



# Economic and Social Council

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## Committee on Economic, Social and Cultural Rights

### **Consideration of reports submitted by States parties under articles 16 and 17 of the International Covenant on Economic, Social and Cultural Rights**

**Combined second, third and fourth periodic reports of States parties due in 2008**

**The former Yugoslav Republic of Macedonia\***

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\* The present document is being issued without formal editing.

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## I. Introduction

1. The Republic of Macedonia herewith submits the combined II, III and IV Periodic Report under the International Covenant on Economic, Social and Cultural Rights, in pursuance with Articles 16 and 17 of the Covenant.
2. The Report contains information about the legal, administrative and other measures undertaken for the implementation of the Covenant in the period following the Initial Report of the Republic of Macedonia (E/C.12/MKD/1) submitted as a single document and considered by the Committee on Economic, Social and Cultural Rights at its 42nd, 43rd and 44th meetings, held on 13 and 14 November 2006.
3. This Report on the implementation of the International Covenant on Economic, Social and Cultural Rights has been prepared in line with the Revised general guidelines regarding the form and contents of reports to be submitted by states parties under Articles 16 and 17 of the Covenant (E/C.12/2008/2), which the Committee adopted on 24 March 2009. In April 2013, the Republic of Macedonia submitted the Common Core Document on United Nations Human Rights Conventions (HRI/CORE/MKD/2013).
4. In preparing this Report, special attention has been paid to comments and recommendations contained in the Concluding observations (E/C.12/MKD/CO/1) of the Committee, adopted at its 56th meeting, held on 22 November 2006.
5. Civil sector organizations in the Republic of Macedonia have also been consulted in drafting this Report.

## II. Specific part

### Article 1

6. See the Initial Report of the Republic of Macedonia on the implementation of the International Covenant on Economic, Social and Cultural Rights.

### Article 2 — Response to Committee recommendations Nos. 31 and 32

7. Part III of the Common Core Document of the Republic of Macedonia on United Nations Human Rights Conventions (HRI/CORE/MKD/2013) and Part 1 of the combined IV and V Periodic Report of the Republic of Macedonia under the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW/C/MKD/4-5) contain detailed information about the legislation regulating the prohibition of discrimination.
8. As of 1 September 2012, in the Republic of Macedonia there were 24 recognized refugees and 734 persons under subsidiary protection. The majority of refugees currently staying in the country requested international protection as early as 1999 following the conflict in Kosovo. These are persons belonging to the Roma, Ashkali and Egyptian ethnic groups.
9. The 2007 amendments to the Law on Social Protection envisage refugees as possible beneficiaries of social protection rights, under the same conditions as the nationals of the country. As of the entry into force of the said amendments, about 90% of the refugees have become beneficiaries of social protection rights.

10. The Law on Employment and Work of Foreign Nationals, adopted in 2007, precisely defines the conditions under which refugees are allowed access to the labour market.

11. The 2013 Operational Plan of Active Employment Policies, envisaged under the Program of Work of the Government of the Republic of Macedonia, defines refugees as a specific target group that has access to active employment measures, which enable change of qualifications and acquiring qualifications in order to facilitate refugees' access to the labour market.

12. The amendments to the Law on Health Insurance adopted in 2012 provide refugees with health insurance under the same conditions as the nationals of the country.

13. With a view to finding lasting solutions, the Government designed and adopted the 2008-2015 Strategy for Integration of Refugees and Foreign Nationals. In 2009, a project unit was established, i.e. a Centre for Integration of Refugees and Foreign Nationals. As of its establishment until presently, the Centre has made 6,000 field visits, offering direct assistance and advice to refugee families in the process of their local integration. A total number of 199 families, i.e. 788 people have applied for local integration since 2010 to date.

14. Part III of the Common Core Document of the Republic of Macedonia on United Nations Human Rights Conventions (HRI/CORE/MKD/2013) and the part of the combined VIII, IX and X Periodic Report of the Republic of Macedonia under the International Convention on the Elimination of All Forms of Racial Discrimination (CERD/C/MKD/8-10) containing replies to recommendations, offer more detailed information about activities undertaken with respect to vulnerable categories of persons.

15. In the context of efforts to remove administrative obstacles and to facilitate the issuance of personal documents to concerned applicants, on 26 September 2011, activities started for identification of persons that had not been entered in the civil registry records. Mixed teams composed of representatives of regional offices of the Ministry of the Interior, the Civil Registry Department, Social Work Centres, Roma Information Centres and Roma NGOs worked in the field locating and identifying Roma that had not been entered in the civil registry records. A working body, composed of representatives of the Ministry of Labour and Social Policy, Ministry of the Interior and of the Civil Registry Department, continually reviews and discusses information gathered from the field.

16. In the period from 13 to 21 December 2012, DNA analyses were made for persons found in the field not having been entered in the civil registries (32 people in total). The DNA analysis results were delivered to the Civil Registry Department in order that data about concerned persons are entered in the Birth Register. As of the start of these activities until presently, a total number of 91 cases were completed and data about the concerned persons were entered in the Birth Register or their personal names were additionally entered.

### **Article 3 — Response to Committee recommendations Nos. 33 and 34**

17. According to (Article 32, paragraph 1 of) the Constitution of the Republic of Macedonia everyone has the right to work, to free choice of employment, protection at work and material assistance during temporary unemployment; furthermore, every job is open to all under equal conditions, without discrimination on any grounds, including gender. Part II of the Common Core Document of the Republic of Macedonia on United Nations Human Rights Conventions (HRI/CORE/MKD/2013) and Parts I and III of the combined IV and V Periodic Report of the Republic of Macedonia under the Convention on

the Elimination of All Forms of Discrimination against Women (CEDAW/C/MKD/4-5) contain detailed information on this issue.

18. According to the analysis of the Macedonian Women's Lobby, at the 2013 local elections, out of 1,347 elected candidates, 405 or 30% were women. This means that there was an increase of women's participation in local self-government by 2.8%, compared with the previous number of women in Municipal Councils. At the previous local elections there were no women-mayors, while at the 2013 local elections, out of 26 women nominated for 81 offices of a mayor, 4 women were elected or 4.9%.

19. Article 9 of the Law on Labour Relations prohibits mobbing and sexual harassment. According to the said Article, mobbing and sexual harassment amount to discrimination within the meaning of Article 6 of the same Law. Sexual harassments is defined as any verbal, non-verbal or physical conduct of sexual character that has the aim of violating the dignity of the worker or candidate for employment, causing fear or creating a hostile, humiliating or offensive work environment.

20. Furthermore, the Law on Protection against Mobbing in the Work Place was adopted in 2013 (Official Gazette of the Republic of Macedonia No. 79, dated 31 May 2013). This Law regulates the rights, duties and responsibilities of employers and workers as regards prevention of psychological and sexual harassment in the work place, then prescribes measures and procedures for protection against mobbing in the work place, regulating as well other issues of relevance for the prevention of and protection against mobbing in the work place. The purpose of the Law is to ensure prevention of and protection against physical and sexual harassment in the work place, as well as creation of a sound work environment.

## **Articles 4 and 5**

21. See the Initial Report of the Republic of Macedonia on the implementation of the International Covenant on Economic, Social and Cultural Rights.

## **Article 6 — Response to Committee recommendation No. 35**

22. The Government of the Republic of Macedonia continually undertakes activities to reduce unemployment. In this regard, the Government has adopted a series of strategic documents such as: the 2015 National Employment Strategy, the 2011-2013 National Employment Action Plan, the 2015 Youth Employment Action Plan, Action Plan for Reduction of Grey Economy, and annual operational plans setting out active employment measures and programs.

23. Each year since 2007, the Government has been implementing active employment measures and programs, defined in annual operational employment plans. The programs are intended for various target groups: the young, the long term unemployed, women, vulnerable groups, older persons, etc. The programs provide direct support and assistance for starting a business, or for formalizing an existing business. Some of the programs provide incentives for employment: Program for financial assistance to legal persons (small and medium-sized enterprises and craftsmen) for opening new jobs, Program of subsidies for employment (funds are provided for a period of 6 months on the grounds of employment of workers in pursuance with this Program).

24. The Self-Employment Program has been successful considering that 80% of the legal entities established under this program are still active. The Program for financial support to legal persons is also highly successful considering that as much as 91% of the

supported participants in this Program are still employed. Information about the Internship Program show the success of this Program as well, considering that 42.5% of the persons covered by this program were employed until May 2013, inclusive.

25. Disabled persons are a separate target group under annual operational plans of active employment measures and programs, in pursuance with the Law on Employment of Disabled Persons.

26. The 2013 Budget of the Republic of Macedonia allocates MKD 554.8 million intended for activities covering 9,472 unemployed persons.

27. According to the relevant analyses, there is favourable progress at the labour market in the Republic of Macedonia in general, especially as regards employment of women. Thus, the total rate of active population of 60.7% in 2005 increased to 64.2% in 2012, while among women this rate was raised to 50.8% in 2012, compared with the 49.1% rate in 2005.

**Rate of active population, employment, unemployment according to data gathered under the Labour Force Survey<sup>1</sup>**

	2005		2006		2007		2008		2009	
	Total	Women	Total	Women	Total	Women	Total	Women	Total	Women
Active Population Rate	60.7	49.1	62.2	49.2	62.8	50.4	63.5	50.2	64.0	50.0
Employment Rate	37.9	30.1	39.6	30.7	40.7	32.3	41.9	32.9	43.5	33.5
Unemployment Rate	37.6	38.8	36.3	37.5	35.2	35.8	34.0	34.3	32.3	32.9

  

	2010		2011		2012	
	Total	Women	Total	Women	Total	Women
Active Population Rate	64.2	50.4	64.2	51.2	63.9	50.8
Employment Rate	43.5	34.0	43.9	35.3	44.0	35.3
Unemployment Rate	32.2	32.5	31.6	31.0	31.2	30.5

Source: State Statistical Office.

28. There is favourable progress made in the employment rate, which was raised to 44% in 2012, compared with the employment rate of 37.9% in 2005. The employment rate among women was also raised from 30.1% to 35.3% in 2012.

29. As of 2005, the unemployment rate has been decreasing, compared with previous years. Thus, the unemployment rate in 2005 was 37.6%, and 38.8% among women, while in 2012 the same rate was 31.2%, i.e. 30.5% among women.

<sup>1</sup> According to recommendations of EUROSTAT, this is the share of employed persons in the number of work capable population at the age from 15 to 64 years.

30. The following tables show the situation with the rates of active population, employment and unemployment among various age groups:

#### Active population rate according to age and gender

		2006	2007	2008	2009	2010	2011	2012
from 15 to 24 years	Total	35.8	35.9	35.9	35.0	33.3	32.1	33.6
from 15 to 24 years	Women	29.3	27.5	28.1	26.2	24.0	23.9	26.2
from 25 to 54 years	Total	77.3	77.9	78.1	78.5	79.4	79.2	78.5
from 25 to 54 years	Women	63.0	65.0	63.9	63.9	65.0	65.8	64.4
from 55 to 64 years	Total	39.0	40.0	44.3	46.9	47.4	49.2	47.2
from 55 to 64 years	Women	22.3	24.6	26.9	29.0	30.2	31.7	31.2
from 15 to 64 years	Total	62.2	62.8	63.5	64.0	64.2	64.2	63.9
from 15 to 64 years	Women	49.2	50.4	50.2	50.0	50.4	51.2	50.8

Source: State Statistical Office.

#### Employment rates according to age and gender

		2006	2007	2008	2009	2010	2011	2012
from 15 to 24 years	Total	14.4	15.2	15.7	15.7	15.4	14.4	15.5
from 15 to 24 years	Women	11.4	11.5	12.0	10.6	11.2	10.8	12.6
from 25 to 54 years	Total	51.6	52.8	53.9	55.3	55.8	56.4	55.8
from 25 to 54 years	Women	41.0	43.0	43.4	44.5	45.1	46.8	45.8
from 55 to 64 years	Total	27.9	28.8	31.7	34.6	34.2	35.4	35.4
from 55 to 64 years	Women	17.5	19.6	21.1	22.4	22.4	24.0	24.5
from 15 to 64 years	Total	39.6	40.7	41.9	43.3	43.5	43.9	44.0
from 15 to 64 years	Women	30.7	32.3	32.9	33.5	34.0	35.3	35.3

Source: State Statistical Office.

#### Unemployment rates according to age and gender

		2006	2007	2008	2009	2010	2011	2012
from 15 to 24 years	Total	59.7	57.7	56.4	55.1	53.7	55.3	53.9
from 15 to 24 years	Women	60.9	58.2	57.4	59.4	53.3	54.8	51.8
from 25 to 54 years	Total	33.3	32.3	31.0	29.6	29.7	28.7	29.0
from 25 to 54 years	Women	34.9	33.8	32.1	30.3	30.6	28.9	28.9
from 55 to 64 years	Total	28.4	28.0	28.5	26.3	27.8	28.2	25.1
from 55 to 64 years	Women	21.2	20.4	21.5	22.8	25.8	24.2	21.4
from 15 to 64 years	Total	36.3	35.2	34.0	32.3	32.2	31.6	31.2
from 15 to 64 years	Women	37.5	35.8	34.3	32.9	32.5	31.0	30.5

Source: State Statistical Office.

31. In 2012, the Law on Employment and Insurance in case of Unemployment was amended, enabling that unemployed persons be registered as active and passive job seekers.

Thus, the Employment Agency can focus its activities on active job seekers, designing accordingly employment support programs.

<i>Active Employment Measures and Programs (AEMP)</i>	<i>2007 (MKD million)</i>	<i>2008 (MKD million)</i>	<i>2009 (planned) (MKD million)</i>
Self-Employment Program	84.51	102.49	137.2
Formalization of starting a Business	/	19.15	47.00
Program for Preparation for Employment	50.00	50.78	21.55
Subsidies for Employment	76.34	94.44	391.72
Internship as the first employment of the young	15.00	1.69	2.25
Public Works Program	39.98	/	219.38
Pilot Survey of Job Openings	/	/	0.77
Roma Employment Program	1.2	1.44	4.80
Program for Crediting Employment	/	385.74	326.65
MKD Total	267.02 mill.	655.72 mill.	1,151.30 mill.
EURO	4.37 mill.	10.66 mill.	18.7 mill.

32. Funds spent for active employment measures and programs increase each year, as is the number of people employed or recruited under active employment measures and programs.

<i>Active Employment Measures and Programs (AEMP)</i>	<i>2010 (MKD million)</i>	<i>2011 (MKD million)</i>	<i>2012 (MKD million)</i>
Self-Employment Program	147.5	147.5	188.31
Formalization of starting a Business	47.00	47.00	/
Financial support to legal persons/ additional employments	4.6	8.00	8.28
Entrepreneurship development program with support to existing businesses	0.3	/	/
Pilot Program for Labour Mobility	/	1.30	/
Program for Preparation for Employment	12.66	13.80	12.30
Pilot training for young people up to 30 years of age for a already known employer in the textile industry	/	1.23	/
Subsidies for Employment	264.22	57.14	197.02
Internship as the first employment of the young	2.19	4.37	0.94
Program of internship without any remuneration			2.2
Survey of Job Openings	0.29	0.19	0.12
Public Works Program	/	/	87.94
Pilot Program- To Sustainable Self- Employment through Training			0.44
Community Service Pilot Program			0.48
Economic empowerment of women- victims of domestic violence	/	/	12.51
Program of for Crediting Employment	/	111.62	14.76



<i>Active Employment Measures and Programs (AEMP)</i>	<i>2010 (MKD million)</i>	<i>2011 (MKD million)</i>	<i>2012 (MKD million)</i>
MKD Total	478.80 mill.	392.19 mill.	525.32 mill.
EURO	7.79 mill.	6.40 mill.	8.54 mill.

### **Number of persons covered by self-employment programs**

<i>Active Employment Measures and Programs (AEMP)</i>	<i>2007</i>	<i>2008</i>	<i>2009</i>
Self-Employment Program	558	529	654
Formalization of starting a Business	/	113	250
Program for Preparation for Employment	5,000	5,701	3,692
Subsidies for Employment	348	356	1,816
Internship as the first employment of the young	600	124	110
Public Works Program	1,383	/	4,983
Pilot Survey of Job Openings	/	/	89
Economic empowerment of women-victims of domestic violence	/	/	/
Roma Employment Program	38	60	7
Program for Crediting Employment	/	1,964	1,315
<b>Total</b>	<b>7,995</b>	<b>8,847</b>	<b>12,673</b>

<i>Active Employment Measures and Programs (AEMP)</i>	<i>2010</i>	<i>2011</i>	<i>2012</i>
Self-Employment Program	700	700	900
Formalization of a Business	250	250	/
Program for Preparation for Employment	3,244	2,843	435
Education for Starting a Business	1,217	1,000	1,243
Financial support to legal persons/ additional employments	50	87	89
Entrepreneurship development program with support to existing businesses	31	/	/
Pilot Program for Labour Mobility	/	7	/
Pilot training for young people up to 30 years of age for a already known employer in the textile industry		104	
Subsidies for Employment	1,421	1,005	1,063
Internship as the first employment of the young	142	287	103
Program of internship without any remuneration			514
Public Works Program	/	/	3,064
Pilot Survey of Job Openings	58	38	16
Economic empowerment of women-victims of domestic violence	28	/	/
Roma Employment Program	/	/	/
Program for Crediting Employment	/	605	80
<b>Total</b>	<b>7,131</b>	<b>5,926</b>	<b>7,530</b>

33. There are on-going projects for more successful integration of women, especially women belonging to ethnic communities in the Republic of Macedonia. November 2012 marked the start of seven projects under the Grant Program — Enhancing potentials for integration of marginalized women in the labour market, with a focus on women belonging to non-majority ethnic groups.

34. The Project — Strengthening capacities for integration of marginalized women in the labour market, with a focus on women belonging to non-majority ethnic groups- funded by the EU, was implemented in the period from September 2012 to December 2013, by a consortium led by WYG International, for the needs of the Ministry of Labour and Social Policy. Under this Project, there were several trainings organized for representatives of the public and of the non-governmental sector. The trainings elaborated upon issues of employment policies and practices, non-discrimination and gender equality, creating possibilities for employment of marginalized women at the local level, and work with marginalized women at the labour market. The Project also encouraged cooperation among public services for employment, social work centres, the non-governmental sector and entrepreneurs.

35. According to information provided by the Employment Agency, Roma women are regularly covered by part of the measures. Thus, in 2012, there were 44 informative meetings explaining the active employment measures held in 10 towns where there is a significant number of Roma. There were also 60 workshops preparing participants for design of business plans. 3 Roma women that also had attended these workshops, opened their businesses, i.e. they are self-employed. 31 Roma women applied under the Program — Crediting for self-employment, 2 of whom were granted a credit. 6 Roma women and 4 disabled women were employed under the Program of subsidies for employment.

36. In addition, Roma women also participate in the public works program. Thus, more than 22 Roma women are covered by this program.

### **Article 7 — Response to Committee recommendation No. 36**

37. The Law on the Minimum Wage was adopted at the beginning of 2012 (Official Gazette of the Republic of Macedonia No. 11/2012). This Law applies to all workers in the country, including private sector workers. The Law prescribes the amount of minimum wage, defining it as 39.6% of the average monthly salary in the country paid in the previous year. The Law was drafted in cooperation with social partners, and previously there was a comparative analysis of the manner of setting the minimum wage in several European countries and the amount of minimum wage in the analyzed countries compared with the average salary in the given country.

38. The Law on the Minimum Wage in the Republic of Macedonia is applied as of the payment of the salary for January 2012.

39. According to the Law, the minimum salary is the lowest amount of basic salary that the employer is obliged to pay the worker for a full time job and fulfilled performance standards. The minimum wage stands at MKD 8,050 net, except wages in textile and leather processing industry were the minimum wage used to be MKD 6,300, and stood at MKD 6,859 in 2013. The Law prescribes a fine of EURO 6,000 to 7,000 in Denar counter value to be paid by the employer if the employer does not pay the minimum wage. In this respect, the Law also envisages a fine of EURO 3,000 to 4,000 in Denar counter value for the responsible person with the employer. The State Labour Inspectorate supervises the application of this Law.

40. In 2012, there were 28,745 regular inspections carried out in order to control the payment of salaries to workers. This included inspections carried out upon 558 applications

filed by workers. During the inspections there were no cases registered of payment of a salary lower than the minimum wage envisaged in Law. However, there were cases established in which employers were paying salaries with a delay of one, two or even more months.

41. The Inspectorate issued 1,405 decisions ordering employers to pay the unpaid salaries to workers within a given period. Furthermore, requests for institution of misdemeanour proceedings were filed with the Misdemeanour Commission against 133 employers on grounds of employers' not paying salaries. In two cases criminal charges were brought against employers for violation of labour relations rights by not paying salaries.

42. In the first six months of 2013, there were 11,712 regular inspections to control payment of salaries to workers, which included inspections upon 333 applications filed by workers. The Inspectorate adopted 648 decisions ordering employers to pay unpaid salaries to workers within a given period. In addition, there were 41 requests filed for institution of misdemeanour proceedings.

43. The Law on Labour Relations envisages that full working hours must not exceed 40 hours, allowing the possibility that working hours shorter than 40 hours, but not shorter than 36 hours, be envisaged under law or a collective agreement. Working hours for jobs carrying greater risks of injury or health damage the full working hours may be shorter than 36 hours weekly (Article 116).

44. The Law determines the maximum number of overtime hours during the week (8 hours) and during the year (190 hours) (Article 117). Workers who have worked more than 150 hours overtime during the year and have not been absent from work for more than 21 days during the year, which period does not encompass the number of used days of regular annual leave, working during that year with the same employer, in addition to a salary supplement shall be also paid by the employer a bonus in the amount of one monthly average salary in the Republic of Macedonia. Employers are obliged to keep separate records of overtime work (Article 117).

45. Article 6 (prohibiting discrimination), paragraph 2, subparagraph 3 envisages that women and men must be ensured equal possibilities and equal treatment, inter alia, by payment of equal pay for equal jobs. More specifically, Article 108 defines the right to equal pay for equal job, envisaging the following:

(1) Employers shall pay equal pay to all workers, regardless of their gender, for jobs having the same performance requirements;

(2) Provisions of the employment contract, the collective agreement, and the companies' byways that run contrary to provisions of paragraph (1) of this Article shall be null and void.

46. According to Article 5 of the Law on Safety and Health at Work (Official Gazette of the Republic of Macedonia Nos. 92/2007, 136/11, 23/13, 25/13 and 137/13) employers are obliged to ensure the safety and health at work for workers, taking into consideration all aspects of the job. Employers must undertake measures required for the safety and health at work of all workers, including measures against occupational illness risks, being also obliged to provide job safety information and training, and to ensure the necessary organizational set-up and funds required for safety and health at work.

### Article 8 — Response to Committee recommendation No. 37

47. In the context of association into trade unions and their work, as well as the right to strike see the Initial Report of the Republic of Macedonia on the implementation of the International Covenant on Economic Social and Cultural Rights.

48. Article 237 of the Law on Labour Relations (Official Gazette of the Republic of Macedonia Nos. 62/2005, 106/2008, 161/2008, 114/2009, 130/2009, 50/10, 52/10, 124/10, 47/11, 11/12, 39/12, 13/13 and 25/13) envisages that employers may suspend workers only as a response to an already on-going strike. The same Article envisages that the number of suspended workers may not be higher than 2% of the number of workers participating in the strike.

49. These provisions apply only to workers who with their conduct encourage violent and undemocratic behaviour, disrupting thus the negotiations between workers and employers.

50. The employer shall be obliged to pay contributions set forth under specific regulations defining the lowest salary base for payment of contributions for workers that have been suspended from work, during the period of their suspension, which means that the employment of these workers is not terminated, and the employer pays contributions set forth in law to these workers too, the same as for all other workers participating in the strike.

### Article 9 — Response to Committee recommendation No. 38

51. With a view to establishing an efficient system of health care and social protection, the Government of the Republic of Macedonia has amended the relevant legislation, for purposes of increasing the amount of pecuniary social protection benefits and regularly paying pecuniary benefits on grounds of social protection.

	<i>Amount of pecuniary social protection benefits</i>		<i>Amount of pecuniary social protection benefits in 2011</i>		<i>Amount of pecuniary social protection benefits in 2012</i>	
	<i>100%</i>	<i>50%</i>	<i>100%</i>	<i>50%</i>	<i>100%</i>	<i>50%</i>
Individuals	MKD 2,140.00		MKD 1,070.00		MKD 2,174.00	
Two member families and households	MKD 2,932.00		MKD 1,466.00		MKD 2,979.00	
Three member families and households	MKD 3,724.00		MKD 1,862.00		MKD 3,784.00	
Four member families and households	MKD 4,516.00		MKD 2,258.00		MKD 4,588.00	
Families and households of five and more members	MKD 5,308.00		MKD 2,654.00		MKD 5,393.00	

52. The 2009 Law on Social Protection (Official Gazette of the Republic of Macedonia No. 79/09) has the aim of advancing the system of social protection by improving and standardizing the conditions, manner and procedure for exercise of social protection rights, then by designing an active social policy, by promoting the principles of social inclusion of marginalized persons, decentralization, deinstitutionalization and finally by ensuring pluralism in service provision.

53. A new manner of calculating the amount of pecuniary benefits has been introduced. The new base for calculation of pecuniary social protection benefits has been determined as a nominal amount for each benefit, which is adjusted once a year, i.e. each January, according to the increase of living costs, published by the State Statistical Office.

#### Payment of various pecuniary social protection benefits

<i>Payments per year</i>					
<i>Total annual amount in MKD</i>	<i>2009</i>	<i>2010</i>	<i>2011</i>	<i>2012</i>	<i>First half of 2013</i>
Permanent Pecuniary Benefit	249,681,535	268,445,850	304,120,977	286,297,338	143,861,091
Welfare Assistance	1,553,816,381	1,488,374,539	1,460,062,356	1,208,903,406	593,138,983
Nursing Another Person	1,024,925,604	1,158,958,458	1,396,618,370	1,660,259,191	712,433,878
One-off Pecuniary Benefit	55,189,793	19,623,353	33,277,162	38,278,291	23,016,648
Pecuniary benefit for persons of more than 18 years of age	5,237,533	5,668,547	6,983,416	11,350,433	11,933,106
Accommodation with a Foster Family	22,438,781	26,898,130	28,326,071	25,235,786	12,233,987
Civilian Disability Benefit	51,857,943	98,879,471	109,043,884	98,428,836	48,608,165
<i>Payments per year according to number of beneficiaries</i>					
<i>2009</i>	<i>2010</i>	<i>2011</i>	<i>2012</i>	<i>First half of 2013</i>	
Permanent Pecuniary Benefit	65,584	68,128	74,130	69,433	34,370
Welfare Assistance	634,588	611,084	587,112	469,053	165,739
Nursing Another Person	241,016	267,580	290,326	337,592	119,089
One-off Pecuniary Benefit	22,301	7,088	8,909	11,095	7,176
Pecuniary benefit for persons of more than 18 years of age	1,179	1,279	1,461	1,723	1,149
Accommodation with a Foster Family	3,180	3,543	3,671	3,181	1,075
Civilian Disability Benefit	4,045	3,905	3,756	3,590	1,750

*Source:* Ministry of Labour and Social Policy.

54. The Law on Social Protection envisages the following types of pecuniary social protection benefits: pecuniary benefit for disadvantaged work-capable persons; permanent pecuniary benefit; pecuniary benefit for persons who until reaching 18 years of age have had the status of parentless children or children without parental care; pecuniary benefit for women who have given birth to a fourth child; pecuniary benefit for nursing and assisting another person; one-off pecuniary benefit or benefit in kind; pecuniary benefit for working

reduced working hours to provide care for a child with physical or mental development disabilities; pecuniary benefit for social housing; right to health care.

55. The right to pecuniary unemployment benefit is exercised in line with the Law on Employment and Insurances in Case of Unemployment (Official Gazette of the Republic of Macedonia Nos. 37/97, 25/00, 101/00, 50/01, 25/03, 37/04, 4/05, 50/06, 29/07, 102/08, 161/08, 50/10, 88/10, 51/11, 11/12, 80/12 and 114/12). The conditions for payment of this benefit are that the person must have been previously employed and that all employment contributions have been paid in accordance with the law. The amount of the benefit is determined depending on the amount of the salary on the basis of which salary contributions have been previously paid. Thus, Article 68 of the Law envisages that the amount of the pecuniary unemployment benefit shall be: 50% of the average monthly net salary paid in the last 24 months for a person who has the right to receive pecuniary benefit for a period of 12 months; 40% for a person who has the right to receive a pecuniary benefit for longer than 12 months. The amount of the benefit must not be more than 80% of the average net salary paid per worker in the Republic of Macedonia in the last month.

56. The Law amending and supplementing the Law on Social Protection (Official Gazette of the Republic of Macedonia No. 36/11) introduces new types of pecuniary benefits, especially for vulnerable categories of persons with a view to their social inclusion, such as: pecuniary benefit for blindness or mobility, pecuniary benefit for full time graduate and post graduate studies and for doctoral studies for persons who until reaching 18 years of age have had the status of parentless children or children without parental care.

**Pecuniary benefit to persons who until reaching 18 years of age have had the status of parentless children or children without parental care to be paid until reaching 26 years of age at the most**

<i>Year</i>	<i>Amount of pecuniary benefit for persons from 18 to 26 years of age</i>	<i>Amount of pecuniary benefit for full time students from 18 to 26 years of age</i>
2008	3,646	5,104
2009	4,024	5,634
2010	4,000	5,600
2011	4,064	5,689.50
2012	4,156	5,818.50
2013	4156,00	5818,50

**Pecuniary schooling benefit to persons who until reaching 18 years of age have had the status of parentless children or children without parental care**

<i>Year</i>	<i>Uses social housing</i>	<i>Does not use social housing</i>
2011	9,000	18,000
2012	9,351	18,702
2013	12,000	24,000

<i>Mobility and Blindness 2012</i>		<i>Mobility and Blindness first half of 2013</i>	
<i>Number of beneficiaries</i>	<i>Amount</i>	<i>Number of beneficiaries</i>	<i>Amount</i>
849	7,904,762	2,529	28,044,865

57. Under the Law Amending and Supplementing the Law on Social Protection (Official Gazette of the Republic of Macedonia No. 166/12) the amount of the base for calculation of the amount of pecuniary welfare benefit and the permanent pecuniary benefit was raised by 5%, in March 2013.

58. The Law Amending and Supplementing the Law on Social Protection (Official Gazette of the Republic of Macedonia No. 79/13) has improved the conditions for temporary work by beneficiaries of pecuniary welfare assistance, by increasing the possibilities for temporary work with private sector employers and by ensuring their greater security, prescribing the obligation of concluding temporary work contracts. This facilitates greater inclusion of this category of beneficiaries in the labour market, while the period of recruitment for public and seasonal work has been increased from 5 to 90 days.

59. The latest amendments and supplements to the Law on Social Protection have introduced a new right to pecuniary benefit for foster caregivers. This ensures social security for foster caregivers, who after reaching 62 years of age will have stopped providing foster care, and are not employed and are without the right to pensions, in line with the regulations on pension and disability insurance.

60. One of the program activities of the Government of the Republic of Macedonia is ensuring social security for pensioners by increasing pensions and improving the regularity of pension payment.

61. Until 2007, pensions were divided into three categories according to the amount and were paid on the 15th of the month for the previous month. As of 2008, the Government, i.e. the Ministry of Labour and Social Policy and the Pension and Disability Insurance Fund took over the obligation to pay pensions at the beginning of the first week of each month for the previous month for all categories of pensions at the same time. In January 2008, the Government changed the model of harmonizing the pensions according to the salary increase by 50% and according to increase of living costs by 50%, and additionally increased the pensions. In the period from 2006 to 2013, the lowest pension was increased by 60.9%, while the total percentage of pension increase for the 2005-2013 period was 44.13%.

<i>Year</i>	<i>Harmonization of pensions on 1 January</i>	<i>Harmonization of pensions on 1 July</i>	<i>Total harmonization</i>
2005	-	0.40%	0.40%
2006	0.48%	2.18%	2.67%
2007	0.64%	1.04%	1.69%
2008*	13.00%	7.65%	21.66%
2009	3.50%	2.02%	5.59%
2010	0.30%	1.10%	1.40%
2011	0.75%	2.10%	2.86%
2012	0.31%	1.40%	1.71%
2013	1.15% and 5%	0.75%	7%

62. The Program for subsidizing electricity bills, which is adopted once a year, ensured subsidies for electricity bills paid by most vulnerable categories of beneficiaries of social protection benefits, continually from September 2010 until 31 December 2013. The amount of subsidy was MKD 600, while on 1 August 2012 this amount was increased to MKD 700, in line with the amendments to the Program for subsidizing electricity bills in 2012 (Official Gazette of the Republic of Macedonia No. 83/12).

**Number of payments and beneficiaries who have utilized subsidies under the Program for Subsidizing Electricity Bills**

<i>Year</i>	<i>Beneficiaries</i>	<i>Number of payments</i>	<i>Amount paid</i>
2010	14,496	36,550	MKD 20,921,972.00
2011	15,743	99,452	MKD 57,029,533.00

*Source:* Ministry of Labour and Social Policy.

63. The Republic of Macedonia has been successfully implementing the Program of conditioned pecuniary benefit for secondary education, starting from the 2010/2011 academic year, going over to the 2011/2012 academic year.

64. The administrative procedures for exercise of social protection pecuniary benefits have been improved by establishing a system of ex officio exchange of information among in-line institutions that keep databases. An IT system has been established and operates at Social Work Centres and at the Ministry of Labour and Social Policy intended to facilitate the management of pecuniary social protection benefits. There is also a computer program for keeping records of beneficiaries of social protection services, which is used in all Social Work Centres in the Republic of Macedonia. Measures have been implemented to strengthen the capacity of professionals at social work centres, who have been trained to use the relevant computer programs, while professionals at the Social Work Institute have been trained to use a module under the program for preparing statistical reports and making analyses of performance indicators in social work and social protection. This process has been completed with the design of a Rulebook on records of social protection beneficiaries and documentation on professional activities (Official Gazette of the Republic of Macedonia No. 171/11).

65. The Government of the Republic of Macedonia adopted the 2011-2021 National Program for Social Protection Development, the main goal of which is development of an integrated, transparent and sustainable system of social protection, which is to ensure accessible, efficient and quality measures and services tailored to the needs of beneficiaries at the local level. According to the Program, pluralism in social protection is to be developed by pursuing various types of network cooperation and by applying good-governance principles: the rule of law, transparency, responsibility and accountability, predictability and sustainability, continuity, effectiveness, efficiency, accessibility and availability, inclusion, equal treatment and non-discrimination.

66. The Law on Health Insurance ensures health insurance of all nationals of the Republic of Macedonia. Article 5 of this Law defines the categories of health insurance.

67. On grounds of the obligatory health insurance of the holder of the insurance, obligatory health insurance is also provided for the members of his/her family, except for persons with a recognized refugee status and persons under subsidiary protection, as referred to in Article 5, paragraph 1, item 10 of this Law. Obligatory health insurance enables holders of the health insurance to exercise rights set forth under this Law in case of illness and injury outside work, then in case of injury at work and in case of occupational disease.

**Article 10 — Response to Committee recommendations Nos. 39, 40 and 41**

68. The latest amendments and supplements to the Law on Family define domestic violence as ill-treatment, offensive conduct, threatening the safety, incurring bodily injury,



sexual or other psychological or physical violence causing the sense of insecurity, fear and being threatened perpetrated against the spouse, parents or children or other persons living in marriage or civil partnership or in joint household, former spouse or persons having a child together or are in close personal relationship, including relationship established upon adoption and guardianship, brothers and sisters, half-brothers, half-sisters, older members of the family or of the household and members of the family or of the household who have been partially or fully deprived of their legal capacity.

69. The Law on the Family prohibits any type of violence among the family members, regardless of their age and gender.

70. In July 2012, the Government of the Republic of Macedonia adopted the National Strategy for the prevention of and protection against domestic violence covering the period from 2012 to 2015. This Strategy is implemented in five priority areas: prevention, protection, assistance and support to victims of domestic violence; prosecution of perpetrators; inter-ministerial cooperation and strengthening institutional capacities; monitoring; and evaluation. The National Coordination Body for the prevention of and protection against domestic violence is tasked with the implementation of the 2012-2015 Strategy.

71. With a view to enhancing the professional structure, trainings have been organized for professionals working in: social work centres, health care institutions, education institution, local self-government, civil society organizations, in-line ministries and state institutions. A Joint Protocol has been adopted prescribing the procedures to be undertaken in case of domestic violence.

72. The system of protection of victims of domestic violence, inter alia, consists of a Counselling Centre for parents and children-victims of domestic violence, 4 Regional Centres for victims of domestic violence and Counselling Centre for work with perpetrators of domestic violence, located in Skopje.

#### **Statistics of the Ministry of Labour and Social Policy covering the period from 2009 to 2013**

	2009	2010	2011	2012	2013 (January-June)
Reported cases of domestic violence	751	651	733	854	403
Cases instituted before courts	101	158	251	310	116
Adopted measures	79	137	183	223	104
Placement in a shelter	28	25	27	42	14

73. In the context of increasing the awareness about domestic violence and encouraging the reporting of cases of domestic violence, campaigns are regularly conducted during the 16 days of activism against domestic violence.

74. In 2011, the Republic of Macedonia signed the Council of Europe Convention on preventing and combating violence against women and domestic violence (ETC 210).

75. The Government undertakes continual measures to counter sexual abuse of children and paedophilia; in 2008 an Action Plan for the prevention of and countering sexual abuse of children and paedophilia was adopted, covering the period from 2009 to 2012. In addition, a National Coordination Body has been established tasked with the implementation of the Action Plan. There have been also relevant trainings organized for

professionals at social work centres and at the media. The Standard Operative Procedures for institutions in cases of sexual abuse of children and paedophilia was adopted in 2010. The national SOS line for reporting cases of sexual abuse of children and paedophilia was set-up in 2009. In 2012, the Ministry of Labour and Social Policy opened the website [www.stop-pedofilija.org.mk](http://www.stop-pedofilija.org.mk) for reporting cases of sexual abuse of children and paedophilia. Furthermore, the Republic of Macedonia adopted a Law on a Special Register of Persons Convicted of Crimes of Sexual Abuse of Minors and of the Crime of Paedophilia (Official Gazette of the Republic of Macedonia No. 11/12), and a Rulebook on the manner of entering data about persons convicted of crimes of sexual abuse of minors and of the crime of paedophilia, and on the procedures for exchange of information and cooperation (Official Gazette of the Republic of Macedonia No. 62/12).

76. The 2013-2015 National Action Plan for Prevention and Countering Abuse and Neglect of Children was adopted in 2012, accompanied with an Action Plan for 2013.

77. The Government undertakes activities to counter the problem of children on the street. Thus, in line with Article 140 of the Law on Social Protection (Official Gazette of the Republic of Macedonia Nos. 79/09, 36/11, 51/11, 166/12, 15/13 and 79/13) children on the street are provided with day care at day care centres for children on the street, by which these children are provided with conditions for maintenance of personal hygiene, food, education and upbringing services, counselling, and are enabled to engage in cultural, entertainment and recreational activities. Thus far, three day-care centres have been opened for children on the street (2 in Skopje and 1 in Bitola), and two 24-hour transit centres have been opened in Skopje and in Ohrid each, intended for urgent accommodation of children on the street for a period of 24 to 48 hours.

78. In 2010, a Multi-Disciplinary Protocol for Treatment of Children on the Street has been adopted, introducing standardized and harmonized procedures for treatment of children on the street by all in-line state bodies and associations of citizens that work in this area.

79. The Program for Field Social Work was adopted in 2011 (as a new form of social work). In addition, the 2013-2015 Action Plan for Children on the Street has been adopted envisaging specific measures and activities, primary focused on education and health care.

80. In the context of activities undertaken to prevent and sanction trafficking in human beings, the Government adopts relevant action plans: the first Action Plan for Fight against Trafficking in Human Beings and Illegal Migration, covering the 2006-2008 period, the second Action Plan covering the period from 2009 to 2012, and the third Action Plan covering the period from 2013 to 2016. An Action Plan for fight against trafficking in children has also been adopted covering the period from 2009 to 2012.

81. Part I of the combined IV and V Periodic Report of the Republic of Macedonia under the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW/C/MKD/4-5) and the III Report of the Republic of Macedonia under the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Article 2 — items 10,11,12 and 13 (CAT/C/MKD/3) contain more detailed information about the detection, prevention and suppression of cases of domestic violence and trafficking in human beings.

## **Article 11 — Response to Committee recommendations Nos. 42, 44 and 29**

82. Aiming at improving the cooperation, in 2006, the Government of the Republic of Macedonia established a mechanism for preparation and review of quarterly reports about

activities undertaken following interventions and recommendations of the Ombudsman addressed to the Government and state administration bodies. The established reporting mechanism contributes to advancing the cooperation with the Ombudsman's Office with a view to fully abiding by constitutional guarantees and international standards of respect for human rights and freedoms.

83. After considering submitted applications, statements and recommendations of the Ombudsman, in the reports, the Government of the Republic of Macedonia tasks state administration bodies to undertake actions upon the Ombudsman's recommendations and inform the Ombudsman's Office and the Secretariat General of the Government about undertaken actions.

84. The following tables have been prepared by the Ombudsman's Office and contain information about applications in the period from 2008 to 2012, divided according to years, different categories of rights and follow-up actions.

Received, settled and pending applications in the period from 1 January to 31 December 2008 according to different areas

<i>Areas</i>	<i>Received in 2008</i>	<i>Transferred from the previous year</i>	<i>Total pending</i>	<i>Decision to stay the procedure or not to institute a procedure</i>	<i>Settled in another manner</i>	<i>Issued opinions, proposals, recommendations</i>	<i>Procedures instituted following an intervention by the Ombudsman's Office</i>	<i>All legally prescribed activities undertaken by the Ombudsman's Office</i>	<i>No procedures instituted despite an intervention by the Ombudsman's Office</i>	<i>Information submitted to Ministers</i>	<i>Information submitted to the Government</i>	<i>Total number of closed cases</i>	<i>Pending case</i>
Non-discrimination and Equitable Representation	21	5	26	16		3	1	1	1			18	8
Social Protection	115	41	156	61	9	59	56		3	2	1	126	30
Labour Relations	253	62	315	193	4	45	36	2	7	4	5	237	78
Housing Issues	34	15	49	29	3	15	11	2	2	4	6	45	4
Health Care	69	9	78	39	3	14	11		3	5	1	53	25
Pension and Disability Insurance	180	27	207	104	2	49	42		7		2	148	59
Education, Science, Culture and Sports	39	8	47	24	6	12	10		2	1	1	40	7
Children's Rights	145	19	164	88	12	56	50		6	10	1	150	14
Urban Planning and Construction	162	45	207	123	5	27	24		3			153	54
Environmental Protection	15	4	19	13	1	3	3					17	2
Finances	48	3	51	26		11	10	1				37	14
Property Related Issues	317	144	461	174	9	178	142	12	24	1	1	337	124
Consumer Rights	147	15	162	85	3	38	37		1		3	125	37

Received, settled and pending applications in the period from 1 January to 31 December 2009 according to different areas

<i>Areas</i>	<i>Received in 2009</i>	<i>Transferred from the previous year</i>	<i>Total pending</i>	<i>Decision to stay the procedure or not to institute a procedure</i>	<i>Settled in another manner</i>	<i>Issued opinions, proposals, recommendations</i>	<i>Procedures instituted following an intervention by the Ombudsman's Office</i>	<i>All legally prescribed activities undertaken by the Ombudsman's Office</i>	<i>No procedures instituted despite an intervention by the Ombudsman's Office</i>	<i>Information submitted to Ministers</i>	<i>Information submitted to the Government</i>	<i>Total number of closed cases</i>	<i>Pending case</i>
Non-discrimination and Equitable Representation	20	8	28	9	2	9	4	3	2	3		18	10
Social Protection	95	30	125	60		39	31	1	7			93	32
Labour Relations	389	78	467	236	9	140	84	39	17	23	4	374	93
Housing Issues	57	4	61	29	2	27	20	2	5	1		53	8
Health Care	72	25	97	36	3	34	30	2	2	4		71	26
Pension and Disability Insurance	181	59	240	131	7	62	57		5		29	196	44
Education, Science, Culture and Sports	49	7	56	21		29	28	1		3	1	51	5
Children's Rights	157	14	171	107	5	48	42	5	1	10	4	159	12
Urban Planning and Construction	170	54	224	119	6	42	22	10	10	1		157	67
Environmental Protection	21	2	23	13	1	6	5		1			19	4
Finances	50	14	64	35		23	20		3			55	9
Property Related Issues	361	124	485	217	8	221	127	35	59	3	1	387	98
Consumer Rights	277	37	314	175	3	96	88	4	4		1	270	44

**Received, settled and pending applications in the period from 1 January to 31 December 2010 according to different areas**

<i>Areas</i>	<i>Received in 2010</i>	<i>Transferred from the previous year</i>	<i>Total pending</i>	<i>Decision to stay the procedure or not to institute a procedure</i>	<i>Settled in another manner</i>	<i>Issued opinions, proposals, recommendations</i>	<i>Procedures instituted following an intervention by the Ombudsman's Office</i>	<i>All legally prescribed activities undertaken by the Ombudsman's Office</i>	<i>No procedures instituted despite an intervention by the Ombudsman's Office</i>	<i>Information submitted to Ministers</i>	<i>Information submitted to the Government</i>	<i>Total number of closed cases</i>	<i>Pending case</i>
Non-discrimination and Equitable Representation	16	10	26	12	2	4	3	1				18	8
Social Protection	140	32	172	91	3	48	47	1		1		142	30
Labour Relations	365	93	458	296	22	73	48	24	1	2	11	391	67
Housing Issues	89	8	97	58	2	23	15	5	3		1	81	16
Health Care	93	26	119	49	4	25	23	2		15	15	78	41
Pension and Disability Insurance	159	44	203	109	6	49	39	3	7	1		159	44
Education, Science, Culture and Sports	48	5	53	33	1	15	14		1	1	1	48	5
Children's Rights	111	12	123	74	3	37	33	2	2	8	1	112	11
Urban Planning and Construction	170	67	237	124	5	48	29	10	9			168	69
Environmental Protection	20	4	24	15	2	5	5					22	2
Finances	71	9	80	44		30	26	1	3			71	9
Property Related Issues	401	98	499	237	10	189	130	31	28	2		408	91
Consumer Rights	553	44	597	318	4	123	109	6	8			439	158

**Received, settled and pending applications in the period from 1 January to 31 December 2011 according to different areas**

<i>Areas</i>	<i>Received in 2011</i>	<i>Transferred from the previous year</i>	<i>Total pending</i>	<i>Decision to stay the procedure or not to institute a procedure</i>	<i>Settled in another manner</i>	<i>Issued opinions, proposals, recommendations</i>	<i>Procedures instituted following an intervention by the Ombudsman's Office</i>	<i>All legally prescribed activities undertaken by the Ombudsman's Office</i>	<i>No procedures instituted despite an intervention by the Ombudsman's Office</i>	<i>Information submitted to Ministers</i>	<i>Information submitted to the Government</i>	<i>Total number of closed cases</i>	<i>Pending case</i>
Non-discrimination and Equitable Representation	42	8	50	16	2	19	11	7	1	2	1	36	14
Social Protection	193	30	223	87	1	88	66	14	8	16	1	168	55
Labour Relations	412	67	479	299	8	113	53	53	4	8	1	424	65
Housing Issues	65	16	81	37	1	38	34	3	1	3	4	74	6
Health Care	115	41	156	67	2	46	31	3	12	2	1	104	52
Pension and Disability Insurance	237	44	281	121	4	106	97	2	7			224	57
Education, Science, Culture and Sports	45	5	50	30		15	13		2			43	7
Children's Rights	144	11	155	92	1	47	42	1	4	6	4	137	18
Urban Planning and Construction	146	69	215	142	3	29	19	4	6	1		168	47
Environmental Protection	26	2	28	17	1	9	9					27	1
Finances	101	9	110	60	1	21	16	3	2			81	29
Property Related Issues	360	91	451	236	2	168	104	20	44	1		362	89
Consumer Rights	673	158	831	387	11	301	265	14	22	6	3	678	153

Received, settled and pending applications in the period from 1 January to 31 December 2012 according to different areas

<i>Areas</i>	<i>Received in 2012</i>	<i>Transferred from the previous year</i>	<i>Total pending</i>	<i>Decision to stay the procedure or not to institute a procedure</i>	<i>Settled in another manner</i>	<i>Issued opinions, proposals, recommendations</i>	<i>Procedures instituted following an intervention by the Ombudsman's Office</i>	<i>All legally prescribed activities undertaken by the Ombudsman's Office</i>	<i>No procedures instituted despite an intervention by the Ombudsman's Office</i>	<i>Information submitted to Ministers</i>	<i>Information submitted to the Government</i>	<i>Total number of closed cases</i>	<i>Pending case</i>
Non-discrimination and Equitable Representation	32	14	46	26		9	8		1			34	12
Social Protection	240	55	295	143	6	108	98	2	8	1		249	46
Labour Relations	306	65	371	204	7	98	54	13	31	3	2	279	92
Housing Issues	57	6	63	36		24	23	1				60	3
Health Care	166	52	218	100	1	85	66	2	17	18	1	170	48
Pension and Disability Insurance	241	57	298	132	5	120	93	6	21			237	61
Education, Science, Culture and Sports	35	7	42	26		12	8		4	1		35	7
Children's Rights	161	179	116	9	48	39	3	6	8			168	11
Urban Planning and Construction	155	47	202	129	7	28	16	1	11			153	49
Environmental Protection	35	1	36	21		8	5	2	1	1		29	7
Finances	130	29	159	97	1	47	38	3	6			139	20
Property Related Issues	272	89	361	207	1	110	73	11	26	7	1	292	69
Consumer Rights	948	153	1,101	672	16	330	233	65	32	3		987	114



## **A. Right to continual improvement of the conditions for life**

85. In 2010, the Government of the Republic of Macedonia adopted a National Strategy for reduction of poverty and social exclusion, covering the period from 2010 to 2020.

86. The implementation of the measures and activities set forth under the Strategy has produced certain results, such as increase of the employment rate, number of social protection beneficiaries, type of social protection benefits, extent of coverage of beneficiaries of social protection benefits, greater child protection. There have been major changes in the area of education following the introduction of compulsory secondary education and the expansion of the network of higher education institutions. Furthermore, there has been progress in IT system accessibility and availability. Finally, there have been favourable changes in the area of pension, disability and health insurance.

87. Aiming at harmonizing the above referred to Strategy with the Europe 2020 Strategy for EU's growth and development, the Republic of Macedonia revised its strategy in 2013 and incorporated specific features of certain target vulnerable groups, their needs and requirements.

88. In the context of implementing the National Strategy, the Government of the Republic of Macedonia adopts annual action plans envisaging measures and activities to be undertaken within given deadlines, while defining the implementing bodies and the budget for the activities.

## **B. Right to adequate food**

89. The Republic of Macedonia has adopted Action Plans on Food and Nutrition for the 2004-2008 period, and then for the 2009-2014 period. These Action Plans define specific activities aimed at reducing: the prevalence of non-communicable food related diseases, the growing obesity among children and adolescents, the prevalence of diseases caused by deficit of micronutrients, the incidence of food related illnesses. The activities under the Action Plans are pursued as part of the National Public Health Program, which the Government of the Republic of Macedonia adopts each year, and which is implemented by the Public Health Institute of the Republic of Macedonia, in cooperation with the 10 Public Health Centres.

90. The Public Health Institute regularly publishes brochures designed to inform the public about the principles of and needs for a healthy diet and the diets for various categories of persons (Diet for Tuberculosis Patients, Five Keys to a Safe Food, What are Refreshing Non-Alcoholic Drinks?, Eat Breakfast and Have Fruits and Vegetables Every Day, Rulebook on Adequate Diet for Infants and Little Children, Rulebook on Diet for the Elderly, Rulebook on Diet for Cancer Patients etc.) and holds lectures for health care professionals and the general public on numerous issues, including the topic of adequate diet.

91. In 2008, in accordance with the adopted Programme for Development of Agriculture, the Government of the Republic of Macedonia provided considerable funds in order to improve the offer of favourable loans for this sector. The goal is to improve the access to long-term and short-term loans by farmers, as well as by small and medium-sized enterprises the primary activity of which is processing and exporting agricultural products, which will contribute to ensuring sustainable economic growth and higher employment. Further information on crediting can be found in the annual agricultural report, which is available at [www.zpis.gov.mk](http://www.zpis.gov.mk).

92. Article 40 of the Law on Agricultural Land regulates the granting of agricultural land owned by the state to be used by a certain category of disadvantaged persons. The Programme for Granting State-Owned Agricultural Land (Official Gazette of the Republic of Macedonia No. 80/12) was also adopted. When they acquire the agricultural land, the beneficiaries of this Programme will also have the right to receive financial assistance *de minimis*, in accordance with the Law on Agriculture and Rural Development (Official Gazette of the Republic of Macedonia No. 49/10) in order to start up their agricultural operations. In addition to this assistance, in accordance with the Operational Plan Amending the Operational Plan for Active Employment Programmes and Measures for the Year 2013, the Ministry of Labour and Social Policy will give a monthly allowance to the land beneficiary amounting to the welfare that he or she received hitherto in the first 24 months of using the land; then it will pay the pension, disability and health insurance and the fee for registration in the individual farmer registry.

93. Upon concluding the *usus fructus* contracts, the beneficiaries should register via the Pension and Disability Fund of Macedonia as individual farmers whose primary activity is agriculture. The duration of the *usus fructus* for which the agricultural land is granted is 5 years, and all disadvantaged persons who receive welfare benefits have the right to participate in the public calls for *usus fructus*. To date, 2 calls were realized, whereas the third call is in progress. 41 applications were submitted at the first public call and *usus fructus* contracts were concluded with 34 persons for a total area of 100 hectares, whereas at the second public call 5 applications were submitted and contracts were concluded with 3 persons for an area of 10 hectares. At present, a decision is pending on the third public call, having received 5 applications.

### C. Right to water

94. The Law on Health Care envisages measures and activities for protection against the harmful effects of water pollution on public health, for maintaining public health, for detecting, preventing and eradicating infectious diseases, and for ensuring minimum hygienic and epidemiological standards for the population.

#### Access to safe drinking water by the population with disaggregated data, urban/rural area

<i>Drinking water</i>	1971	1981	1991	1998	1999	2003	2005	2007	2008	2012
Safe	64%	76%	86%	90%	91%	93%	93%	94%	94%	97%
Unsafe	36%	24%	14%	10%	9%	7%	7%	6%	6%	3%

#### Rural population (as of 2012)

Centralized water supply (villages connected to a city water supply network)	9.32%
Local water supply (village water supply systems)	25.24%
Local drinking water sources	2.74%

**Distribution**

	1991	1998	1999	2003	2005	2007	2008	2012
Urban area	92%	95%	96%	99%	99%	99%	100%	99%
Rural area	60%	72%	76%	78%	79%	80%	80%	92%

95. The standards for clean water have been set under the Water Safety Rulebook, Official Gazette of the Republic of Macedonia No. 46/08.

96. The Public Health Institute of the Republic of Macedonia (PHIRM) and the 10 Public Health Centres (PHC) regularly monitor the quality of drinking water in urban and rural areas from medical and environmental aspects and in compliance with the Law on Food Safety (Official Gazette of the Republic of Macedonia No. 157/10), the WHO drinking-water quality manual and the National Annual Programme for Public Health in the Republic of Macedonia.

97. In order to educate the public, the PHIRM undertakes regular promotional activities via mass media (electronic and print) and its official website ([www.iph.mk](http://www.iph.mk)). Every year on World Water Day (22 March), promotional campaigns, press conferences and workshops are held, and brochures, leaflets and posters are designed and distributed for the importance of drinking safe water. At the Hygiene Department, the Institute regularly educates the students at the Medical Faculty about safe drinking water and waterborne diseases, and organizes promotional lectures, quizzes and art exhibitions on the importance of drinking water in cooperation with primary schools.

**D. Right to adequate housing****The Housing Strategy of the Republic of Macedonia**

98. In May 2007, the Government of the Republic of Macedonia adopted the Housing Strategy of the Republic of Macedonia (2007-2012), which regulates the housing issue in the Republic of Macedonia and defines the national strategic directions in the future housing policy.

99. The special goals of the Housing Strategy are: Improving the existent legislation, strengthening institutional capacities concerning housing, establishing an efficient and stimulating system for financing housing, promoting construction of apartments for rent, promoting residential construction, legalizing illegally constructed buildings that meet urban planning conditions and efficient control of illegal construction, refurbishment of existent housing capacities.

100. Upon proposal of the Ministry of Transport and Communications, in compliance with the Law on Housing, the Government of the Republic of Macedonia adopts an *Annual Programme for Construction and Maintenance of Apartments Owned by the Republic of Macedonia* for the purpose of stimulating the construction industry, constructing social apartments and apartments for young married couples, and reducing and maintaining the price of apartments for sale in a controlled manner.

**Number and category of disadvantaged beneficiaries who exercised the right to social housing in the period 2008-2010**

	<i>Children without parents or parental care over the age of 18 who by the age of 18 were placed in institutions or other forms of care for children without parents</i>	<i>Beneficiaries of welfare or permanent pecuniary benefit</i>	<i>Persons struck by natural disasters</i>	<i>Persons with disabilities or persons who need assistance and care from another person and families with disabled members</i>	<i>Disadvantaged persons belonging to the Roma ethnic community</i>	<i>Single parents with minor children</i>	<i>Total</i>
Skopje	88	4	0	2	0	8	<b>102</b>
Makedonska							
Kamenica	1	13	0	10	0	5	<b>29</b>
Ohrid	10	17	0	12	1	31	<b>71</b>
Kicevo	0	17	0	3	1	11	<b>32</b>
Kocani	5	9	0	4	0	11	<b>29</b>
Kavadarci	3	14	0	4	0	9	<b>30</b>
Kriva Palanka	2	17	0	12	0	15	<b>46</b>

101. The Programme for the year 2013 envisages the following: conclusion of the started programmes for construction and maintenance of apartments owned by the Republic of Macedonia; starting the construction of new residential apartment buildings for sale; construction of apartments for persons without a home (young married couples, persons with disabilities, single parents, single persons, etc.); construction of apartments for persons at social risk and other vulnerable groups, Project for the Housing of Socially Vulnerable Groups F/P 1674 (2009); implementation of programmes of the Government of the Republic of Macedonia designed to provide apartments for a special category of citizens; organizing and constructing residential and commercial facilities the investor in which is the Republic of Macedonia.

<i>Group of buildings</i>	<i>Number of buildings</i>	<i>Apartments</i>		<i>Commercial facilities</i>	<i>Garages</i>	<i>Basement spaces</i>	
		<i>No.</i>	<i>Area (m<sup>2</sup>)</i>	<i>Area (m<sup>2</sup>)</i>	<i>Area (m<sup>2</sup>)</i>	<i>No.</i>	<i>Area (m<sup>2</sup>)</i>
1	2	3	4	5	6	7	8
I.1. Completion of apartments for sale from previous programmes	10	527	33,969.95	1,966.66	6,744.79	325	2,113.59
I.2. Construction of residential apartment buildings for sale	40	2,176	135,102.16	11,501.73	31,844.90	730	5,600.59
I.3 Apartments for persons without a home (young married couples, persons with disabilities, single parents, single persons and other persons without a home)	3	119	6,569.15	527.19	735.28	77	528.00
I.4. Construction of apartments for persons at social risk and other vulnerable groups	32	1,764	72,643.70	2,160.94	353.97	1,710	10,520.04
I.5. Acquisition of built apartments for the purposes of implementing the Law on Denationalization and the Law on the Special Rights of the Members of the Security Forces of the Republic of Macedonia and the members of their families and acquisition of apartments under Decisions of the Government of the Republic of Macedonia		235	13,838.25				
<b>Total</b>	<b>85</b>	<b>4,811</b>	<b>262,123.21</b>	<b>16,156.52</b>	<b>39,678.94</b>	<b>2,842</b>	<b>18,762.22</b>

102. The Housing Project for Socially Vulnerable Groups — F/P 1674 (2009) envisages the construction of a total of 1,754 apartments in 33 residential buildings. The buildings will be constructed between 2007 and 2015. The allocation of these apartments is made in accordance with the Decision on Allocation of Social Apartments and the 2009 Programme for Construction and Maintenance of Apartments Owned by the Republic of Macedonia, which comprises a Methodology for Ranking the Candidates for Renting Social Apartments (Official Gazette of the Republic of Macedonia No. 96/09 and 122/10). Under these acts, the beneficiaries of social apartments may be the following categories of nationals of the Republic of Macedonia who do not have a home: children without parents or parental care over the age of 18 who by the age of 18 were placed in institutions or other forms of care for children without parents, beneficiaries of welfare or permanent financial assistance, persons struck by natural disasters regardless of the legal status of their permanent (primary) residence, persons with disabilities or persons who need assistance and care from another person and families with disabled members, disadvantaged persons from the Roma ethnic community (in accordance with the Roma Strategy of the Republic of Macedonia), single parents with minor children, blind persons who receive welfare or permanent financial assistance.

103. Of a total of 1,754 apartments, 559 were built and 539 apartments were allocated, while the construction of 6 (six) buildings with 544 apartments began in 2013.

104. Following an Analysis of the Situation and Problems in Social Housing in the Republic of Macedonia, the Roma Strategy of the Republic of Macedonia is implemented through a National Housing Action Plan. (For more details, refer to the Common Core Document on UN Human Rights Conventions (HRI/CORE/MKD/2013), Part 3.)

105. From the environmental aspect, the locations on which apartments for persons with low income and social apartments are planned to be built or have already been built are construction sites selected in accordance with the General and Detailed Urban Plans for the Populated Areas, for which an environmental protection analysis is prepared in accordance with the Law on Physical and Urban Planning.

106. According to the Constitution of the Republic of Macedonia, all citizens of the Republic of Macedonia are equal in their freedoms and rights, regardless of sex, race, colour of skin, national and social origin, political and religious beliefs, property and social status, thus excluding any discrimination of vulnerable and marginalized persons and groups (ethnic minorities), who are particularly affected by forcible evictions and the measures that were taken to ensure non-discriminating approach to such evictions. The right to inviolability of the home may be restricted only by a court decision in cases of detection or prevention of crime or for protection of people's health.

107. According to the Decision of the Government of the Republic of Macedonia of 9 December 2001, the Ministry of Labour and Social Policy is the ministry competent for the care for internally displaced persons (IDPs) and keeping the database of information on these persons. According to the provisions of the Convention on Human Rights and Fundamental Freedoms (Protocol 4, Strasbourg, 16 September 1963) and the Guiding Principles on Internal Displacement, the Government of the Republic of Macedonia continues undertaking activities related to the care for IDPs. In accordance with the Government's Decision No. 19-5787/1 of 28 November 2006, families that are not satisfied with the accommodation conditions at the collective centres are offered an opportunity to leave the collective centres for private accommodation in an apartment for which the Ministry covers the monthly rent and provides a monthly pecuniary assistance depending on the number of family members.

108. IDPs who cannot or do not want to return to their former residences and to whom the state has not paid damages for the material damage caused by the crisis of 2001 still have the status of IDPs and the Government provides them with adequate assistance.

109. The number of IDPs was reduced considerably as most of them were paid damages by the state following the respective court procedures.

## **Article 12 — Response to Committee recommendations Nos. 45 and 46**

110. The Ministry of Health implements intensive changes in the health sector aiming to improve the health and the health system to cater to the needs of the population. The changes are in line with the strategies, policies and legislation of the European Union.

111. The basis of the health system in the Republic of Macedonia is the primary health care oriented toward the individual, the family and the community, giving emphasis on preventive health care and meeting most of the health care needs of the population. Preventive health care is provided in various types of private and public health care organizations, such as doctor's offices and health care institutions, which offer preventive, promotional and curative services.

112. One of the basic principles on which health care in the Republic of Macedonia rests is the principle of accessibility.

113. The Ministry of Health develops stimulating mechanisms to ensure accessibility of primary health care by creating a network of health care institutions, building 16 clinics in rural areas where there are no clinics, opening 25 pharmacies in rural areas etc. For the hardly accessible regions (rural and mountainous places), the Health Insurance Fund provides added incentive to the primary care physicians by applying a fixed subsidy payment system instead of a capitation payment arrangement.

114. All health care institutions in the Republic of Macedonia have wheelchair ramps for easier access to the facilities by persons with disabilities.

115. The Law on Health Care envisages health insurance for all nationals of the Republic of Macedonia, including those who do not have any grounds for health insurance. The Ministry of Health earmarks funds for paying the health insurance for this category of citizens under the annual Programme for Mandatory Health Insurance of the Nationals of the Republic of Macedonia Who Do Not Have Mandatory Health Insurance.

116. In order to provide health protection to citizens from certain diseases and to maintain, follow and improve the health of parturient women and infants, funds are allocated under a special programme for covering the participation fees when using health care services paid for with funds from the Budget of the Republic of Macedonia.

117. The Government of the Republic of Macedonia earmarks funds from the Budget for covering the participations fees for inpatient health care of pensioners who receive pensions that are below the average pension in the Republic of Macedonia.

118. The costs for dialysis patients, for medicines for transplantation patients, for providing cytostatic drugs, insulin and growth hormone and for treating haemophilia and certain rare diseases are covered under Budget-funded programmes which stem from the Law on Health Care.

119. The Law on Medicines and Medical Devices (Official Gazette of the Republic of Macedonia No. 106/07) defines the conditions and manner of ensuring the quality of medicines and medical devices, their safety and efficiency, the manner and procedures for their production, testing, marketing, pricing, quality control, advertising and inspection.

120. In January 2013, a special Programme for Education of Doctors and Medical Personnel, designed for secondary and tertiary health care professionals at public health care institutions, was adopted for the purpose of raising the level of their professional knowledge and improving the quality of health care services.

121. A Family Medicine Centre, which organizes workshops on various health care topics (130 workshops on evidence-based medicine were attended by over 4,000 participants in 2012), was established.

122. The Law on Protection of Patients' Rights (Official Gazette of the Republic of Macedonia No. 82/08) governs and stipulates the rights and obligations of patients and health care professionals and institutions in the Republic of Macedonia. The supervision of the application of this law is performed by the inspectors at the State Sanitary and Health Inspectorate, while training was also provided to health care professionals and to counsellors for protection of patients' rights.

123. As regards measures taken in terms of mother and child healthcare, a Strategy for Safe Motherhood was adopted in 2010. The Strategy introduced a so-called Mother's Booklet, which informs pregnant women about all aspects of a safe motherhood. It is a medical document that ensures continuity of health care for the woman and her newborn at all levels of health care (from primary to specialized health care) and is accessible free-of-charge to every pregnant woman.

124. In 2012, an action plan was developed for reducing the infant mortality rate for the period 2013-2014. The plan defines measures and activities for the preconception, antenatal and natal period and for postnatal care. At present, the action plan is being revised in order to give priority to improving informedness and postnatal care coverage for marginalized groups, as well as strengthening the field activities of the health services aimed at improving the coverage and informedness of the population about the importance of prenatal care for improving the health of mothers and babies.

#### **Basic indicators for mother and child health in the Republic of Macedonia for the period 2006-2011**

<i>Year</i>	<i>Infant mortality rate per 1,000 live births</i>	<i>Early neonatal mortality rate (0-6 days)/per 1,000 live births</i>	<i>Perinatal mortality rate</i>	<i>Mortality of children under 5 years of age per 1,000 live births</i>	<i>Maternal mortality rate per 1million live births</i>
2006	11.5	6.4	15.3	12.9	4.4
2007	10.3	6.0	15.3	11.6	/
2008	9.7	5.0	14.6	10.9	/
2009	11.7	7.0	16.4	13.3	4.2
2010	7.6	4.0	12.6	8.3	8.2
2011	7.5	3.5	12.3	8.6	4.4

*Source of basic data:* State Statistical Office.

125. The volume of work of the visiting nurse service as part of the primary health care is defined by the Programme for Mother and Child Healthcare financed under the Budget of the Republic of Macedonia, which sets out the volume of preventive healthcare services for mothers and children per year. The programme envisages that 2 visits are made to each pregnant woman, 3 visits to each parturient woman and newborn and 5 visits to each infant. In 2011, the visiting nurse service made, on average, 1.7 visits to each pregnant woman,

2.7 visits to each parturient woman and 4.5 visits to each infant, which is close to the planned volume of work.

#### Visits made by the visiting nurse service

	<i>Newborn</i>		<i>Infant</i>		<i>Pregnant women</i>		<i>Parturient women</i>	
	<i>2010</i>	<i>2011</i>	<i>2010</i>	<i>2011</i>	<i>2010</i>	<i>2011</i>	<i>2010</i>	<i>2011</i>
<b>Total</b>	<b>50,464</b>	<b>47,314</b>	<b>65,131</b>	<b>64,169</b>	<b>23,330</b>	<b>21,181</b>	<b>21,242</b>	<b>20,395</b>
Average	2.6	2.5	4.8	4.5	1.7	1.7	2.8	2.7

*Source:* Mother and Child Healthcare Institute.

126. More detailed information about the measures taken in the area of mother and child healthcare are contained in the Fourth and Fifth Periodic Reports of the Republic of Macedonia under the Convention of Elimination of All Forms of Discrimination against Women, part 3, article 12 (CEDAW/C/MKD/4-5).

127. In accordance with the National Annual Programme for Public Health, the Public Health Institute and the 10 Public Health Centres regularly monitor the quality of drinking water in urban and rural areas from medical and environmental aspects. The quality of drinking waters is evaluated, whereas the morbidity of waterborne infectious bowel diseases in children and adults is also followed. Drinking water chlorination in the Republic of Macedonia is mandatory under the national legislation, while regular inspections of recreational waters are also conducted regularly.

128. Data of the 2012 annual report on the assessment of the health risks related to drinking water and groundwater show considerable progress in terms of access to safe drinking water for the population in the state compared to 2011.

129. Vaccination in the Republic of Macedonia is mandatory and free for all children aged 0-18. The Law on Protection of the Population from Infectious Diseases and the annual Programme for Mandatory Immunization of the Population envisage mandatory immunization of the population in the Republic of Macedonia against certain infectious diseases.

130. The Government adopts healthcare programmes every year: the National Public Health Programme, the Immunization Programme, the Brucellosis Prevention Programme, and the HIV/AIDS Prevention Programme. The National Immunization Strategy (2012-2020), which defines the policies and directions to be followed by the state in this area in the period until 2020, was adopted in 2012.

131. Concerning the infectious disease epidemics, an operative plan has been designed containing activities to be undertaken before and during an influenza pandemic. The plan also sets out the roles and tasks of the relevant institutions and ministries and can also serve as a plan for an epidemic of other infectious diseases.

132. The national HIV/AIDS strategies 2003-2006, 2007-2011 and 2012-2015, which are implemented through the annual HIV/AIDS programme financed under the Budget of the Republic of Macedonia and the HIV/AIDS Programme financed under the Global Fund to Fight AIDS, Tuberculosis and Malaria, provide a set of measures and activities aimed at maintaining the low HIV/AIDS prevalence rate in the country.

133. In compliance with the national HIV/AIDS strategies, prevention includes education, opening centres for voluntary and anonymous testing and counselling, distribution of condoms, establishing a system of epidemiological and behavioural



surveillance, improving the provision of care and support to people living with HIV/Aids (antiretroviral therapy) etc. They also envisage activities for early detection of sexually transmitted infections (STI's) in women of reproductive age (15 to 64 years of age) by providing free gynaecological examinations and HIV/AIDS and STI testing, and distribution of condoms and promotional materials on protection. A media campaign for prevention was organized. It was aimed at young people and consisted of TV infomercials, radio jingles, internet announcements, daily newspapers and billboards, and was complemented by an anti-stigma campaign conducted in six towns in the Republic of Macedonia. Voluntary and confidential counselling and testing of members of populations at the highest risk for HIV/AIDS infection are conducted at 14 Public Health Centres.

134. The University Clinic for Infectious Diseases and Febrile Conditions continuously provides: antiretroviral therapy for people living with HIV, counselling for patients at the special Counselling Centre set up at the Clinic, where patients have free access to all services offered exclusively there both for them and for the members of their families.

135. The HIV/AIDS programme also envisages activities and interventions for support of people who inject drugs (PID) who undergo substitution therapy, for sexual workers and members of their families, inclusion of PIDs in the rehabilitation and reintegration process through work therapy, providing support and assistance to people living with HIV, organizing courses for training of the members of these categories in order to facilitate the process of reintegration into society.

136. In the Republic of Macedonia, there is a list available of essential medicines, including a list of medicines covered by the Health Insurance Fund, which also includes antiretroviral drugs and drugs for chronic disease (about 440 generic names).

137. The antiretroviral therapy for HIV/AIDS is provided through the annual HIV/AIDS Programme funded under Budget of the Republic of Macedonia. The costs for treating dialysis patients, for transplantation patients, for providing cytostatic drugs, insulin and growth hormone and for treating haemophilia and certain rare diseases are covered under Budget-funded programmes.

138. With respect to prevention, the relevant ministries (the Ministry of Education and Science, the Ministry of Health and the Ministry of Labour and Social Policy), in compliance with their legal obligations and annual work programmes, take measures for informing and educating the youth and the rest of the population of the country about narcotics. They implement activities for early detection, treatment and rehabilitation of drug users and for preventing transmission of hepatitis and AIDS.

139. A National Strategy for Drugs, which envisages, among other things, a broad range of activities aimed at reducing drug demand through prevention, treatment, harm reduction and social assistance, was adopted. Harm reduction programmes and the substitution therapy programme are also incorporated in the National HIV/AIDS Strategy.

140. Treatment of drug users is available throughout the entire country via the 10 drug abuse prevention and treatment services. The treatment system includes outpatient and inpatient treatment, detoxification and substitution therapy. The outpatient treatment is the most common and includes substitution therapy, psychosocial interventions, individual or group counselling and social psychotherapy. The inpatient drug treatment consists of treating withdrawal symptoms. The funds for the substitution therapy (methadone and buprenorphine) are provided under the Annual HIV/AIDS Programme, which is allocated budget funds for the treatment of about 1400 addicts. On the territory of the Republic of Macedonia, there are also 13 programmes implemented for reduction of harm from intravenous drug use by exchanging sterile injecting equipment.

141. The Ministry of Education incorporated programme activities in the primary and secondary education curricula for educating the youth about the dangers and consequences of drug use.

142. The protection of health from the harmful consequences of smoking is governed by the Law on Healthcare, the Law on Protection against Smoking and by relevant secondary legislation. The regulations for protection against smoking in the Republic of Macedonia are aimed at protecting the environment and prohibit smoking in certain public rooms and advertising cigarettes and cigarette and tobacco industry trademarks.

143. The Framework Convention on Tobacco Control was ratified in 2006. Under the Strategy for Tobacco Control, aimed at ensuring and improving the protection of the health of the population in the Republic of Macedonia, a series of measures were implemented for reducing smoking prevalence and for protecting present and future generations from the effects of smoking and exposure to second-hand smoke.

144. The Health for All Programme and the Programme for Regular Medical Examinations of Pupils and Students include, in addition to the preventive medical examinations, distribution of health promotional and educational materials, which contain information about the harmful effects of smoking and promote healthy lifestyles.

145. In 2008, the Government of the Republic of Macedonia adopted the Strategy for Reducing the Harmful Effects of Alcohol on the Health of the Population in the Republic of Macedonia 2008-2012, which provided a national strategic framework for implementation of national measures in accordance with the European Strategy (COM (2006)625 final).

146. The Law on Trade prohibits the sale of alcoholic beverages to minors and all alcohol sales in the period from 19:00 to 6:00 hrs. and introduced an alcohol retail registry and licensing and other measures. The analysis based on statistical indicators for the effect of the legal measures for prohibition of the sale of alcohol in the evening showed that there is a gradual trend of decrease of alcohol consumption and of the number of alcohol poisoning cases among all age groups (from 450-550 alcohol poisoning cases in 2009, to 358 in 2010 and 259 in 2011).

#### **Alcohol consumption (l) per capita**

	<i>2009</i>	<i>2010</i>	<i>2011</i>
Wine	2.4	2.3	1.6
Beer	13.8	12.4	9.8
Distilled beverages	1.2	0.8	0.7

147. The National Strategy for Improving the Mental Health 2005-2012 was implemented. A new mental health strategy is being prepared in order to ensure further sustainable development of the mental health system in the Republic of Macedonia.

148. The Law on Healthcare governs the establishment of Mental Health Centres, which offer treatment to persons with mental issues, promote mental health and prevent mental illnesses, provide psychosocial care, rehabilitation and reintegration of these patients.

149. At present, 8 mental health centres are operational, while the tendency is to open new centres that will be separate from the other psychiatric hospitals and wards at the general hospitals.

150. The relevant institutions apply a treatment system with individual plans for each service user which are created together with the patients and set clearly defined goals and timeframes for their accomplishment. This working method, which has been accepted and

approved by the Psychiatric Association of Macedonia, is constantly monitored by the relevant services of the institutions.

151. The Law on Mental Health (Official Gazette of the Republic of Macedonia No. 71/06) stipulates the general rights of the persons with mental illnesses, their special rights and obligations during their stay in healthcare institutions and the obligations of healthcare professionals and institutions in terms of protecting the rights of these persons by providing legal advice and assistance.

152. The Public Health Institute has prepared a Communication on Roma Health Situation and Protection in the Republic of Macedonia, which presents a review of everything that has been done hitherto in the area of healthcare since the start of the Roma Decade.

153. Aiming to promote healthy lifestyles and healthcare, every year the Ministry of Health, in cooperation with the Public Health Institute, publishes brochures in the Roma language that contain guidelines to healthy lifestyles. They are distributed to the municipalities with larger Roma populations through the Public Health Centres.

154. The 2012 Programme for Early Detection of Malignant Diseases in the Republic of Macedonia, which includes cervical cancer and covers all women, is implemented continuously.

155. Under the Health for All programme, Public Health Institute and healthcare institute employees set up stands that offered preventive examinations to the entire population. The examinations included blood pressure, blood sugar and cholesterol level measurements.

### **Article 13 — Response to Committee recommendations Nos. 47 and 48**

156. Primary and secondary education in the Republic of Macedonia is mandatory and free. Children who study in a place other than their place of residence are provided with free textbooks, transport and accommodation, whereas the children from disadvantaged families whose parents receive social protection benefits are also provided with, in addition to the foregoing, conditional pecuniary benefits (for regular secondary education attendance).

157. The Law on Secondary Vocational Education envisages free secondary education (free transport and textbooks for pupils and abolished tuition fees). Free education for part-time students was introduced this year.

158. Technical and secondary vocational education is available to all pupils, including pupils with developmental disabilities (depending on the educational profile). The reform of three-year education increased the number of practical classes, subjects and contents for improving employment skills.

159. The Law on Primary Education and the Law on Secondary Education envisage fines for the parents/guardians who have not enrolled the children in school.

160. Article 172 of the Primary Education Law reads:

(4) A fine of EURO 200 in Denar counter value shall be incurred on the parent or guardian if the pupil has not been enrolled by the deadline set out in Article 47, paragraph (1) of this Law.

(5) A fine of EURO 1000 in Denar counter value shall be incurred on the parent or guardian if he or she does not enable his or her child to fulfil the obligation for mandatory primary education and instruction (Article 5).

161. Article 109 of the Secondary Education Law reads:

(1) A fine of EURO 2000 in Denar counter value shall be incurred on the parent or guardian of a minor pupil if the pupil has not been enrolled in a secondary school or attends school irregularly (Article 3, paragraph (1)).

162. The Law on Higher Education provides that higher education in the Republic of Macedonia is available to all citizens of the Republic of Macedonia who have completed the four-year secondary education regardless of age, sex, ethnic affiliation, religion, sexual orientation etc.

163. Concerning student scholarships, the Ministry of Education grant privilege to students with higher GPA, students from families on lower income, students of technical and natural sciences; students from families that receive welfare etc.

164. Under a Decision of the Government, students who enrol in the state quota pay EURO 200 per year, whereas those who enrol in the co-financing quota and the part-time students pay EURO 400 per year.

165. According to Article 87 of the Higher Education Law, higher education organizations do not charge tuition fees to children without parents, persons with first and second-degree disabilities, war-disabled persons and persons who have grown up in homes for abandoned children.

166. According to Article 13 of the Law on the Special Rights of the Members of the Security Forces of the Republic of Macedonia and of the Members of Their Families, members of the security forces, children of killed or deceased members of the security forces and children of 1st to 7th degree war-disabled persons enjoy privilege when enrolling in higher education institutions and do not pay tuition fees provided that they score the minimum points set by the enrolment competitions.

167. The Law on Adult Education governs the organization, structure and management of the adult education system. Adult education includes formal and informal education. Since its establishment (November 2008), the Public Institution Adult Education Centre has worked actively on developing these 2 education systems. In January 2012, following the alignment of the legislation, the Centre began verifying special programmes for acquisition of qualification or part of qualification. Under the IPA project "Support for Capacity Building of the Adult Education Centre and Development of Adult Education Programmes, Literacy Programmes and Programmes for Completion of Primary Education of Excluded Persons" (October 2011-July 2013), 6 programmes were developed and implemented for the purpose of teaching literacy to excluded persons in 6 different municipalities in the Republic of Macedonia. Furthermore, 6 informal education qualification programmes were developed and implemented.

168. The right of the persons belonging to the ethnic communities in the Republic of Macedonia to education in their native languages is safeguarded by the Constitution and laws. The Albanian, Turkish and Serbian communities receive instruction in their mother tongues from primary to higher education levels. The other communities (Roma, Vlach and Bosniak) study their native language and culture from the third to the ninth grade through the optional subject Roma, Vlach and Bosniak Language and Culture.

169. The Ministry of Education and Science, through the Directorate for Development and Improvement of Education in the Languages of the Communities, adopted a Handbook on Prevention of and Protection against Discrimination in the Educational System in the Republic of Macedonia in 2010. The goal of this Handbook is to improve and strengthen the coordination among all relevant institutions and individuals involved in the educational system in order to ensure equal conditions and opportunities for quality education regardless of religion, nationality or any other grounds.

170. The following legal measures ensure equal criteria for access to all levels of education for boys and girls: equal right to primary and secondary education, implementation of self-evaluation and integral evaluation at schools, parent counselling, teacher and administrative staff training, state and municipal education inspector training, implementing school projects with active participation of pupils, teachers, parents, representatives of the local self-government, training of directors, school boards and parent-teacher councils, campaigns on the importance of education, additional support for primary and secondary school pupils and financial assistance.

171. The Ministry of Education and Science, the Directorate for Development and Improvement of Education in the Languages of the Communities and the National Roma Centre conducted the campaign “The Key Is in Your Hands”, the target group of which were Roma parents and children (at 86 primary schools, covering 3,000 Roma pupils aged 6-8 and involving 23 mediators). The goal of the project was enrolment of Roma children in primary education and reducing dropout rate. The dropout rate decreased to 13.5%.

172. According to the research conducted by the UNICEF in the period 2006-2011, the primary and secondary education enrolment and completion rates increased at national level, including among children in the poorest group. Net primary school attendance increased from 95 to 98% at the national level, from 86 to 96.5% among Roma children and from 86 to 96.5% among the poorest population. The primary education completion rate increased from 83 to 97% at the national level, from 45 to 97% among Roma children and from 62 to 85% among the poorest population. The secondary education enrolment rate increased from 95 to 98% at the national level, from 27 to 98% among Roma children and from 92 to 96% among the poorest population.

173. The Primary Education Law (Article 8) grants the right to primary education to children of foreign nationality and stateless children who reside in the Republic of Macedonia under equal conditions with the children who are nationals of the Republic of Macedonia.

174. The Secondary Education Law (Article 5) grants the right to secondary education to foreign nationals and stateless persons in a manner and under conditions defined by this Law.

#### **Article 14**

175. Primary and secondary education in the Republic of Macedonia is free.

#### **Article 15**

176. The basic characteristic of the culture in the Republic of Macedonia is diversity, expressed through fostering the wealth of varieties in the cultural identity of the state.

177. The Law on Culture (Official Gazette of the Republic of Macedonia No. 66/03, 82/05, 24/97 and 15/08) safeguards the right of everyone to foster culture under equal conditions.

178. A Directorate for Promotion and Development of the Cultures of the Communities in the Republic of Macedonia was established at the Ministry of Culture. The Directorate performs professional and administrative tasks that include following the fostering and promoting the cultural identities of the persons belonging to the communities; follows the development and fostering of the cultures of the persons belonging to the communities; and encourages and promotes international cooperation for technical assistance with neighbouring and European countries.

179. In terms of institutions, there are 61 national institutions in the Republic of Macedonia, including 5 libraries, 9 institutes, 14 museums, 16 culture centres, 8 theatres, 1 film archive, 1 opera and ballet institution, 1 philharmonic orchestra institution, 3 institutions for the international events “Ohrid Summer”, “Struga Poetry Evenings” and “10 Days of the Krusevo Republic”, 2 art galleries and 1 institution for presenting and fostering folklore.

180. The Law on the Film Fund of the Republic of Macedonia (Official Gazette of the Republic of Macedonia No. 70/2006) was adopted in 2006 and the Fund started working in September 2006.

181. The Law on Film (Official Gazette of the Republic of Macedonia No. 82/13) established the Film Agency of the Republic of Macedonia, which is tasked with supporting, promoting and developing filmmaking, financing film projects of national interest to the Republic of Macedonia and supporting, presenting and fostering film production in the Republic of Macedonia. The Agency will start working on 1 January 2014. As a result of decentralization in 2004, there are 28 culture houses in the Republic of Macedonia (including 3 workers’ universities, cultural centres and children’s centres), 13 libraries, 6 museums and 2 zoos. Most of the institutions are located in the capital city of Skopje, Bitola, Prilep and Kumanovo.

182. The Republic of Macedonia has a monuments fund composed of movable and immovable monuments of various kinds, periods, cultural influences and styles and of incalculable cultural, historic and art value.

183. The Law on Protection of Cultural Heritage (Official Gazette of the Republic of Macedonia No. 24/07 and 115/07) describes cultural heritage as a fundamental value of the Republic of Macedonia and its protection is of public interest and mandatory on the entire territory of the Republic of Macedonia.

184. This Law introduces a new category of cultural heritage — spiritual cultural heritage, which includes, among other things, items of folklore such as: customs, rituals, oral lore, folk songs, stories, legends, proverbs, riddles, dances, games and songs, old and rare crafts, traditional professions and other expressions of non-material creativity.

185. The Law on Audio-visual Goods of 2008 stipulates the conditions and manner of work of film archives, the establishment and types of film archives and the rights and obligations relating to audio-visual Goods.

186. For the purposes of integrating persons with disabilities into society, special cultural programmes are implemented for this category. In this regard, a Library for the Blind in the Republic of Macedonia, which prints, publishes and lends textbooks, books and other auxiliary literature prepared in alternative formats, in the Braille alphabet or in large print, textbooks recorded on audio cassettes or CDs etc., was established in 2011. At the same time, special access is provided to persons with disabilities at all cultural institutions.

187. The multi-ethnic and multicultural character of the Republic of Macedonia necessitates the development of programmes promoting and fostering cultural pluralism.

188. The Law on Science and Research (Official Gazette of the Republic of Macedonia No. 46/2008 and 103/2008) tasks the Ministry of Education and Science with the organization and management of and conditions for undertaking scientific and research activity and with the professional training of scientific and research personnel.

189. In order to stimulate scientific activity, in 2009 the Ministry of Education and Science awarded scholarships to young talented postgraduate science students with a high GPA, whereas funds were also approved for a one-off allowance for drafting and defending master’s and doctoral theses.

190. The Programme for Scientific and Research Activity for the 7 Public Scientific Institutions (scientific institutes) earmarks funds for the programme activities: scientific and research projects, publishing, hosting scientific gatherings, participating in scientific gatherings abroad, study visits abroad, visits of foreign scientists to the Republic of Macedonia, provision of scientific and research equipment, provision of foreign scientific literature, adaptation and reconstruction of facilities etc.

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