant gap in awareness and implementation.

Overall, the paper shows that while the legal framework establishes a clear obligation and enabling environment for equality data collection, this potential is only partially realized in practice. Limited database interoperability, uneven data-collection frequencies, narrow disaggregation by discrimination grounds, weak intersectional approaches, and insufficient experience-based data significantly reduce the analytical and policy value of existing data. When measured against national and international principles on equality data, particularly those emphasizing disaggregation, intersectionality, comparability, regularity, and effective data sharing, current practices reveal substantial shortcomings. Addressing these gaps requires clearer institutional mandates, harmonized methodologies, improved data-sharing mechanisms, and a more systematic, rights-based approach to equality data collection and use.

5. POLICY RECOMMENDATIONS

To address the identified shortcomings, a set of prioritized and institution-specific measures should be implemented:

Priority 1 – Clarification of Legal Obligations

- Commission for Prevention and Protection from Discrimination (CPPD) should prepare and adopt binding methodological guidelines on equality data collection, including minimum standards for data disaggregation, intersectionality, data quality, and data sharing.
- Line ministries and local self-government units should conduct internal legal reviews to identify equality-data obligations arising from Article 3(4) of the Law on Prevention and Protection from Discrimination and sector-specific legislation.

Priority 2 – Institutional Capacity Building

- CPPD and the State Statistics Office (SSO) should jointly develop a national training programme for equality-data focal points within public institutions.
- Each public institution should designate a responsible officer for equality-data collection and reporting.

Priority 3 – Harmonization of Data Systems

- SSO should lead the development of harmonized classifications and metadata standards for equality data to improve interoperability among institutional databases.
- Public institutions should progressively transition toward cross-compatible electronic databases capable of generating disaggregated statistical outputs.

Priority 4 – Strengthening Intersectional Data Collection

- CPPD, SSO, and line ministries should pilot intersectional data collection methodologies in priority sectors such as employment, education, healthcare, and social protection.
- Special attention should be given to data collection concerning groups exposed to multiple and intersectional discrimination, including women from minority ethnic communities, persons with disabilities, older persons, and LGBTI persons.

Priority 5 – Improving Evidence on Lived Experiences of Discrimination

- SSO, in cooperation with CPPD and academic institutions, should introduce periodic national surveys on discrimination experiences and perceptions.
- Administrative data should be complemented with survey-based and qualitative evidence to capture forms of discrimination that remain invisible within existing administrative systems.

Priority 6 – Strengthening Accountability and Monitoring

- CPPD should establish an annual monitoring mechanism assessing institutional compliance with equality-data obligations and publish periodic compliance reports.
- Progress indicators should include rates of data disaggregation, intersectional reporting, database interoperability, and institutional data-sharing practices.

Implementation of these measures would contribute to transforming equality data collection from a formal legal obligation into an effective instrument for identifying discrimination, designing evidence-based public policies, monitoringcompliance with human rights obligations, and advancing substantive equality in North Macedonia.

BIBLIOGRAPHY

Aristotle. *Nicomachean Ethics*, Book V.

Charter of Fundamental Rights of the European Union, Solemn Proclamation by the President of the European Parliament, the European Commission and the Council of Ministers, Nice, from 7 December 2000, OJ C 364/1.

Cho, S., Crenshaw, K., McCall, L., *Toward a Field of Intersectionality Studies: Theory, Applications, and Praxis*, The University of Chicago Press, Signs, Vol. 38, No. 4, Intersectionality: Theorizing Power, Empowering Theory, 2013.

Collins, P. H., *Black Feminist Thought: Knowledge, Consciousness, and the Politics of Empowerment*, 2nd ed. Abingdon, Oxon, Routledge, 2000.

Council Directive 2000/43/EC implementing the principle of equal treatment between persons irrespective of racial or ethnic origin (‘Racial Equality Directive’), OJ L 180, 19/7/2000.

Council Directive 2000/78/EC establishing a general framework for equal treatment in employment and occupation (‘Employment Equality Directive’), OJ L 303, 02/12/2000.

Council of Europe Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data (ETS Convention No 108).

Council of Europe Recommendation No. R (97) 18 of the Committee of Ministers to Member States concerning the protection of personal data collected and processed for statistical purposes, adopted by the Committee of Ministers on 30 September 1997 at the 602nd meeting of the Ministers’ Deputies.

Crenshaw, K., *Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine*, Feminist Theory and Antiracist Politics, University of Chicago Legal Forum, vol. 1989, Issue 1.

Discrimination in the European Union, Special Eurobarometer 493, European Commission, Luxembourg: Publications Office of the European Union,

2019. [online] Available at: Discrimination in the European Union - September 2019 - - Eurobarometer survey (europa.eu)

ECHR, *Explanatory Report to Protocol No. 12 to the European Convention on Human Rights*, European Treaty Series – No. 177, Rome, 4 November 2000.

ECtHR, Case "relating to certain aspects of the laws on the use of languages in education in Belgium" v. Belgium (Belgian Linguistics Case), App. nos. 1474/62, 1677/62, 1691/62, 1769/63, 1994/63 and 2126/64, Judgment of 23 July 1968.

ECtHR, Carvalho Pinto de Sousa Morais v. Portugal, App. no. 17484/15, Judgment of 25 July 2017.

ECtHR, D.H. and Others v. Czech Republic, [GC] App. no. 57325/00, Judgement of 13 November 2007.

ECtHR, Thlimmenos v. Greece, [GC] App. no. 34369/97, Judgment of 6 April 2000.

EU Directive 2012/29/EU establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA, *Official Journal of the European Union* 315/57, 14.11.2012.

Fredman, S., *Discrimination Law*, 2nd ed. Oxford: Clarendon Press, 2011, p.139.

Fukuda-Parr, S., & McNeill, D. *Knowledge and Politics in Setting and Measuring the SDGs: Introduction to Special Issue*. 2019. Global Policy, 10(S1), 5–15.

Fundamental Principles of Official Statistics, General Assembly of the United Nations, 2014.

Global indicator framework for the Sustainable Development Goals and targets of the 2030 Agenda for Sustainable Development.

High Level Group on Non-discrimination, Equality and Diversity, Subgroup on Equality Data, Guidance note on the collection and use of equality data based on racial or ethnic origin, European Commission, 2021. [online] Available at:Guidance Note on the collection and use of equality data based on racial or ethnic origin (europa.eu)

High Level Group on Non-discrimination, Equality and Diversity, Subgroup on Equality Data, Guidelines on improving the collection and use of equality data, European Commission, 2018. [online] Available at: ec-july-2018-guidelines-equality-data-collection.pdf (europa.eu)

hooks, bell, *Ain't I a Woman: Black Women and Feminism*, Milton Park, Routledge, 1981; *Feminist Theory: From Margin to Center*, Boston, Massachusetts, South End Press, 1984; *Where we Stand: Class Matters*, New York, Routledge, 2002.

Law on Equal Opportunities for Women and Men (мк. Закон за еднакви можности на мажите и жените), “Official Gazette of the Republic of Macedonia” No. 6/2012, 30/2013, 166/2014, and 150/2015, and “Official Gazette of the Republic of North Macedonia” No. 53/2021.

Law on Personal Data Protection (мк. Закон за заштита на личните податоци), “Official Gazette of the Republic of North Macedonia” No. 42/2020 and 294/2021.

Law on Prevention and Protection against Discrimination (мк. Законот за спречување и заштита од дискриминација), “Official Gazette of the Republic of North Macedonia” No. 258/2020.

Law on State Statistics (мк. Закон за државна статистика), “Official Gazette of the Republic of Macedonia” No. 54/1997, 21/2007, 51/2011, 104/2013, 42/2014, 192/2015, 27/2016, 83/2018 and 220/2018, and “Official Gazette of the Republic of North Macedonia” No. 31/2020.

Law on the Central Population Register (мк. Закон за централен регистар на население), “Official Gazette of the Republic of North Macedonia” No. 15/2015.

Law on the Use of Public Sector Data (мк. Закон за користење со податоци од јавниот сектор), “Official Gazette of the Republic of North Macedonia” No. 98/2019 and 275/2019.

Makkonen, T., *European handbook on equality data*, European Commission, Luxembourg: Publications Office of the European Union, 2016. [online] Available at: European handbook on equality data - Publications Office of the EU (europa.eu)

Nussbaum, M. *Creating Capabilities: The Human Development Approach*. Harvard University Press. 2011.

Poposka, Zh., Kadriu, B., Dimova, L., Velkovska, B., and Boshkova, N., *Commentary on the law on prevention and protection against discrimination* (мк. Коментар на Законот за спречување и заштита од дискриминација), OSCE Mission to Skopje and the Academy for Judges and Public Prosecutors, 2023.

Poposka, Zh., jovevski, L., and Rostas, J. *Anti-Discrimination Law*. Council of Europe. 2024.

Poposka, Zh., Shavreski, Z., *Analysis on the type of data collected by institutions in the Republic of North Macedonia for measuring discrimination* (мк. Анализа за видот на податоци што ги собираат институциите во Република СевернаМакедонија за мерење на дискриминацијата), Association for Democratic Initiatives and HOPS, 2023.

Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC, *Official Journal of the European Union* L.119, 4.5.2016.

Resolution adopted by the Economic and Social Council on 24 July 2013 [on the recommendation of the Statistical Commission (E/2013/24)], 2013/21. Fundamental Principles of Official Statistics, E/RES/2013/21, 28 October 2013. [online]Available at: Microsoft Word - N1343456.doc (un.org)

Resolution adopted by the General Assembly on 29 January 2014 [without reference to a Main Committee (A/68/L.36 and Add.1)] 68/261. Fundamental Principles of Official Statistics, A/RES/68/261, 3 March 2014.

Sen, A. *Development as Freedom*. Oxford University Press. 1999.

The Convention for the Protection of Human Rights and Fundamental Freedoms. [online] Available at: European Convention on Human Rights - ECHR Official Texts - ECHR - ECHR / CEDH (coe.int)

United Nations Committee on the Rights of Persons with Disabilities. *General Comment No. 6 (2018) on Equality and Non-Discrimination*. CRPD/C/GC/6, 26 April 2018.

United Nations, *Convention on the Elimination of All Forms of Discrimination against Women*, United Nations General Assembly resolution 34/180, 18 December 1979.

United Nations, *Convention on the Rights of Persons with Disabilities*, Sixty-first session of the General Assembly by resolution A/RES/61/106, 12 December 2006.

United Nations Economic Commission for Europe, Conference of European Statisticians, Recommendations for the 2010 censuses of population and housing, New York and Geneva, 2006.

United Nations Economic and Social Council, Fundamental principles of official statistics, E/RES/2013/21, 2013.

United Nations, *International Convention on the Elimination of All Forms of Racial Discrimination*, UN General Assembly resolution 2106 (XX), 21 December 1965.

United Nations, *International Covenant on Civil and Political Rights*, General Assembly resolution 2200A (XXI), 16 December 1966.

United Nations OHCHR, *A Human Rights Based Approach to Data - Leaving No One Behind in the 2030 Agenda for Sustainable Development: Guidance Note to Data Collection and Disaggregation*, 2018. [online] Available at: A Human Rights Based Approach to Data - Leaving No One Behind in the 2030 Agenda for Sustainable Development: Guidance Note to Data Collection and Disaggregation | OHCHR

Work of the Statistical Commission pertaining to the 2030 Agenda for Sustainable Development, General Assembly of the United Nations, 2017.

Yamin, A. E., & Rosenthal, E. *Measuring Rights: Complementing Human Rights and Development Efforts*. 2005. Human Rights Quarterly, 27(4), 1207–1223.