



**Convention on the Elimination  
of All Forms of Discrimination  
against Women**

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**Committee on the Elimination of  
Discrimination against Women**

**Fifty-fourth session**

11 February–1 March 2013

**List of issues and questions with regard to the consideration  
of periodic reports: The former Yugoslav Republic of  
Macedonia**

**Addendum**

**Replies of the former Yugoslav Republic of Macedonia to the  
list of issues to be taken up in connection with the  
consideration of its combined fourth and fifth periodic  
reports\***

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\* In accordance with the information transmitted to States parties regarding the processing of their reports, the present document was not formally edited.

## **General**

### **Reply to the issues raised in paragraph 1 of the list of issues and questions (CEDAW/C/MKD/Q/4-5)**

1. In order to create a transparent periodic report the civil sector was involved in its drafting, in addition to the government and state institutions. For this purpose, consultation meetings were organized with representatives of the civil sector, where proposals and information about their activities were presented and their contribution was adequately incorporated in the report. The final report was adopted by the Government on 12 April 2011.

## **Constitutional, legislative and institutional framework**

### **Reply to the issues raised in paragraph 2 of the list of issues and questions**

2. The Law for Prevention and Protection from Discrimination was adopted on 8 April 2010 (Official Gazette No. 50/2010), and came into force on 1 January 2011. The Law defines the terms discrimination and forms of discrimination (Article 6), in accordance with the Directives 2000/43/EC and 2000/78/EC of the European Union:

- Direct discrimination shall be every unfavourable treatment, distinction, exclusion or limitation that has or may have as consequence suspension, violation or limitation of the recognition or exercise of human rights and fundamental freedoms, compared to the treatment that another person has or could have in the same or similar conditions.
- Indirect discrimination shall be every placement of a person or group in an unfavorable position compared to other persons, by adopting seemingly neutral provisions, except when those provisions arise from a justified cause, and the means for achieving that cause are appropriate and necessary.
- As more severe form of discrimination in the sense of this law shall be considered the discrimination made against a certain person on several discriminatory bases (multiple discrimination), discrimination occurring several times (repeated discrimination), one stretching over a longer time period (continuous discrimination) or the consequences of which have a particularly severe impact on the discriminated person.

3. The law foresees exceptions to discrimination in the form of affirmative measures by the state administration, the local self-government units' bodies, public organizations and institutions, until reaching full factual equality in order to eliminate or reduce factual inequalities, as well as protection of marginalized groups (Article 14). Protective mechanisms have also been foreseen for certain categories of persons, such as mothers and pregnant women, children without parents, single parents, minors and persons with disability, measures for motivating employment, measures for balanced participation of men and women until balance is achieved, measures for protecting the language identity and the identity of the community.

4. In accordance with this Law, a Commission for Protection against Discrimination was established as an independent and autonomous body. In December 2010, the Parliament of the Republic of Macedonia appointed seven members. The basic function of the Commission for Protection against Discrimination is acting on complaints and adopting decisions and recommendations for specific cases of discrimination.

5. During 2011, 60 complaints were submitted to the Commission, out of which 15 the submitting parties state that they have been discriminated on a political basis, 13 on ethnic

basis, 9 on the basis of personal or social status, 6 on the basis of social background, 5 each on the basis of gender, mental or physical disability, 4 each on the basis of age, property ownership or sex, 3 on the basis of belonging to marginalized communities, family or marital status and 1 each on the basis of citizenship, education, health condition.

6. Regarding the areas in which complaints were submitted, where the applicants claim discrimination, they are: labor relations with 30 complaints, social security 11, judiciary and administration 8, education, science and sports 6, access to goods and services 4, other areas 3, and public information and media 2 complaints.

**Reply to the issues raised in paragraph 3 of the list of issues and questions**

7. During 2010 and 2011 a total of 3 complaints were submitted to the representative for determining unequal treatment, submitted by physical entities, 2 of which have been submitted personally by the applicants themselves, and one through a proxy – an attorney. A procedure was initiated on 2 complaints and discrimination was not established in respect of them, and for one complaint a procedure was not initiated because the basis was not gender discrimination.

8. In the practice thus far, the provisions of the Convention on Elimination of All Forms of Discrimination against Women have not been applied in case law.

**Reply to the issues raised in paragraph 4 of the list of issues and questions**

9. In order to increase the degree of harmonization of the domestic with the European legislation, the Law on Equal Opportunities for Women and Men transposes Directives: 2000/78/EC equal treatment in employment, 2002/73/EC the principle of equal treatment of men and women as regards access to employment, vocational training and promotion and working conditions and 2004/113/EC on access to goods and services.

10. Also, the goal of adopting this law is to regulate the issue on creating equal opportunities and equal treatment of women and men, basic and special measures for creating equal opportunities and equal treatment of women and men, the rights and obligations of the responsible subjects for creating equal opportunities and equal treatment of women and men, the procedure for determining the unequal treatment of women and men, as well as the rights and obligations of the Representative for Equal Opportunities of Women and Men, as the person nominated for implementing the procedure for determining the unequal treatment of women and men and gender discrimination.

11. The new Law on Equal Opportunities for Women and Men provides the establishment of a inter-sectoral consultative and advisory group for equal opportunities for women and men comprised of functionaries/executive civil servants, representatives of citizen associations, employer associations, experts, representatives of the local self-governments, unions and other entities. This group is obliged to promote the concept of inclusion of gender aspects in the general policies of all public institutions; follow the integration of the concept of sector policies in cooperation with the social partners and institutions in individual areas; to monitor the progress of the harmonization of the national legislation with the legislation of the European Union and the European standards in the field of gender issues; to participate in the preparation and provide guidelines in the process of preparation of the Strategy on gender equality; and to follow the periodic reports of the institutions.

## **Temporary special measures**

### **Reply to the issues raised in paragraph 5 of the list of issues and questions**

12. In accordance with the Law on Equal Opportunities for Women and Men (Official Gazette of the Republic of Macedonia, No. 6/2012, of 13 January 2012) special measures have been foreseen to be applied by the legislative, executive and judiciary, local self-government units and other bodies and organizations in the public and private sector, public enterprises, political parties, public media and the civil sector in all areas. The special measures are interim measures undertaken to overcome the existing unfavorable social position of women and men, which comes as a result of systematic discrimination or structural gender inequality arising from historical and socio-cultural circumstances. They are directed at removing obstacles or providing a special contribution and incentive for realizing equal starting positions of women and men, equal treatment, balanced participation or equal social status, developing their individual potentials by which they contribute to the society development and equal access to the benefits of this development.

13. For this purpose, the following is undertaken:

- positive measures that in equal conditions give priority to persons of the less represented gender, until equal representation is achieved or the goal for which they have been undertaken is achieved.
- motivating measures that provide special incentives or introduce special benefits with the aim of eliminating circumstances leading to unequal participation of women and men or the unequal status of one gender to the other or unequal distribution of social goods and resources.
- program measures are measures aimed at raising awareness, organizing activities and drafting and implementation of action plans for promoting and improving equal opportunities.

14. Regarding the reduction of factual inequality by undertaking special measures, there is a close connection of the Law for Equal Opportunities for Women and Men and the Law for Prevention and Protection against Discrimination, in the part regarding the exceptions against discrimination. Affirmative measures have been predicted, which can be undertaken until full factual equality is achieved. Protective mechanisms have also been predicted by undertaking measures for achieving an objectively justified legitimate goal for certain categories of persons. Of special interest is that the Law on Prevention and Protection against Discrimination provides special measures aimed at achieving balance participation of women and men, as long as these measures are necessary (Articles 13, 14 and 15)

## **Stereotypes and harmful practices**

### **Reply to the issues raised in paragraph 6 of the list of issues and questions**

15. The monitoring of gender issues in broadcasting is regulated in the Law on Broadcasting (“Official Gazette of the Republic of Macedonia” No. 100/05, 19/07, 103/08, 06/10, 145/10, 97/11, 13/12). In accordance with this law in the last years there has been no measure issued for prohibition of broadcasting pornography. The Council has standardized procedures and methodologies for several different types of program monitoring. Regular monitoring is determined in the Annual Work Program of the Council, and the frequency of monitoring depends on whether the medium is national, regional or local, and the influence it has on its audience. This monitoring is used to check how much broadcasters respect the Law on Broadcasting and is usually performed daily. On the initiative of different subjects

ad-hoc monitoring can also be performed, which also includes analysis conducted on the basis of submission made.

16. The procedure for acting on submission is regulated in the Law for Acting on Submissions and Proposals (Official Gazette of the Republic of Macedonia No. 82/08). The submission received in the Broadcasting Council is sent to the members of the Council and Sector for Program Affairs, which monitors and analyzes the disputed content and prepares a report on that, which is submitted to the Council for deliberation. If a violation is established, the measure is prescribed. An answer is given to the person who has sent the submission in 15 days time, or 30 days if the case is more complex. A report is submitted to the Ministry of Justice every six months. The measures given by the Council are: written reprimand, written reprimand with request for publication, temporary prohibition for advertising and teleshopping from one to seven days, and temporary prohibition for broadcasting the program service for a period of maximum 3 months. Additionally, the Council can initiate a misdemeanor procedure.

17. In accordance with the obligations arising from the Law on Equal Opportunities for Women and Men (Article 17 paragraphs 3 and 4), the Broadcasting Council with outside expertise and a team of analysts, will conduct a research by the end of the year on the manner of representation and showing of women and men in the program concepts and content and analysis of gender issues in the program concept and content of the public media and a research on the representation of women and men in the news.

18. In the period 2010 and 2011, the Institute for Social Care realized the project "Implementation of Gender Equality in Social Work through Education". In the frames of this project 5 trainings were realized intended for professional workers in the social care centres all over the Republic of Macedonia and a "Manual for identification of gender issues and their application in social work and social protection" was prepared.

19. A project entitled "Implementation of Gender Equality in Social Work through Gender Analysis and Capacity Raising through Research" was implemented, in which working meetings were organized and a publication was printed on "Social Work through the Gender Prism – Risks and Services". A module was also created on gender equality, which will be used for the needs of capacity building of professional workers.

## **Violence against women**

### **Reply to the issues raised in paragraph 7 of the list of issues and questions**

20. The forms of domestic violence have been defined in the Criminal Code in Article 122 paragraph 21, which defines the criminal act of "domestic violence". Domestic violence also appears as an aggravating element in a number of criminal acts contained in the special part of the Criminal Code.

21. In accordance with the Law on Family (Article 94), the Center for Social Work anytime it disposes of information that a certain person is a victim of domestic violence, should by itself, or on request of the person or a family member undertake a set of measures for protection of the victim of domestic violence, as following: provides necessary accommodation in a shelter (at most up to one year), provides appropriate healthcare, provides appropriate psycho-social intervention and treatment; refers to the appropriate counseling office; if in the family there is a child who is in regular education, it helps in continuing the regular education; informs the prosecution authorities; provides all types of legal assistance and representation; initiates procedures before the competent court; if necessary submits requests to the court for prescribing temporary protection measures and undertakes other measures it deems necessary for solving the problem. The Ministry of Labor and Social Policy has established 4 regional shelters for victims of domestic violence

covering the entire territory of the Republic of Macedonia. The shelters for victims of domestic violence are intended for accommodation and care of women and their children (0-18 years of age) and old persons/women.

22. In March 2011 the Counseling Office for Parents and Children started operating and in 2011 it was visited by 134 persons and 51 persons until June 2012.

23. In June 2011 the Counseling Office for Perpetrators of Domestic Violence started operating, and was visited by 13 persons in 2011 and 33 persons until September 2012.

24. For improvement of the process of reporting of cases of domestic violence at the national level, a data base has been prepared for the entry of all beneficiaries in the system of social protection, among which victims and perpetrators of domestic violence. The data base has been named LIRIKUS and is active since 1 January 2012.

25. On request of the Ministry of Labor and Social Policy, based on submissions sent by citizens, the Institute for Social Activities supervised 13 cases in 2011 and 7 cases (until September) in 2012.

26. There are employees in the Ministry of Interior (police officers – inspectors for domestic violence, prevention, violent crime, human trafficking etc.), who are obliged to work on detection, prevention, monitoring and eliminating all possible forms of violence against women in the Republic of Macedonia. It continuously cooperates with the Ombudsman, non-government organizations and other state institutions and ministries, which deal with prostitution, domestic violence and other forms of violence against women.

27. During 2011, 8 (eight) one-day workshops have been realized with participation of 120 police officers from the eight sectors for internal affairs on the topic: “Strengthening National Capacities for Prevention of Domestic Violence”, financed by the Dutch Embassy and UNDP.

28. Seven (7) two-day workshops were organized for strengthening the professional and expert capacities of 140 police officers, using the example of the British MARAK model, with the financial support of the UNDP.

29. During 2012, seven (7) two-day workshops have been realized on the topic of strengthening national capacities for prevention of domestic violence, with the financial support of the Dutch Embassy and the UN Trust Fund. 134 participants from the MoI took part in the training.

#### **Reply to the issues raised in paragraph 8 of the list of issues and questions**

30. The Joint Protocol on Action in Cases of Domestic Violence is the guide for undertaking coordinated action with all professional structures competent to act in case of domestic violence. This protocol is based on laws and by-laws and the content and obligations of the National Strategy for Protection against Domestic Violence 2008-2011. The protocol contains: activities for all competent institutions participating in the detection and reduction of violence and providing assistance and protection to persons exposed to domestic violence and forms and manner of cooperation between the competent institutions participating in the detection and reduction of violence and provision of assistance and protection to persons exposed to domestic violence. This protocol is used in practice by all competent institutions (government/public institutions and the civil sector).

31. In order to have continuity of the established system against domestic violence and continuation of the activities contained in the National Strategy for Protection against Domestic violence 2008-2011, the Government of the Republic of Macedonia adopted the National strategy for prevention and protection against domestic violence 2012-2015 on 24 July 2012.

**Reply to the issues raised in paragraph 9 of the list of issues and questions**

32. In accordance with the data of the Ministry of Labor and Social Policy, in the first half of 2012, the number of reported cases of domestic violence is 415 victims, of which 306 are women victims of domestic violence. The courts have pronounced 83 interim measures for protection against domestic violence against the perpetrators.

33. A national unified system was established for collecting data for domestic violence, i.e. a software program was established for recording the users and forms of provided social services, including the victims and perpetrators of domestic violence. There is ongoing unification of the data bases in all sectors, their networking and creation of a unique national data base. This will enable monitoring and evaluation of the situations with the domestic violence and creation of appropriate responses.

34. The latest amendments to the Law on Family provide for harmonization of the definition of domestic violence with the Criminal Code; the possibility for citizen organizations to provide measures for protection of victims of domestic violence, and an obligation for reporting of all parties undertaking activities for protection against domestic violence to the competent center for social work in 72 hours. Also, these amendments provide an additional possibility to the victim to directly submit a proposal to the court for giving an interim protection measure in addition to doing this indirectly through the Center for social work.

**Trafficking and exploitation of prostitution****Reply to the issues raised in paragraph 10 of the list of issues and questions**

35. The amendments to the Law on Criminal Procedure (Official Gazette No. 150 of 18 November 2010) regulate the rights of victims of criminal acts (Articles 53-56) and provide special measures for procedural protection of children victims of trafficking in human beings (Article 54).

36. The following rights of the victims have been predicted: joining the criminal prosecution for the purpose of indemnity, right to psychological and expert assistance, right to an advisor paid by budget funds, compensation of material and non-material damage from a state funds, special protection measures – video or audio recordings of the statement or interview of the child that will be used as evidence, at most two times interviewing of the child by using technical means of communication, it should be interviewed by a person of the same gender, the right not to answer to questions from personal life unrelated to the criminal act and exclusion of the public from the main proceedings.

37. The National Strategy for Fight against Trafficking in Human Beings and Illegal Migrants (2009-2013) has four chapters, as following: support framework, prevention, support and protection of victims of human trafficking and migrants, investigation and criminal prosecution of traffickers in human beings and smuggling of migrants. In accordance with strategic goal No. 5 of the National Strategy for Fight against Trafficking in Human Beings, Research and Evaluation of the Existing Protection Programs, the National Commission decided in June-July 2012 to conduct an external evaluation of the National Strategy and Action Plan for Fight against Trafficking in Human Beings and Illegal Migration and the Action Plan for Fight Against Trafficking in Children. Based on the findings of this evaluation there is on-going preparation of the new National Strategy and Action Plan 2013-2016.

38. The National Rapporteur for Fight against Trafficking in Human Beings and Illegal Migration in the Republic of Macedonia has been established with a Decision of the Government of the Republic of Macedonia or, more accurately, with a Decision for

Amending the Decision for Appointing a National Coordinator, Their Deputy, Secretary and Members of the National Commission for Fight against Trafficking in Human Beings and Illegal Migration in the Republic of Macedonia.

39. The basic task of the National Rapporteur comes from the international documents of the EU, Council of Europe or OSCE, and in domestic frames the set-up and role of the rapporteur is provided in greater detail in the National Strategy for Fight against Trafficking in Human Beings and Illegal Migration and the relevant action plan. A key component of the successful implementation of the strategy is the objective monitoring and evaluation of the adequate implementation of planned activities for which the National Rapporteur is responsible. Furthermore, the National Rapporteur is responsible for gathering and analysis of data, giving recommendations in accordance with the strategic goals, and adopting conclusions related to all activities against human trafficking, and for preparation and submitting annual reports to the National Commission and the general public. In accordance with the strategy, the reports should include an overview, assessment and evaluation of the measures in the fight against trafficking in human beings and recorded the volume of the problem based on a quantitative and qualitative analysis of information.

**Reply to the issues raised in paragraph 11 of the list of issues and questions**

40. In the Ministry of Labor and Social Policy since September 2005 there is the Office of the National Referral Mechanism for Victims of Trafficking in Human Beings (NRM), established in the frames of the project implemented by the Ministry of Labor and Social Policy and the National Commission for Fight against Trafficking in Human Beings and Illegal Migration in cooperation with the OSCE Mission to the Republic of Macedonia. The NRM Office was institutionalized in 2009 in the MLSP in the Sector for Equal Opportunities by employing 2 persons and continuing the activities related to the prevention and protection of victims of human trafficking. The NRM Office also coordinates the protection of victims of human trafficking in cooperation with two specially trained social workers in each of the 30 Centers for Social Work in 30 cities in RM (available 24/7 on their mobile phones) and they are in constant coordination with the police and NGO-s.

41. Identification of victims of human trafficking is performed in accordance with the Standard Operating Procedures for Acting with Victims of Human Trafficking (SOP) adopted by the Government of the Republic of Macedonia<sup>1</sup>. According to SOP the initiation of the process of identification and referral to competent bodies for identification can be done in different ways: the victim can report personally, by knowledge and mediation of other parties, by knowledge of the police, centers for social work, labor inspectors, public prosecutors office, education institutions, healthcare organizations, other trafficked persons, family or acquaintances, non-government organizations or international organizations, officials in embassies or consular offices, persons performing transport etc.

42. Identification of a person suspected of being a victim of trafficking is conducted via interview by representatives of the Unit for fight against trafficking in human beings and smuggling of migrants (UFATHBSM) and/or social workers from the Center for Social Work (CSW) who determine the elements of the criminal act of trafficking in human beings from the Criminal Code Article 418 a and 418 d.

43. There are trained 2 social workers in each of 30 Centers for Social Work in RM for identification of victims of trafficking in human beings who are part of NRM. On 28

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<sup>1</sup> Revised version of SOP was adopted by the Government of the Republic of Macedonia on 28 December 2010.



January 2011 a state shelter was open, i.e. Center for Victims of Trafficking (CVT). For the functioning of this center, in accordance with international standards on human rights, internal documents have been developed related to the procedures for referral, accommodation, residence, rules of conduct of the engaged staff, protocol for protection etc.

44. In accordance with the legislation, domestic nationals and foreigners victims of human trafficking who have received a temporary residence permit are accommodated in this Center. The accommodation is on a voluntary basis with the signing of a written consent. For minors the consent is signed by the guardian, and the competent CSW adopts a decision for accommodation, and the referral and entire accommodation procedure is conducted through the NRM coordination office. The NRM office is obliged to monitor the functioning of direct assistance and support received by the victims in CVT. Direct support is provided to the victims also by two non-governmental organizations with which the MLSP has signed a memorandum of cooperation:

- social support by NGO “Otvorena porta”, and
- psychological support by NGO “Za sreknjo detstvo”.

45. During 2011 the victims accommodated in the Centre for Victims of Trafficking were enabled to:

- Get involved in the education process for 4 female persons with the financial support of Otvorena porta;
- 2 female persons have completed a qualification course financed by Otvorena porta;
- Foreign language learning enabled by the Association of Citizens for Equal Opportunities “Ednakov pristap”;
- Medical care and appropriate therapy was provided for 8 persons (general examinations, gynecological examinations, testing for transmitted diseases);
- For 8 female persons individual programs have been prepared for reintegration in coordination of the Otvorena porta team and the competent persons from the CSW from the places where the women come from and they have been returned to their families.

**Reply to the issues raised in paragraph 12 of the list of issues and questions**

46. The Ministry of Interior/National Commission in partnership with international organizations and citizen associations has continuously, and in accordance with the Action plan for fight against trafficking in human beings and illegal migration, conducted activities for awareness raising on the occurrence of trafficking in human beings and its risk to health, in order to increase the information for self-protection against trafficking in human beings and its recognition and protection is aimed at the general public and in particular at the young population of risk groups (school children, students).

47. Every year the National Commission in partnership with international organizations and citizen associations celebrates the European day for fight against trafficking in human beings and the Week on the fight against trafficking in human beings by organizing debates, workshops, campaigns, dissemination of educational information materials, playing movies with that content etc.

48. Also should be noted the participation of the MoI-Unit for trafficking in human beings and smuggling of migrants in the preventive activities organized by the institutions and citizen associations, promoting the activity of the National Commission and the MoI mandate in the fight against trafficking in human beings.

## **Participation in public and political life**

### **Reply to the issues raised in paragraph 13 of the list of issues and questions**

49. In accordance with Election Law (Article 64) at the parliamentary elections in 2011, 37 women members of parliament were elected, 8 of whom belong to the Albanian ethnic community. 4 of a total of 21 parliamentary committees are chaired by women, and 9 women members of parliament have been appointed as deputy presidents of parliamentary committees.

50. In the government of the Republic of Macedonia in 2011, 2 women are ministers, 2 deputy ministers and 4 state secretaries.

51. In 2011 the Ministry of Labour and Social Policy conducted an analysis on the qualitative participation of women in public and political life in the local self-government units. After the last local elections, 73 % of the composition of local councils are men and 27 % are women. In the local self-government units the number of employed women is 3513, and the number of employed men is 7045. In managerial positions, there are 233 women and 666 men. The representation of women in management boards is 186, as opposed to 601 men.

## **Education**

### **Reply to the issues raised in paragraph 14 of the list of issues and questions**

52. The entry into force of the Law on Compulsory Secondary Education in the academic year 2008/2009 increased the coverage of male/female students in high school education. As a result of the educational policies of the Ministry of Education and Science and the cooperation with the non-government sector there has been an improvement in the last years of the coverage of male/female students from the Roma community, as one of the most vulnerable groups.

53. High schools or dispersed classes were opened in rural environments with the aim of easier access for male/female students from rural environments. Examples of this are the establishing of high schools in the Municipality of Lipkovo, Municipality of Centar Zhupa, dispersed classes in the Municipality of Mavrovo and Rostushe, Municipality of Vrapchishte etc. With the amendments to the Law on Education of Adults (Official Gazette of the Republic of Macedonia No. 74/12) curricula for adult education have been prepared, and the awarding of certificates will be regulated in a by-law. An action plan was also adopted for implementation of a Strategy for Adult Education in 2012.

### **Reply to the issues raised in paragraph 15 of the list of issues and questions**

54. In accordance with the fundamental goals for eliminating gender differences in primary and secondary education and motivating gender equality in education, the Ministry of Education and Science, in spite of the applied measures providing equal education opportunities for men and women, is still faced with inequality in inclusion of girls in education. Due to this the Ministry is making efforts to undertake activities aimed at removing obstacles for equal inclusion of girls in the education process as well as creating mechanisms for achieving the greatest possible gender equality.

55. The Ministry of Education and Science makes efforts to invest more in girls' education, and with this to achieve greater economic development. The policy for compulsory secondary education in general results with an overall increase of students, but the reasons for termination of the compulsory education with girls will be looked at further, focusing on individual municipalities and taking into account the socio-economic and

ethnic composition of the municipalities. The main problem with the girls is enrolment, whereas the graduation from education is a smaller problem because they, according to the data from the State Statistical Institute, more rarely stop education as compared to males. In accordance with the aforementioned, the main activities of MES will be aimed at encouraging girls to continue from primary to secondary education, but activities will also be undertaken related to the socio-economic status of the families, which is considered one of the main factors that influences the enrollment and staying in education.

56. All higher education institutions have introduced a state quota for second and third cycle of studies for the academic year 2012/2013 and it was agreed with the public universities to provide free studies for 5% of students.

## **Employment**

### **Reply to the issues raised in paragraph 16 of the list of issues and questions**

57. In accordance with the Law on Employment and Insurance in Case of Unemployment, the Agency for Employment, in order to motivate employment and increase employability of unemployed persons, has conducted several types of activities, among which realization of the programs for preparation for employment with training, re-qualification or additional qualification with a known employer, and in the period 2010 and 2011 336 persons were trained of whom 253 (76%) are women, and 285 persons were employed, 192 (63.4%) of whom women.

58. 21,672 persons participated in the activities for professional orientation in 2010, of whom 12,700 (58.6%) women.

59. From 2007 onward activities have been conducted for realization of the annual Operational Plans of Active Employment Programs and Measures, where a part of the measures and programs are aimed at direct financial support to foster employment, in the sense of giving grants to stimulate entrepreneurship of unemployed persons, a part is aimed at subsidizing employment, and a part of the measures aim at strengthening the capacities and increasing the skills of unemployed persons with the aim of their easier employment. Annual Operational Plans for 2010 and 2011 were drafted in accordance with the Work Program of the Government of the Republic of Macedonia 2008-2012, which determines the macroeconomic, microeconomic and employment policies, as well as active programs and measures for employment of various target groups that will be covered with the implementation of annual operational programs and measures.

60. A Program for Promotion of Entrepreneurship has been carried out through existing business incubators and training for certain professions and skills that are in short supply on the labor market. The aim of the program is to foster entrepreneurship and create jobs in small and medium enterprises that are export oriented and create products based on information – communication technology. The training was completed by 31 persons, 19 (61%) of whom are women.

61. A Program for Economic Strengthening of Women – Victims of Domestic Violence was carried out, which is being carried out nationally since 2011. The goal of the program is to provide unemployed women – victims of domestic violence financial support for employment, by subsidizing, self-employment and training for certain professions that are in short supply on the labor market. The program covers registered unemployed women – victims of domestic violence who are registered in the Center for Social Work, as users of social services with a status of women – victim of domestic violence, established with a finding and an opinion of an expert team in the Center for Social Work.

62. Twenty-one (21) women were employed by means of subsidies in 2010 and 2011, 33 have registered their own business with the measure self-employment and 1 women has successfully completed the training for a nurse in a medical institution.

63. The type of active programs and measures for employment in the Operational Plan for Active Employment Programs and Measures for 2012-2013 have been defined in accordance with the Work Program of the Government of the Republic of Macedonia 2011-2015 and the European Strategy for Smart, Sustainable and Inclusive growth – Europe 2020.

64. The programs and measures for active employment also cover women in the rural areas. Their participation is evident in the measure internship under which, in 2011, out of total of 282 participants, 23 (8.16%) are women from the rural environment.

65. In the measure foreign language and computer training in 2010, out of a total of 1546 participants, 90 (5.8%) are women from the rural environment, and in 2011, from a total of 991 participants, 102 (10.3%) are women from the rural environment.

66. In the measure training on information technology skills in 2010, out of a total of 75 participants, one (1,33%) is a woman from the rural environment and in 2011, out of a total of 179 participants, one1 is a woman from the rural environment.

67. In the framework of the Project for Self-Employment with Crediting loan funds under very favorable conditions have been given to interested unemployed persons to legalize their informal business or to start own business with the purpose of self-employment and opening new jobs. The funds for implementation of the project are provided by the Government of the Republic of Macedonia.

68. In 2012, on the first call for credits a total of 379 persons applied for credit, out of whom, 122 (32.19) are women, and on the second call, a total of 145 persons have applied for credit, out of whom, 43 (29.66) are women.

69. The Project for Self-Employment with Crediting in 2011 and 2012 implemented a project for employing young people, long-term unemployed persons and women in the framework of the “Operational Program for Human Resource Development IPA Component 4”. The aim of the project was easier integration in the labor market of young people, long-term unemployed persons and women by increasing their competences (knowledge and skills). The following 3 components were implemented in the project:

1. Internship as support for their employment of young unemployed person up to 27 years of age;
2. Training for general skills (languages, computer skills and entrepreneurship);
3. Training for specific skills in demand on the labor market.

<i>IPA 2011-2012 realized trainings</i>	<i>Total participants</i>	<i>Women</i>
Component 1 – Internship	436	294 (67.43%)
Component 2 – Training in general skills	4430	3083 (69.59%)
Component 3 – Training in skills in demand on the labor market	506	219 (43.28%)

70. The principle of equal payment for work with equal value is legally guaranteed in Article 6 of the Law on Labor Relations. The amendments to the Law on Labor Relations (Official Gazette of the Republic of Macedonia No. 124/2010) stipulate that women and men must be provided equal opportunities and equal treatment regarding access to

employment, including promotion and vocational and professional training, working conditions, equal payment for equal work etc. This provision of the law is harmonized with the European Union directives. This provision ensures the principle of equal payment for work with equal value.

71. With the aim of making women more represented on the labor market different types of measures are being undertaken and it is predicted in the documents that support or foster employment that they should be gender sensitive. Special information meetings are being organized where women are informed of the different types of programs they can get involved in on the labor market.

## **Health**

### **Reply to the issues raised in paragraph 17 of the list of issues and questions**

72. The National Strategy for Sexual and Reproductive Health (SRH) in the Republic of Macedonia 2010-2020 has been adopted in December 2010. An Action Plan has also been drafted for the implementation of the Strategy with measures and activities until 2013. The Action Plan predicts measures and activities for reducing the number of abortions and providing conditions for men and women, as well as teenagers for better access to information on sexual and reproductive health and rights, including the activities of the counseling offices on SRH.

73. The Action Plan includes measures and activities for family planning, contraception and safe abortion. A part of the measures and activities are conducted in the domain of health education and promotion of sexual and reproductive health in the framework of prevention programs (National annual public health program in RM, Program for Active Protection of Mothers and Children in the Republic of Macedonia etc.).

## **Rural women**

### **Reply to the issues raised in paragraph 18 of the list of issues and questions**

74. With the aim of improving the situation of rural women, the Ministry of Agriculture, Forestry and Water Economy, in the Program for Financial Support and Rural Development, has introduced special criteria for women in order to support their inclusion and utilization of the program for agriculture development. The criterion is related to the fact that applications by women receive plus 10 points.

75. According to the data from the Program for Financial Support for Rural Development in 2010, in the measure investments for improving competitiveness and modernization of rural economies, out of a total of 1570 applications, 478 applications by women have been received, and 282 have been paid.

76. The IPARD Program does not contain special criteria for women farmers; however there is interest by women to apply for this Program.

77. Implementation of the project has been started through the IPA program for "Strengthening Capacities and Cooperation with the Relevant Institutions for Integration of Women in the Rural Environments and Women from Smaller Ethnic Communities in the Labor Market". Under this project, an analysis will be made with assessment of the needs of this target group, a program will be developed for training of all stakeholders and cooperation will be made with them.

## **Disadvantaged groups of women**

### **Reply to the issues raised in paragraph 19 of the list of issues and questions**

78. Persons incapable of work and without material security and who cannot provide means for their existence on the basis of other regulations have the right to permanent monetary assistance. A person incapable of work in the sense of this law shall be:

- single woman during pregnancy one month before birth and single parent pursuant to the Law on Family until three years of age of the child.

### **Reply to the issues raised in paragraph 20 of the list of issues and questions**

79. The Ministry of Labor and Social Policy has not secured a budget for implementation of the National action plan for improving the social condition of Roma women 2008-2010. The human rights priorities contained in this action plan were realized with the support of international organizations (UN Women, IOM).

80. Regarding the activities realized thus far from the second National action plan for improving the condition of Roma women in RM, there is increased awareness of Roma women regarding access to the labor market and active measures for employment, in order to motivate them to apply for certain measures and rights from social and healthcare protection.

81. In accordance with the foreseen priorities in the part of human rights, in cooperation with the International Organization for Migration, more than 20 workshops have been held, intended for young people from smaller ethnic communities in several municipalities, among which the Roma. From the total number 4 workshops were intended for young Roma men and women. The participants at the workshops had an opportunity to get informed on how to legally and safely stay abroad, manner of procuring a working permit and realizing the right to equal treatment on the basis of gender and protection against discrimination. The purpose of these workshops was to raise awareness of the young population regarding migrating abroad, abuse and consequences of illegal migration, as well as realizing the right to protection in cases of unequal treatment and protection from discrimination.

82. In the framework of the project “Support of the Implementation of the Strategy for the Roma” supported by the European Union, two one-day trainings have been realized intended for Roma non-governmental organizations working on women issues and the rights of Roma. The purpose of the trainings is to acquaint them with the mechanisms for realizing the right to equal treatment on the basis of gender and right to protection against discrimination. Special attention was given to the possibility for participation by the civil sector as a third party in the initiation of the procedure for realizing the right to equal treatment on the basis of gender and right to protection against discrimination. In this context, in this project a small Manual on the Protection of the Right to Equal Treatment of Women and Men and Non-discrimination has been printed aimed at assisting non-governmental organizations within their participation in such cases. Also in the framework of this project a Guide was printed representing the methodology of equal treatment training in the access to state institutions services.

83. With the aim of getting better acquainted with healthy life-styles and healthcare, the Ministry of Health cooperates every year with the Institute for Public Health of the Republic of Macedonia, prints brochures in the Roma language with guidelines for a healthy life-style, which are distributed through the Centers for Public Health in the municipalities with higher concentrations of the Roma population.

84. In the framework of the activities conducted by the Institute for Public Health, an Information Bulletin on the Health Situation and Health Protection of the Roma in the Republic of Macedonia is being prepared, which is an overview of everything that has been done for the Roma thus far in the field of healthcare from the start of the Roma Decade until today. In the preparation of this information bulletin, the socio medical and epidemiological method of work has been used with data from multi-indicators used in the UNICEF research, as well as data from researches conducted thus far. The purpose of this information bulletin is to record everything done thus far, but also to make an assessment of the need for creating a new research in this area.

85. The 2012 Program for Early Detection of Malign Illnesses in the Republic of Macedonia, in the part relating to concerning cervical cancer has been continuously implemented, covering all women.

## **Marriage and family relations**

### **Reply to the issues raised in paragraph 21 of the list of issues and questions**

86. Marriage cannot be registered with a person younger than 18 years of age. The competent court may, in a procedure, allow the marriage with a person 16 years of age if it concludes that it has achieved the bodily and mental maturity necessary for exercising the rights and obligations arising from marriage, after previously received opinion from a healthcare institution and provided professional assistance in the center for social work. Marriage of persons less than 16 years of age is not allowed in the Republic of Macedonia. In accordance with Article 197 of the Criminal Code of the Republic of Macedonia living in an extra-marital union with a minor or allowing this extra-marital union to exist is a criminal act that is punishable by a sentence of imprisonment of at least three months up to three years.

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