



**International Human Rights
Instruments**

Distr.: General
29 October 2013

Original: English

**Common core document forming part of the
reports of States parties
The Former Yugoslav Republic of Macedonia***

[5 April 2013]

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

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Introduction

1. The common core document has been prepared in accordance with the harmonized guidelines on reporting under the international human rights treaties, including guidelines on a core document and treaty-specific documents (HRI/GEN/2/Rev.6). From 21 to 23 November, the Ministry of Foreign Affairs of the Republic of Macedonia, supported by the Office of the United Nations Resident Coordinator, organized a drafting session of the common core document. The drafting session was attended by representatives of the relevant governmental institutions and independent human rights bodies, who subsequently provided additional information compiled in this document. The draft common core document was sent by e-mail to a number of non-governmental organizations (NGOs) for comments before its finalization. Two of them submitted their comments which were partly incorporated in the final version of the common core document. The Government of the Republic of Macedonia approved the text on 19 March 2013.

I. General information about the Republic of Macedonia

2. The Republic of Macedonia is a unitary State located in the Balkan Peninsula in South-Eastern Europe with a total area of 25,713 km.² The southern border with Greece is 262 km long, the northern border with Serbia is 110 km and that with Kosovo is 166.5 km long, the western border with Albania is 191 km, while the eastern with Bulgaria is 165 km long.

3. 1.90 per cent of the total surface is water areas, 19.10 per cent are flat areas and 79 per cent are highlands. The Republic of Macedonia has 25 glacial lakes, three national parks and three natural lakes: Ohrid, Prespa, and Dojran.

4. According to the last Census of Population, Households and Dwellings in 2002, the Republic of Macedonia has 2,022,547 inhabitants, which is 3.9 per cent more than at the 1994 Census and 43.0 per cent more than at the 1948 Census. According to the assessment of the population (as of 31 December 2011), the Republic of Macedonia has 2,059,794 inhabitants, and the population density is 80.1 inhabitants per km.²

5. In accordance with the principles of the Charter of the United Nations concerning the right of all peoples to self-determination, at the referendum held on 8 September 1991, citizens of the Republic of Macedonia declared their will that the Republic of Macedonia is as a sovereign and independent State. The result of the Referendum was confirmed by the Declaration adopted by the Assembly of the Republic of Macedonia, at its session held on 17 September 1991 in which, inter alia, it is provided that: "As a sovereign and independent State, the Republic of Macedonia is committed to strictly respecting the generally accepted principles contained in the United Nations documents, the final document of the Conference on Security and Co-operation in Europe (CSCE) (OSCE) of Helsinki and the Paris Charter. The Republic of Macedonia will base its international legal personality on respect for international norms governing relations between States and on full respect for the principles of territorial integrity and sovereignty, non-interference in internal affairs, strengthening mutual respect and trust and the development of comprehensive cooperation with all countries and people of common interest."

6. In parallel with activities for independence of the Republic of Macedonia, the new Constitution of the Republic was drafted, which was adopted by the Assembly of the Republic of Macedonia on 17 November 1991.

7. On 19 December 1991, the Assembly of the Republic of Macedonia adopted a Declaration, which sought international recognition for the country as a sovereign and independent State. Macedonia became a member of the United Nations on 8 April 1993.

A. Basic indicators for the Republic of Macedonia

1. Demographic indicators

Population in the Republic of Macedonia

	2005	2006	2007	2008	2009	2010	2011
Population at the end of the year (31 December)	2038514	2041941	2045177	2048619	2052722	2057284	2059794
Men	1022398	1023739	1025239	1026804	1028815	1030880	1031926
Women	1016116	1018202	1019938	1021815	1023907	1026404	1027868
Population density	79.3	79.4	79.5	79.7	79.8	80.0	80.1
Macedonian nationals moving into the country	524	545	366	219	259	303	349
Foreigners moving into the country	967	1029	861	557	1000	1356	1 747
Macedonian nationals moving out of the country	1282	1073	224	740	769	923	1 143
Foreigners moving out of the country	18	35	16	11	23	84	147

Source: State Statistical Office.

8. Considering the still favourable natural growth, the population of the Republic of Macedonia maintains the positive tendency of growth, but at a reduced pace.

Population according to different territorial levels – census 2002

Number of inhabitants	Number of settlements	Population (2002 Census)	% of the total number of settlements	% of total population	Number of cities	Population in cities	% of urban population in group
0	141	0	8.0	0.0	-	-	-
1-50	455	9290	25.8	0.5	-	-	-
51-100	180	12906	10.2	0.6	-	-	-
101-200	208	30087	11.8	1.5	-	-	-
201-500	294	96769	16.7	4.8	-	-	-
501-1000	210	152214	11.9	7.5	-	-	-
1001-5000	231	478106	13.1	23.6	5	17247	3.6
5001-10000	21	138355	1.2	6.8	7	47876	34.6
10001-20000	9	126979	0.5	6.3	9	126979	100.0
20001-50000	8	28 185	0.5	14.3	8	289185	100.0
50001-100000	4	273444	0.2	13.5	4	273444	100.0
100001 +	1	415212	0.1	20.5	1	415212	100.0

9. The territorial distribution of the population in the Republic of Macedonia shows a striking disproportion. 57.8 per cent of the total population live in cities (34 cities), with the

greatest concentration in the capital Skopje (20.5 per cent). Major parts of the rural settlements (total 1,728) are either completely depopulated (141 settlements) or have extremely small number of people and very soon, because of their unfavourable age structure, they are likely to remain without a single inhabitant. On the other hand, in a relatively small number of villages (mostly located in the western and north-eastern parts of the country), there is a large concentration of population.

Total population by ethnic affiliation, 2002 Census

Republic of	Total	Macedonians	Albanians	Turks	Roma	Vlachs	Serbs	Bosniaks	Other
Macedonia	2022547	1297981	509083	77959	53879	9695	35939	17018	20993

Source: State Statistical Office.

Total population by religion, 2002 Census

Republic of	Total	Orthodox	Muslims(Islam)	Catholics	Protestants	Other
Macedonia	2022547	1310184	674015	7008	520	30820

Source: State Statistical Office.

Total population of the Republic of Macedonia, according to the mother tongue and gender, 2002 Census

Republic of	Total	Macedonian	Albanian	Turkish	Roma	Vlach	Serbian	Bosniak	Other
Macedonia									
Total	2022547	1344815	507989	71757	38528	6884	24773	8560	19241
Men	1015377	673618	257829	36433	19269	3608	11529	4283	8808
Women	1007170	671197	250160	35324	19259	3276	13244	4277	10433

Source: State Statistical Office.

Structure of the population by age groups, 2005-2011

Year	0-14	15-64	65 +
2005	19.4	69.4	11.1
2006	19.2	69.7	11.2
2007	18.7	70.0	11.3
2008	18.3	70.3	11.4
2009	17.7	70.6	11.6
2010	17.4	70.8	11.7
2011	17.2	71.0	11.8

Source: State Statistical Office.

10. In terms of the aging of population, significant changes have occurred in the age structure of the population as well. In the period from 2005 to 2011, the share of young population (0-14 years) in the total population decreased from 19.4 per cent to 17.2 per cent, while the share of the old population (65 years and over) increased from 11.1 per cent to 11.8 per cent.

Dependents' ratio

(Percentage of population under 15 and over 65)

	2005	2006	2007	2008	2009	2010	2011
<i>Ratio of age dependency</i>	44.4	43.6	42.8	42.3	41.8	41.3	41.0

Source: State Statistical Office.**Vital Statistics**

	2005	2006	2007	2008	2009	2010	2011
Live Births	22482	22585	22688	22945	23684	24296	22770
Male	11451	11629	11772	11826	12340	12631	11752
Female	11031	10956	10916	11119	11344	11665	11018
Deaths	18406	18630	19594	18982	19060	19113	19465
Men	9815	10.000	10344	9972	10040	10168	10204
Women	8591	8630	9250	9010	9020	8945	9261
Natural growth	4076	3955	3094	3963	4624	5183	3305
Marriages	14500	14908	15490	14695	14923	14155	14736
Divorces	1552	1475	1417	1209	1287	1720	1753
Per 1000 inhabitants:							
Live Births	11.0	11.1	11.1	11.2	11.5	11.8	11.1
Deaths	9.0	9.1	9.6	9.3	9.3	9.3	9.5
Natural growth	2.0	1.9	1.5	1.9	2.3	2.5	1.6
Marriages	7.1	7.3	7.6	7.2	7.3	6.9	7.2
Divorces	0.8	0.7	0.7	0.6	0.6	0.8	0.9

Source: State Statistical Office.

11. Changes in the age structure of the population have a reflection on the number of births (birth rate) and the number of deaths (mortality) in the country. In the period from 2005 to 2011, the birth rate was 11.0 live births per 1000 inhabitants in 2005, and in 2011, 11.1 live births per 1000 inhabitants. In the period from 2005 to 2011, the mortality rate increased from 9.0 deaths per 1000 inhabitants to 9.5 deaths per 1,000 inhabitants.

<i>Life expectancy</i>	2003-2005	2004-2006	2005-2007	2006-2008	2007-2009	2008-2010
All	73.62	73.76	73.78	74.00	74.17	74.58
Men	71.44	71.63	71.70	71.95	72.12	72.50
Women	75.88	75.90	75.87	76.14	76.29	76.73

Source: State Statistical Office.

<i>Average age of population</i>	2005	2006	2007	2008	2009	2010	2011
All	35.9	36.2	36.5	36.7	37.0	37.2	37.5
Men	35.1	35.4	35.7	35.9	36.2	36.4	36.7
Women	36.6	36.9	37.2	37.5	37.8	38.1	38.3

Source: State Statistical Office.

Average size of households – Area, households and population by census

	Area km ²	Households	Population			Number of inhabitants per 1 km ²	Number of persons in one household	Number of men per 1000 women (masculinity)
			Total	Men	Women			
1921	25713	146161	808724	401468	407256	31.5	5.53	986
1931	25713	164052	949958	478519	471439	36.9	5.79	1015
1948	25713	218819	1152986	584002	568984	44.8	5.27	1026
1953	25713	246313	1304514	659861	644653	50.7	5.30	1024
1961	25713	280214	1406003	710074	695929	54.7	5.02	1020
1971	25713	352034	1647308	834692	812616	64.1	4.68	1027
1981	25713	435372	1909136	968143	94093	74.2	4.38	1029
1991	25713	505852 ¹	2033964 ¹	1027352 ¹	1006612 ¹	79.1 ¹	4.02 ¹	1042 ¹
1994	25713	501963 ²	194532 ³	974255 ³	971677 ³	76.0	3.85 ⁴	1021
2002	25713	564296	2022547	1015377	1007170	78.7	3.58	1008

Source: State Statistical Office.

¹ Enumerated and estimated population and households.

² Enumerated households.

³ Enumerated and estimated population according to final results of the 1994 Census.

⁴ Average number of persons in the enumerated households.

Families by type of family, structure – 2002 Census

Type of family	Families (per cent)
Married with no children	24
Married with children	65
Unmarried partners with no children	1
Unmarried partners with children	1
Mother with children	7
Father with children	2

Source: State Statistical Office.

12. According to the 2002 Census, 1,169,943 persons live in 34 cities in the Republic of Macedonia (urban population), and 852,604 people live in rural areas, or expressed as the ratio between urban and rural population, it is 57.8 per cent urban and 42.2 per cent rural population in the country.

2. Social, economic and cultural indicators

Distribution of household consumption in %

	2005	2006	2007	2008	2009	2010	2011
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Food and non-alcoholic beverages	39.9	39.3	38.4	39.4	40.7	39.0	39.3
Alcoholic beverages and tobacco	3.9	4.1	4.1	3.9	4.2	3.7	3.3
Clothing and footwear	7.2	7.1	7.0	6.3	6.8	5.9	5.8

	2005	2006	2007	2008	2009	2010	2011
Housing, water, electricity, gas and other fuels	10.7	9.8	10.1	10.4	12.3	11.6	11.6
Furniture, household equipment, maintenance of the house	4.5	5.9	5.2	6.1	4.8	4.9	5.5
Health	3.0	2.8	3.0	2.6	3.0	3.4	3.2
Traffic	6.3	7.9	8.5	8.5	5.4	5.9	7.9
Communications	4.2	4.3	3.8	3.7	4.0	3.7	3.6
Recreation and culture	3.5	3.8	3.3	3.5	2.9	2.4	2.9
Education	0.7	0.9	1.2	0.7	0.8	0.9	0.6
Restaurants and hotels	4.2	4.6	4.6	4.4	4.5	4.6	4.0
Other goods and services	3.7	3.8	3.8	3.7	4.3	4.4	3.8
Other ¹	8.2	5.6	7.1	6.9	6.2	9.7	8.6

Source: State Statistical Office.

¹ Includes expenses outside personal consumption: repayment of loans, investments in real estate and savings.

13. The average household in Macedonia allocates about 62.1 per cent of its expenditures to meet basic needs for food, clothing, housing, and furnishings.

14. In the 2011 revenue structure, wages based on regular and temporary work with 65.1 per cent were prevalent, then pensions accounted for 18.0 per cent, income from agriculture with 4.8 per cent, income from abroad with 3.1 per cent, and social benefits with 1.7 per cent.

15. The data indicates that an average household through its income provides about 92.0 per cent of its consumption, and the rest is covered by loans (such as overdrafts on current accounts) or by unregistered or informal income.

Relative poverty rate

(70% of median equivalent expenditures)

	2005	2006	2007	2008	2009	2010	2011
Total cumulative index	30.0	29.8	29.4	28.7	31.1	30.9	30.4
Poverty Depth Index	9.7	9.9	9.7	9.2	10.1	10.9	9.3

Source: State Statistical Office.

16. The downward trend in the rate of relative poverty continued in 2011 when it reached 30.4 per cent. Most vulnerable groups are households with several members, or 48.5 per cent of the poor are households with five or more members.

17. The poverty rate among the unemployed is 40.7 per cent, or 46.0 per cent of all poor people are unemployed.

Proportion of population below minimum level of nutrition

<i>Body mass index in % by age groups – Age groups by years.</i>	<i>Malnourished</i>	<i>Normal nutrition</i>	<i>Increased BW</i>	<i>Obesity of 1 degree</i>	<i>Obesity of 2 degree</i>	<i>Obesity of 3 degree</i>
20-29	5.3	48.7	28.9	9	1.6	0.3
30-39	2.3	40.8	33.5	12.8	3.2	1
40-49	1.4.	31.8	38.5	16.3	4.8	1.3
50-64	0.8	22.3	38.7	21.6	6.3	1.8
> 64	1.1.	29.1	37.8	19.2	5.3	1.8

Source: Institute of Public Health of the Republic of Macedonia, Population health and health care in the Republic of Macedonia, 2010.

Gini coefficient (relating to the distribution of household income or expenditure)

	2002	2003	2004	2005	2006	2007	2008	2009
Poverty rate according to the Gini coefficient	38.8	39.0	38.9	39.1	42.8		44.2	43.1

Source: World Bank.

*Rate of children aged 6 years with reduced weight***Percentage of malnutrition (according to the World Health Organization (WHO) growth references) in children from the first grade at the age of 6 years**

<i>Variable</i>	<i>Weight/age <-2 z-scores standard deviation (95% confidence interval) Insufficient weight</i>	<i>Height/age <-2 Z-scores standard deviation (95% confidence interval) Lag in growth</i>	<i>BMI/age <-2 Z-scores standard deviation (95% confidence interval) Weak, malnourished children</i>
Total	1.5 (1-2)	1.5 (1-2)	3 (2.3-3.7)
Gender			
Male	1.7 (0.9-2.5)	1.5 (0.8-2.2)	3 (2-4.1)
Female	1.3 (0.6-2)	1.6 (0.8-2.3)	2.9 (1.9-3.9)

Source: Institute of Public Health of the Republic of Macedonia. Report on the implementation of the national program for public health for 2011.

Infant and maternal mortality rate

18. Mortality rates in infants and young children are constantly decreasing, and the structure of infant deaths according to cause of death is characterized by a model which can be seen in the developed countries of the European region. As in the Republic of Macedonia, and in the OECD countries, congenital malformations and perinatal causes are leading causes of infant death.¹

¹ Organization for Economic Co-operation and Development (OECD) (2007), *Health at a Glance 2007: OECD Indicators*.

Basic indicators of the health of mothers and children in the Republic of Macedonia

<i>Indicator</i>	<i>2008</i>	<i>2009</i>	<i>2010</i>	<i>2011</i>
Number of live births	22945	23684	24296	22770
Maternal mortality (per 100,000 live births)	–	4.2	8.2	4.1
Perinatal mortality (per 1000 born)	14.6	16.4	12.6	12.3
Infant mortality rate (per 1000 live births)	9.7	11.7	7.6	7.5
Mortality of children under 5 years (per 1000 live births)	10.9	13.3	8.3	8.6
BW rate of live births under 2500 grams	7.2	8	7.8	7.0

Source: Information on the health of mothers and children in the Republic of Macedonia in 2011, by Institute for Maternal and Child Health, Skopje, October 2012.

Rates of infection with HIV/AIDS and leading infectious diseases

<i>Rate of HIV/AIDS among at-risk groups</i>		
<i>Description of indicator</i>	<i>Date</i>	<i>Result</i>
HIV rate among intravenous drug users	31 December 2010	0.0%
HIV rate among sex workers	31 December 2010	0.0%
HIV rate among men who have sex with men	31 December 2010	0.2%
HIV rate among prisoners	31 December 2010	0.0%

Source: Global Fund – Program on HIV/AIDS, Ministry of Health of the Republic of Macedonia.

Prevalence of leading infectious diseases

		<i>2006</i>	<i>2007</i>	<i>2008</i>	<i>2009</i>	<i>2010</i>	<i>2011</i>
Total	infected	18705	49486	35049	33474	22523	26495
	deaths	7	12	7	6	13	14
Typhus abdominalis	infected	-	-	-	-	-	-
	deaths	-	-	-	-	-	-
Paratyphus	infected	-	-	-	-	-	-
	deaths	-	-	-	-	-	-
Dysentery bacillaris	infected	30	33	42	62	25	16
	deaths	-	-	-	-	-	-
Enterocolitis	infected	9073	10879	17034	12572	11960	14733
	deaths	1	-	-	-	-	-
Scarlatina	infected	323	317	293	307	409	357
Morbilli	infected	3	1	27	5	217	701
	deaths	-	-	-	-	-	1
Pertussis	infected	7	-	-	-	2	6
	deaths	-	-	-	-	-	-
Meningitis cerebrospinalis epidemica	infected	2	10	7	6	26	25
	deaths	-	2	2	1	8	2
Meningitis serosa	infected	32	58	46	50	50	22
	deaths	-	-	-	1	-	-
Tularemia	infected	-	-	-	-	20	1

		2006	2007	2008	2009	2010	2011
	deaths	-	-	-	-	-	-
Tetanus	infected	1	-	-	-	1	
	deaths	-	-	-	-	1	3
Anthrax	infected	-	-	2	-	-	-
	deaths	-	-	-	-	-	-
Erysipelas	infected	21	40	32	35	-	-
Hepatitis virosa	infected	1039	778	738	895	675	584
	deaths	3	3	3	-		2
Intoxicatio alimentaris	infected	1350	1260	1651	1345	1223	1427
Malaria	infected	2	-	-	2	2	
	deaths	-	-	-	1		
Parotitis epidemica	infected	49	284	5865	10920	242	111
Rubeola	infected	28	19	14	11	5	8
Varicella	infected	4689	7327	7460	5780	6491	6999
	deaths	-	1	-	-	-	-
Brucellosis	infected	309	381	490	287	168	98
	deaths	-	-	1	-	-	-
Salmonellosis	infected	201	280	396	159	184	281
	deaths	-	-	-	-	-	-
Influenza	infected	399	26899	14296	46670	11140	28291
	deaths	-	-	-	22	10	1
Other	infected	1147	921	960	1038	830	1123
	deaths	3	5	1	3	4	7

Source: Statistical Yearbook of the Republic of Macedonia, 2012, State Statistical Office.

Number of deaths by causes of death for 2011 according to the International Classification of Diseases (ICD-X)

	Number of deaths by causes for 2011
Other	109
Certain conditions appearing in the perinatal period	105
Diseases of the nerve system	190
Diseases of the genitalia and urinary system	269
Diseases of the digestive system	334
Injuries, poisoning, and other specific consequences from external reasons	527
Diseases of the respiratory system	741
Diseases of the endocrine, nutritional, and metabolic diseases	766
Symptoms, signs, and not normal clinical findings, not classified at other place	1346
Neoplasms	3552
Circulatory diseases	11526

Source: Statistical Yearbook of the Republic of Macedonia, 2012, State Statistical Office.

19. The most common causes of death are circulatory system diseases (59.21 per cent), malignant neoplasms (18.25 per cent), followed by endocrine, nutritional, and metabolic diseases (3.94 per cent) and diseases of the respiratory system (3.81 per cent).

Inclusion of children in elementary education

(Net rates – total)

<i>School year</i>	<i>Age</i>	<i>Enrolled students</i>	<i>Population of the same age*</i>	<i>Net rate</i>
2001/2002	7-14	237210	249998	94.88
2002/2003	7-14	230579	248538	92.77
2003/2004	7-14	224931	243080	92.53
2004/2005	7-14	220411	237087	92.97
2005/2006	6-14**	230925	255085	90.53
2006/2007	6-14	226656	248352	91.26
2007/2008	6-14	219113***	241474	90.74
2008/2009	6-14	213253	234449	90.96
2009/2010	6-14	208039	227588	91.41
2010/2011	6-14	202290	222035	91.11
2011/2012	6-14	196286		

Source: State Statistical Office.

* As of 31 December.

** Data for students apply to students enrolled in preparatory group-zero grade and from grade I to VIII according to amendments to Law on Primary Education (“Official Journal of the Republic of Macedonia” No. 63/2004). Hence, the age group considered.

*** Starting from the 2007/2008 academic year, the student data refers to enrolled students from the I to the IX grade according to the amendments to the Law on Primary Education (Official Gazette of the Republic of Macedonia No. 51/2007).

Rates of attendance and dropout rate in primary and secondary education

Persons who leave school early

	<i>2009</i>	<i>2010</i>	<i>2011</i>
Women	19%	17%	15%
Men	14%	14%	12%

Source: Labour Force Survey, SSO.

Persons who leave school early¹

	<i>2007</i>	<i>2008</i>	<i>2009</i>	<i>2010</i>	<i>2011</i>
%	19.9	19.6	16.2	15.5	13.5

Source: State Statistical Office.

¹ Share of persons aged 18 to 24 years who have no or have no more than primary education, compared to the total population of the same age group.

Life-long learning¹

	2007	2008	2009	2010	2011
%	2.8	2.5	3.3	3.2	3.4

Source: State Statistical Office.

¹ Persons aged 25 to 64 years who undertake learning activities, such as formal or informal learning, in order to improve the knowledge and skills of each individual, expressed as a percentage of the total population of the same age.

Ratio of teacher-student in publicly funded schools

	<i>Number of students per teacher in primary schools at the beginning of the school year*</i>	<i>Number of students per teacher in secondary schools at the beginning of the school year**</i>
2009/2010	13	14
2010/2011	13	14
2011/2012	12	13

Source: State Statistical Office.

* Data refers to the number of students per teacher at the beginning of the school year in all public primary schools.

** Data refers to the number of students per teacher at the beginning of the school year in public and private secondary schools (total).

Employment rate by highest obtained level of education

	2007	2008	2009	2010	2011
Primary and incomplete primary education (level 0-2)	30.3	32.2	33.6	33.4	34.3
Secondary level of education (level 3-4)	56.1	58.3	58.7	58.4	58.3
Tertiary education (levels 5-6).	71.9	73.1	74.3	73.9	72.4

Source: State Statistical Office.

Literacy rate

20. The literacy rate of the population aged 10 years and over in the Republic of Macedonia, according to the 2002 Census, was 96.4 per cent.

Active population and activity rates

	2005	2006	2007	2008	2009	2010	2011
Active population	869187	891679	907138	919424	928775	938294	940048
Men	523275	543830	548141	561705	570698	575349	569987
Women	345912	347849	358998	357719	358077	362945	370061
Inactive population	738810	726803	721496	713917	710094	710228	716166
Men	283346	264692	266460	255067	248789	249044	258301
Women	455464	462111	455036	458850	46105	461184	457865
Activity rate	54.1	55.1	55.7	56.3	56.7	56.9	56.8
Men	64.9	67.3	67.3	68.8	69.6	69.8	68.8

	2005	2006	2007	2008	2009	2010	2011
Women	43.2	42.9	44.1	43.8	43.7	44.0	44.7
Employed	545253	570404	590234	609015	629901	637855	645085
Men	332179	351974	358835	373483	389332	391923	388963
Women	213074	218431	231399	235532	240569	245932	256122
Employment rate ¹	33.9	35.2	36.2	37.3	38.4	38.7	38.9
Men	41.2	43.5	44.1	45.7	47.5	47.5	47.0
Women	26.6	27.0	28.4	28.8	29.4	29.8	30.9
Unemployed	323934	321274	316905	310409	29 873	300439	294963
Men	191096	191856	189306	188222	181366	183726	181024
Women	132838	129418	127599	122187	117508	117013	113939
Unemployment rate	37.3	36.0	34.9	33.8	32.2	32.0	31.4
Men	36.5	35.3	34.5	33.5	31.8	31.9	31.8
Women	38.4	37.2	35.5	34.2	32.8	32.2	30.8

Source: State Statistical Office.

¹ Employment rate – employed persons' participation in the working-age population, aged 15 years and over (according to the recommendations of the International Labour Organization – ILO).

21. In the 2005-2011 period, rates of activity, employment, and unemployment showed minimal changes from year to year, towards increasing and/or decreasing.

22. During this period, the highest rate of the active population was recorded in 2010, which was 56.9 per cent. The highest employment rate of 38.9 per cent was recorded in 2011. In addition, the lowest unemployment rate of 31.4 per cent was recorded in 2011.

23. In the total number of employed persons in 2010, the participation of men was higher, while in 2011 the participation of women was higher. Male employment rate in 2010 was 47.5 per cent, while that of women in 2011 was 30.9 per cent.

24. Participation of women in the total number of employees is lower than the share of men, which is also appropriately reflected in the employment rate among the female population. In 2005, women accounted for 26.6 per cent of the total number of employees, in 2010 29.8 per cent, and in 2011 30.9 per cent.

Employees according to the sphere of activity¹ and the type of ownership of businesses

	<i>Total</i>			<i>Private property</i>			<i>Other property²</i>		
	2009	2010	2011	2009	2010	2011	2009	2010	2011
Total	629901	637855	645085	463683	470018	483579	166218	167837	161507
Agriculture, hunting, forestry and fishing	115581	120597	120893	111363	117216	118508	4218	3381	2386
Mining and quarrying	4253	4964	5316	3685	4066	4370	568	898	946
Processing industry	124608	122355	125206	112443	112756	12050	12165	9599	4756
Supply of electricity, gas, steam and air-conditioning	10363	10689	10366	3251	3650	3671	7112	7039	6695
Water supply; disposal of waste water, waste management and environmental rehabilitation	9974	9571	12704	824	824	1372	9151	8748	11333

	<i>Total</i>			<i>Private property</i>			<i>Other property²</i>		
	<i>2009</i>	<i>2010</i>	<i>2011</i>	<i>2009</i>	<i>2010</i>	<i>2011</i>	<i>2009</i>	<i>2010</i>	<i>2011</i>
activities									
Construction	40934	41060	39961	37066	36803	35714	3868	4258	4247
Wholesale and retail trade; repair of motor vehicles and motorcycles	94682	94084	90891	92837	92851	89855	1845	1232	1037
Transport and storage	32868	31336	30388	24246	23315	22308	8622	8021	8080
Accommodation and food service activities	21854	22246	23574	20892	21452	22457	962	794	1118
Information and communications	11210	10578	9598	9685	8213	7532	1525	2365	2067
Financial activities and insurance activities	8654	8907	10588	7420	7374	8925	1234	1533	1663
Activities related to real estate	670	440	547	383	170	282	287	270	265
Professional, scientific and technical activities	11791	13306	1548	9237	10548	13626	2553	2758	1623
Administrative and support service activities	10112	9275	6914	5730	5324	4487	4382	3951	2426
Public administration and defense; compulsory social insurance	42181	44558	43884	-	-	-	42181	44558	43884
Education	37724	39085	40333	4662	3287	3317	33063	35798	37015
Health and social care activities	34886	34171	35230	8840	8830	11847	26046	25342	23383
Arts, entertainment and recreation	7456	8395	10309	4134	5121	6271	3322	3274	4038
Other service activities	8354	10173	10701	5882	6809	7077	2472	3364	3624
Activities of households as employers; household activities that produce various goods and perform a variety of services for their own needs	1103	1408	1511	1103	1408	1511	-	-	-
Activities of extraterritorial organizations and bodies	644	656	920	-	-	-	644	656	920

Source: State Statistical Office.

¹ In the sector of activity, the National Classification of Activities NKD Rev. 2 conforming to NKD Rev.2 was used.

² Other (social, mixed, cooperative, State, undefined).

25. The table herewith enclosed relating to employees under activities shows that during 2009, 2010 and 2011 most of the employees worked in the Processing industry – 19.8 per cent, then in Agriculture, hunting, forestry and fishing – 18.3 per cent for 2009, 19.2 per cent in the Processing industry and 19.0 per cent in Agriculture, hunting, forestry and fishing in 2010, while in 2011 the Processing industry employees have participated with 19.4 per cent in the total number of employees and Agriculture, hunting, forestry and fishing with 18.7 per cent.

Unemployed by duration of unemployment in 2011

	Duration of unemployment								
	Total	Up to 1 month	2-5 months	6-11 months	12-17 months	18-23 months	to 2 years	to 3 years	4 years and more
Total	294963	11088	21656	18560	17798	15140	2730	24504	183486

Source: State Statistical Office.

26. In the total number of unemployed persons, the participation of young people aged 20 to 29 is the highest, and the unemployment rate in this age group in 2000 was 54.2 per cent, in 2005 it was 53.5 per cent, in 2010 it was 44.6 per cent, and in 2011 it was 54.4 per cent.

27. In 2011 most of the unemployed persons sought employment for more than four years, representing 62.2 per cent of the total unemployed.

Employment rate by highest obtained level of education

	2007	2008	2009	2010	2011
Primary and incomplete primary education (level 0-2)	30.3	32.2	33.6	33.4	34.3
Secondary level of education (level 3-4)	56.1	58.3	58.7	58.4	58.3
Tertiary education (levels 5-6).	71.9	73.1	74.3	73.9	72.4

Source: State Statistical Office.

Number of registered trade unions

28. The Registry of other legal entities kept in the Central Register of the Republic of Macedonia has 114 registered trade unions and 1,164 trade union cells/subsidiaries registered as trade union members in the mother unions (Source: Central Register (data from 18 January 2012)).

Basic data on GDP

	2005	2006	2007	2008	2009	2010	2011 ¹
Gross domestic product at market prices							
In current values (in million)	295052	320059	364989	411728	410734	434112	461730
Real growth rate (%)	4.4	4.0	6.1	5.0	-0.9	2.9	2.8
In million Euro (at current exchange rate)	4814	5231	5965	6720	6703	7057	7504
Per capita in Euro (at current exchange rate)	2363	2564	2919	3283	3269	3434	3645
GDP by PPP, in million	13473	14594	16212	17255	17413	18214	-
GDP per capita by PPP	6614	7153	7933	8430	8491	8863	-

Source: State Statistical Office.

¹ Preliminary data.

Value added at basic prices and gross domestic product according to NKD Rev.1

Sector	Name	Structure			
		2005	2006	2007	2008
A + B	Agriculture, hunting, forestry and fishing	10.5	10.5	9.1	10.0
C, D, E and F	Industry including energy and construction	24.0	24.7	26.6	25.8
G to P	Services	50.7	51.2	50.2	50.9
	Other net taxes on production	-	-	-	-
	A. Value added	85.2	86.3	85.9	86.8
	B. Taxes on products minus subsidies on products	14.8	13.8	14.1	13.6
	Gross domestic product (A + B)	100.0	100.2	100.0	100.4

Source: State Statistical Office.

Value added at basic prices and gross domestic product according to NKD Rev.2

Sector	Name	Structure		
		2009	2010	2011 ¹
A	Agriculture, forestry and fisheries	9.7	10.1	9.7
B, C, D, E and F	Mining and quarrying; Processing industry; Supply of electricity, gas, steam and air conditioning; Water supply, waste-water disposal, waste management and environmental rehabilitation activities; Construction	24.3	24.3	24.4
G to S	Services	53.4	53.4	53.5
	Other net taxes on production	-	-	-
	A. Value added	86.3	87.4	87.8
	B. Taxes on products minus subsidies on products	13.8	12.6	12.2
	Gross domestic product (A + B)	100.2	100.0	100.0

Source: State Statistical Office.

¹ Preliminary data.

29. Data regarding the gross domestic product for the period between 2005 and 2008 has been calculated on the basis of the National Classification of Economic Activities – NKD Rev. 1, whereas, with regard to the period between 2009 and 2011, the GDP calculations have been made on the grounds of the National Classification of Economic Activities – NKD Rev. 2.

30. In the period between 2005 and 2008, it is services that form the bulk of the gross domestic product structure, accounting for 50.7 per cent of the GDP structure in 2005, 51.2 per cent in 2006, 50.2 per cent in 2007 and 50.9 per cent in 2008. Over the same period, industries such as mining and quarrying, processing industry, electricity, gas and water supply and construction account for 24.0 per cent of the national GDP in 2005, 24.7 per cent in 2006, 26.6 per cent in 2007 and 25.8 per cent in 2008. Moreover, economic sectors such as agriculture, hunting, forestry and fishing account for 10.5 per cent of the national GDP in 2005, 10.5 per cent in 2006, 9.1 per cent in 2007 and 10.0 per cent in 2008.

31. In the 2009-2010 period, the largest proportion of the national GDP structure was taken up by services, accounting for 53.4 per cent of the GDP in 2009 and 52.9 per cent in 2010. In 2011, services accounted for 53.5 per cent of the national GDP structure.

32. Sectors such as mining and quarrying, processing, electricity, gas, steam power and air-conditioning supply, water supply, waste water disposal, waste management and environment rehabilitation, as well as construction accounted for 24.3 per cent of the national GDP in 2009-2010 and 24.4 per cent in 2011. Agriculture, forestry and fishing took up 9.7 per cent of the GDP in 2009, 10.1 per cent in 2010 and 9.7 per cent in 2011.

Foreign and Domestic Public Debt

Republic of Macedonia

Ministry of Finance

International Financial Relations and Public Debt Management Department

Central Government Debt (consolidated), as of 31 January 2012

<i>Grounds</i>	<i>2007</i>	<i>2008</i>	<i>2009</i>	<i>2010</i>	<i>2011</i>	<i>31.01.2012</i>
Central Government Foreign Debt*	877.2	921.2	1,105.3	1,173.8	1,582.1	1,577.9
Central Government	841.8	886.7	1,074.4	1,146.5	1,558.4	1,554.2
Public Funds	35.4	34.6	30.9	27.3	23.6	23.6
Internal Central Government Debt	552.8	465.5	491.7	536.8	506.7	509.9
Structural Bonds	396.3	343.5	282.5	226.1	152.1	148.8
Stopanska Banka Rehabilitation Bonds	0.0	0.0	0.0	0.0	0.0	0.0
Selective Credits Bond	17.0	16.9	16.9	16.9	16.9	16.9
Stopanska Banka Privatization Bond	60.1	51.5	42.9	34.3	27.9	25.7
Old Foreign Exchange Savings Bond	203.9	152.9	101.9	51.0	0.0	0.0
Denationalization Bond (1st to 10th issuance)	115.4	122.2	120.7	124.0	107.3	106.2
Continuous Government Securities	156.5	122.0	209.2	310.6	354.6	361.0
Treasury Bills as Continuous Government Securities for Monetary Purposes	75.5	0.0	0.0	0.0	0.0	0.0
Total Central Government Debt	1,430.0	1,386.7	1,596.9	1,710.6	2,088.8	2,087.8
Gross Domestic Product**	5,965.0	6,720.0	6,677.0	6,944.0	7,403.0	7,968.0
Average Export**	2,472.2	2,692.6	1,933.0	2,492.8	3,036.0	3,400.0
Central Government Foreign Debt to Total Central Government Debt Ratio	61.3	66.4	69.2	68.6	75.7	75.6
Domestic Central Government Debt to Total Central Government Debt Ratio	38.7	33.6	30.8	31.4	24.3	24.4
Total Central Government Debt to GDP Ratio	24.0	20.6	23.9	24.6	28.2	26.2
Total Central Government to Export Ratio	57.8	51.5	82.6	68.6	68.8	61.4

* National Bank of the Republic of Macedonia.

** Ministry of Finance of the Republic of Macedonia (Macroeconomic Policy Department).

3. Political indicators

Number of registered political parties at the national level

33. Skopje II First Instance Court in Skopje has the competence of keeping the Single Register of Political Parties, where all political parties in the Republic of Macedonia are registered. At present, 51 political parties are listed in the Register.

Registered voters to total population ratio

<i>Year</i>	<i>Type of Elections</i>	<i>Number of Registered Voters</i>	<i>Registered Voters to Total Population Ratio</i>
2008	Parliamentary	1,779,116	86.9%
2009	Presidential and local	1,792,082	87.3%
2011	Parliamentary	1,821,122	Data showing the total population number for 2011 has not been processed yet

Source: State Election Commission of the Republic of Macedonia.

Adult non-nationals registered for voting to total population ratio

34. Only nationals of the Republic of Macedonia have the right to vote in the country.

Registered number of complaints filed against electoral irregularities by type of irregularity stated in the complaint

<i>Year</i>	<i>Number of Complaints Filed with the State Election Commission</i>	<i>Number of Court Appeals</i>	<i>Total</i>
2008/ 1st round	94	80	174
2008/1st repeated election	44	20	64
2008/2nd repeated election	8	4	12
2009/1st round	85	45	130
2009/2nd round	96	39	135
2011	16	5	21

Source: State Election Commission of the Republic of Macedonia.

Major media outlets (electronic, printed and other) population reach and ownership structures

35. Broadcasting activity in the Republic of Macedonia may be conducted by a broadcaster under terms and conditions stipulated by the Law on Broadcasting and other related laws whereby a broadcaster means a public broadcasting enterprise, a private broadcasting company and a non-profit broadcasting institution.

36. The Macedonian Radio Television public broadcasting enterprise is established as a national public broadcasting service for the entire territory of the Republic of Macedonia, broadcasting one television programme service in the Macedonian language and one programme service in the language spoken by at least 20 per cent of the citizens that is different from the Macedonian language, as well as in the languages of the other non-majority communities, two radio programme services in the Macedonian language and one radio programme service in the language spoken by at least 20 per cent of the citizens that is different from the Macedonian language, as well as in the languages of the other non-majority communities, one radio and one television programme service via satellite

transmission, as well as one television programme service intended to exclusively broadcast the activities of the Assembly of the Republic of Macedonia.

37. A commercial broadcasting company may be established by legal and natural persons, whereby foreign legal or natural persons may establish or acquire a share in the ownership of a domestic broadcaster under the same conditions applied to domestic legal or natural persons.

38. Educational, cultural and other institutions and citizens' associations and foundations may establish a non-profit broadcasting institution with the aim of providing for the needs and interests of specific target groups.

39. Depending on the service coverage zone, i.e. the size of listenership/viewership, the broadcasting activity may take place at the national level, which implies that the size of listenership/viewership accounts for at least 80 per cent of the total population in the Republic of Macedonia; at the regional level, which implies that that the size of listenership/viewership is between 150,000 and 400,000 citizens (the City of Skopje and its surroundings form a separate region), as well as at the local level, which implies that the size of the listenership/viewership of a particular populated area does not surpass 150,000 citizens.

40. Commercial broadcasting companies and non-profit broadcasting institutions performing broadcasting services in the Republic of Macedonia at the national, regional and local levels, in the last five years, i.e. between 2007 and 2011, are listed in detail in the Table below as follows:

	<i>Television broadcasters</i>				
	<i>2007</i>	<i>2008</i>	<i>2009</i>	<i>2010</i>	<i>2011</i>
Nation-Wide – Terrestrial	5	5	5	5	5
Nation-Wide – Satellite	0	16	16	13	12
Regional	11	10	10	10	10
Local	36	47	47	49	49
Total	52	78	78	77	76
	<i>Radio broadcasters</i>				
	<i>2007</i>	<i>2008</i>	<i>2009</i>	<i>2010</i>	<i>2011</i>
Nation-Wide	3	3	3	3	3
Regional	16	16	16	16	16
Local	43	49	49	49	61
Non-Profit	0	0	2	3	3
Total	62	68	70	71	83
Total (Radio and TV Broadcasters)	114	146	148	148	156

Source: Broadcasting Council of the Republic of Macedonia.

41. From 2007 to July 2011, apart from the public broadcasting service, a total of 8 (eight) entities have broadcast their programmes via a terrestrial transmitter, 5 (five) of which are television stations and 3 (three) radio stations. One television station (A1 Television Station) stopped broadcasting in July 2011.

42. The aforementioned entities are, at the same time, the top eight television and radio broadcasters in the country, in terms of both their market and rating share.

43. With reference to the ownership structures of these eight entities, out of the five television stations, two (A1 TV and Kanal 5 TV) are owned by domestic natural persons, two others (Sitel TV and Telma TV) are owned by domestic legal persons, whereas only one (Alsat-M TV) has a mixed ownership structure composed of one foreign natural person, one domestic legal person and one foreign legal person.

44. All three commercial radio stations broadcasting at the national level have been established by domestic persons, whereby Antena 5 and ROS Metropolis radio stations are owned by several natural persons and Kanal 77 is owned by one legal person.

Number of registered non-governmental organizations:

45. The Law on Associations and Foundations of the Republic of Macedonia regulates the manner, conditions and procedure for establishment, registration and termination of associations, foundations, unions, organizational types of foreign organizations in the Republic of Macedonia, their available assets, supervision, statute changes and the status of organizations of public interest. Associations, foundations, alliances, as well as all types of foreign organizations setups and other forms of free associations that have been registered under terms and conditions stipulated by the above-mentioned Law obtain a legal entity status upon their entry in the register kept by the Central Registry of the Republic of Macedonia. The Registry keeps a Register of Associations and Alliances, a Register of Foundations and a Register of Offices of Foreign Organizations of Different Organizational Setup. With reference to the number of registered associations and foundations, a total of 11,817 entities have been registered in either the Register of Associations and Alliances or the Register of Foundations as having organizational setups of associations and foundations, respectively. Around 3,500 have been re-registered in accordance with the amendments to the legal framework regulating the work of associations and foundations.

Allocation of seats in the Assembly by party

<i>Allocation of Seats at the Assembly</i>	<i>2008-2011</i>	<i>2011-2015</i>
VMRO-DPMNE	53	47
Socialist Party of Macedonia	3	2
Democratic Renewal of Macedonia	1	1
Party for European Future	1	3
Democratic Union	1	1
VMRO Macedonian	1	1
Democratic Party of Serbs in Macedonia	1	1
Democratic Party of Turks in Macedonia	1	1
Union of Roma in Macedonia	1	1
Party for Democratic Action of Macedonia	1	1
Social-Democratic Union of Macedonia	18	29
Democratic Union for Integration	18	14
New Social-Democratic Party	3	4
Liberal-Democratic Party	4	
Liberal Party of Macedonia	1	1
Independents	2	2
New Alternative	1	
Democratic Party of Albanians	5	8
New Democracy	4	

<i>Allocation of Seats at the Assembly</i>	<i>2008-2011</i>	<i>2011-2015</i>
National Democratic Revival		2
Movement for National Unity of Turks in Macedonia		1
Democratic League of Bosniaks in Macedonia		1
Party for Full Emancipation of the Roma		1
Serbian Progressive Party in Macedonia		1
Total	120	123

Source: Assembly of the Republic of Macedonia.

Percentage of women at the Assembly

<i>Year</i>	<i>Total Number of Members of the Assembly</i>	<i>Women Members of the Assembly</i>	<i>Ratio</i>
2008	120	40	33%
2011	123	38	30%

Source: State Election Commission.

List of parliamentary, presidential and local elections according to the legally prescribed schedule of elections

Period in question: 2008-2011

Elections held at the national level:	1 June 2008 – Parliamentary elections – Early
	22 March 2009 – Presidential elections – Regular
	5 June 2011 – Parliamentary elections – Early
Local elections:	22 March 2009 – Local elections – Regular
	5 December 2010 – Local mayoral election in Zajas Municipality – By-election
	18 December 2011 – Local mayoral election in Saraj Municipality – By-election
	Regular local elections – 24 March 2013

Average voter turn-out at national and local elections

<i>Year</i>	<i>Type of Election</i>	<i>Number of Registered Voters</i>	<i>Voter Turn-Out</i>	<i>%</i>
2008	Parliamentary	1779116	1015164	57.06
2009	Presidential	1792082	764039	42.63
2009	Local	1792082	1.019268	56.88
2010	Local (Municipality of Zajas)	10047	4587	45.66
2011	Parliamentary	1821122	1156049	63.48
2011	Local (Municipality of Saraj)	29230	11136	38.10

Source: State Election Commission.

4. Crime and Law Enforcement Indicators

Convicted Adults by Type of Crime Committed

	2005	2006	2007	2008	2009	2010	2011
Total	5 591	9 280	6 399	6 414	5 978	6 026	9 810
Homicide	40	39	41	33	53	32	36
Bodily Harm	297	442	430	471	531	524	533
Grievous Bodily Harm	225	228	211	194	181	175	234
Rape	23	28	25	27	19	12	18
Theft	1 086	1 281	1 633	1 462	1 320	1 144	1 017
Severe Theft	1 819	1 670	1 602	1 573	1 748	1 526	1 839
Robbery	130	130	109	114	104	133	135
Fraud	286	288	275	276	320	289	311
Misuse of Official Position and Authorization	81	79	109	120	127	90	75
Unauthorized Production and Release for Trade of Narcotics, Psychotropic Substances and Precursors	242	184	191	234	246	293	420
Enabling the Taking of Narcotics Psychotropic Substances and Precursors	56	43	39	38	46	44	59
Endangering Traffic Safety	1 306	1 567	1 734	1 872	1 897	1 764	1 742
Trafficking in Human Beings	6	2	21	16	-	1	8

Source: State Statistical Office of the Republic of Macedonia.

46. As per the type of crime committed, out of the overall number of convicted adults in the country, the majority have been convicted for endangering traffic safety and for theft.

Duration of pre-trial detention

Year	Total number of indicted adults in pre-trial detention	Up to 3 Days	3 to 15 Days	15 Days to 1 Month	1 to 2 Months	2 to 3 Months	3 to 6 Months	More than 6 Months
2006	528	21	92	111	88	56	47	113
2007	486	15	58	112	93	37	39	132
2008	547	14	66	99	90	64	85	129
2009	512	10	39	177	75	41	63	107
2010	408	11	54	142	42	38	38	83
2011	463	6	40	95	67	53	45	157

Source: State Statistical Office of the Republic of Macedonia.

Number of convicted persons by duration of sentence in 2008, 2009 and 2010

	<i>Up to 3 Months</i>	<i>3 to 6 Months</i>	<i>6 Months to 1 Year</i>	<i>1-2 Years</i>	<i>2-3 Years</i>	<i>3-5 Years</i>	<i>5-10 Years</i>	<i>10-15 Years</i>	<i>Life Imprisonment</i>
2008	142	226	439	510	364	417	379	253	24
2009	250	376	474	456	362	474	420	205	27
2010	331	406	415	502	311	427	428	199	29

Source: Directorate for the Execution of Sanctions of the Republic of Macedonia.

Mortality rate among persons under custody

47. The following table details the number of deaths in prisons, as well as correctional-educational institutions in the Republic of Macedonia.

<i>Year</i>	<i>Natural Causes</i>	<i>Suicide</i>	<i>Accidents</i>
2009	-	-	-
2010	2	2	-
2011	5	4	1

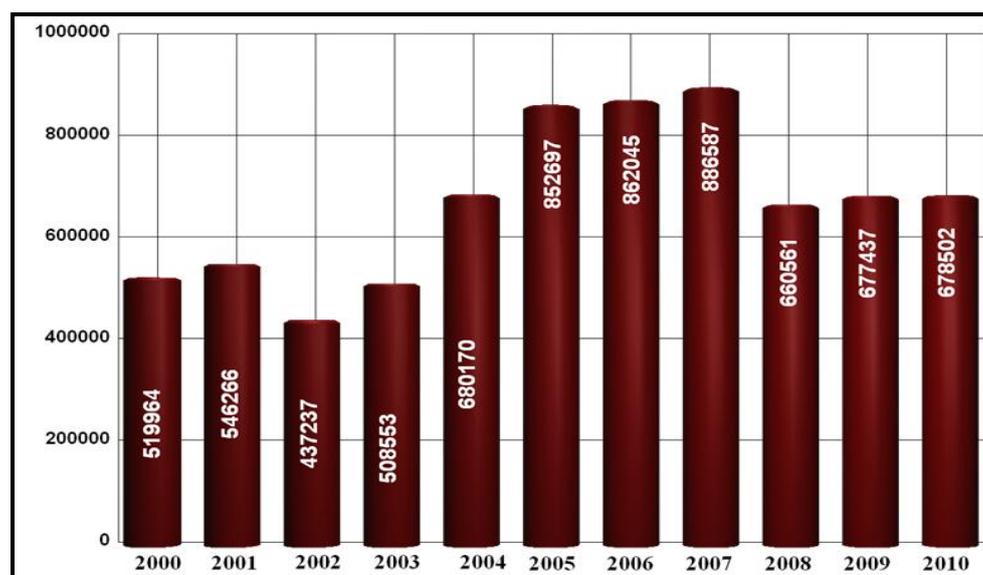
Source: Directorate for the Execution of Sanctions of the Republic of Macedonia.

Number of death penalties executed

48. Article 10 of the Constitution reads as follows: Capital punishment shall not be imposed on any grounds whatsoever in the Republic of Macedonia. The Republic of Macedonia is a party to Protocol 6 to the Convention for the Protection of Human Rights and Fundamental Freedoms (European Convention on Human Rights) concerning the abolition of the death penalty.

49. Average backlog of cases at various court system instances
(*Source:* Ministry of Justice of the Republic of Macedonia.)

Pending cases from 31 December 2000 to 31 December 2010 – comprehensive overview for all courts



50. As regards pending cases, it is worth noticing that, in the period between 2000 and 2007, there was an evident increase in the number of pending cases. As a result of the reforms that had been enacted in the country by the end of that period, in 2008, the number of pending cases was for the first time ever significantly decreased, whilst the same trend continued in both 2009 and 2010, when the overall number of pending cases in all courts equalled 678,502.

51. At the end of 2010, the number of pending cases in all courts in the Republic of Macedonia decreased by 185,543 or by 22 per cent in comparison to the end of 2006.

Number of police officers at the Ministry of Interior per 100,000 citizens

52. As of June 2012, the overall number of police officers employed by the Ministry of the Interior (uniformed and non-uniformed) per 100,000 citizens totals 444.9 police officers. In that same period, the number of uniformed police officers per 100,000 citizens equals 335.2 (*Source: Ministry of the Interior of the Republic of Macedonia*).

Number of public prosecutors and judges per 100,000 citizens

Year	Judges		Public Prosecutors	
	Total	Per 100,000 citizens	Total	Per 100,000 citizens
2006	728	36 per cent	186	9.1 per cent
2007	607	30 per cent	182	8.9 per cent
2008	659	32 per cent	209	10.2 per cent
2009	655	32 per cent	209	10.1 per cent
2010	668	33 per cent	211	10.2 per cent

Source: Council of Public Prosecutors and 2010 Statistical Yearbook of the Republic of Macedonia published by the State Statistical Office of the Republic of Macedonia.

Courts of general jurisdiction

	Total	High Administrative			First Instance		Total	High Administrative			First Instance	
		Supreme	Administrative	Administrative	Appellate	Instance		Supreme	Administrative	Administrative	Appellate	Instance
2005	31	1	-	-	3	27	643	24	-	-	84	535
2006	31	1	-	-	3	27	728	22	-	-	82	624
2007	33	1	-	1	4	27	607	19	-	18	82	488
2008	33	1	-	1	4	27	659	20	-	22	89	528
2009	33	1	-	1	4	27	655	22	-	24	94	515
2010	33	1	-	1	4	27	668	24	-	24	105	515
2011	34	1	1	1	4	27	685	23	13	30	109	510

Source: Ministry of Justice of the Republic of Macedonia.

Share in public expenditures by sector

	<i>COFOC Code</i>	<i>2005</i>	<i>2008</i>	<i>2009</i>
General Public Services	010	5885	17257	16610
Defense	020	5885	8099	8441
Public Order and Safety	030	8398	12204	14519
Economy	040	15877	18771	33441
Environment Protection	050	368	427	1104
Housing and Local Services	060	858	3316	2247
Healthcare	070	613	2020	2103
Recreation, Culture and Religion	080	1471	2564	4152
Education	090	9869	20523	22754
Social Protection	100	17103	17592	24249
Overall Expenditures	TE	66323	102773	129620

Source: Government of the Republic of Macedonia, 2009-2011 Preaccession Economic Program, Skopje, 2009.

Number of indicted and remanded individuals applying for free-of-charge legal assistance and percentage of those being afforded such assistance

53. No statistics are collected on this indicator in the Republic of Macedonia using a nation-wide uniform methodology.

54. Article 4 of the Law on Criminal Procedure states the following: Everyone charged with a criminal offence shall have the right to a fair and public hearing within a reasonable time and before a competent, independent and impartial tribunal, established by law. The minimum rights prescribed by this Article also encompass the right of the accused to be tried in his presence and to defend himself in person or by legal assistance of his/her own choosing and to have legal assistance assigned to him/her, in any case where the interests of justice so require, and without payment by him/her in any such case if he/she does not have sufficient means to pay for it.

55. The terms and conditions for the accused to be provided obligatory defense and be assigned legal assistance without payment are stipulated in Articles 66 and 67 of the aforementioned Law. Paragraphs 2, 3 and 5 of Article 66 read as follows:

The defendant must have a counsel if detention is defined against him during the detention period. After the prosecution act due to a crime for which a sentence to ten years or more severe sentence is proscribed with the Code, the accused must have a counsel at the time of the prosecution act delivery. If the accused in cases of obligatory defense according to previous paragraphs of this Article does not provide a counsel himself/herself, the President of the court will assign a counsel ex officio for the further duration of the criminal procedure until the final legally valid verdict.

56. Paragraph 1 of Article 67 reads:

When there are no conditions for obligatory defense and the procedure is conducted for a crime for which a sentence of over one year is proscribed, on his/her request, the accused can be assigned a counsel, if his/her property status does not allow him to bear the defense expenses.

Percentage of victims awarded compensation under a court judgment, according to the type of crime suffered

57. No statistics are collected on this indicator in the Republic of Macedonia using a nation-wide uniform methodology.

B. Constitutional, political and legal structure of the country

58. The Republic of Macedonia is a unitary State with a parliamentary type of governance.

59. According to Article 1 of its Constitution, the Republic of Macedonia is a sovereign, independent, democratic and social State with its sovereignty deriving from and belonging to its citizens. The citizens exercise their authority through democratically elected representatives, through referenda and other forms of direct expression.

60. Article 8 of the Constitution lays down the following fundamental values of the constitutional order of the Republic of Macedonia: the basic human rights and freedoms as recognized in international law and set down in the Constitution; the free expression of national identity; the rule of law; the division of State powers into legislative, executive and judicial; political pluralism and free, direct and democratic elections; the legal protection of property; the freedom of the market and entrepreneurship; humanism, social justice and solidarity; local self-government; proper urban and rural planning to promote a congenial human environment, as well as environmental protection and development and respect for the generally accepted norms of international law.

61. The Republic of Macedonia is a secular State. Its Constitution guarantees freedom of religion, further prescribing that “[t]he Macedonian Orthodox Church and other religious communities and groups are separate from the State and equal before the law”.

62. The constitutional organization of power is based on its division to legislative, executive and judicial.

1. Assembly of the Republic of Macedonia

63. The Assembly of the Republic of Macedonia is a representative body of citizens in which the legislative power of the Republic is vested. The Constitution of the Republic of Macedonia stipulates that the Assembly of the Republic of Macedonia is composed of 120 to 140 Representatives. At present, the Assembly is composed of 123 Representatives. The Representatives are elected at general, direct and free elections by a secret ballot to a term of four years. Each newly elected Assembly holds its inaugural session within 20 days from the day when the elections were held.

64. The manner and conditions for electing a Representative at the Assembly are specified in the Electoral Code of the Republic of Macedonia. The Electoral Code also defines the incompatibility of the office of Representative at the Assembly with other public offices or professions. The mandate of a Representative at the Assembly is terminated if he/she is sentenced for a criminal offence for which a sentence of at least five years is prescribed. The sessions of the Assembly are public.

65. Matters regarding the organization and functioning of the Assembly of the Republic of Macedonia are regulated by the Constitution of the Republic of Macedonia and the Rules of Procedure of the Assembly. The Assembly of the Republic of Macedonia adopts and amends the Constitution of the Republic of Macedonia, adopts laws and provides authentic interpretation of laws, approves public expenditures, adopts the national Budget and its Final Account Statement, adopts the National Spatial Plan, ratifies international agreements, decides on war and peace, makes decisions concerning any changes in the

country's borders, makes decisions on joining in or leaving an alliance or community of other States, issues notice of a referendum, makes decisions concerning the reserves of the Republic, sets up councils, appoints the Government of the Republic of Macedonia, appoints judges to the Constitutional Court of the Republic of Macedonia, appoints and discharges judges, elects, appoints and dismisses other holders of public and other offices determined by the Constitution and law, carries out political control and supervision of the Government and other holders of public office accountable to the Assembly, proclaims amnesties, elects the Ombudsman, establishes the Council on Interethnic Relations and performs other functions determined by the Constitution.

66. In performing the duties within its sphere of competence, the Assembly adopts decisions, declarations, resolutions, recommendations and conclusions.

2. President of the Republic of Macedonia

67. The President of the Republic Macedonia represents the Republic and is the Commander-in-Chief of the Armed Forces of Macedonia.

68. The President of the Republic is elected at general and direct elections, by secret ballot, for a term of five years. A person may be elected President of the Republic for a maximum of two terms. The President of the Republic must be a national of the Republic of Macedonia. A person may be elected President of the Republic if the person is over the age of 40 on the day of election. A person may not be elected President of the Republic if, on the day of election, he/she has not been a resident of the Republic of Macedonia for at least 10 years within the last 15 years.

69. The office of the President of the Republic is incompatible with the performance of other public offices, professions or a position in a political party.

70. The President of the Republic of Macedonia nominates a mandatory to constitute the Government of the Republic of Macedonia, appoints and recalls by decree ambassadors and other envoys of the Republic of Macedonia abroad, accepts the credentials and letters of recall of foreign diplomatic representatives, proposes two judges of the Constitutional Court of the Republic of Macedonia, proposes two members of the Judicial Council of the Republic, appoints three members to the Security Council of the Republic of Macedonia, proposes the members of the Council for Inter-Ethnic Relations, grants pardons in accordance with the law and has constitutional rights to suspend the implementation of laws.

71. The President of the Republic is the Commander-in-Chief of the armed forces of the Republic of Macedonia and has the power to appoint and dismiss the Chief of Staff of the Army of the Republic of Macedonia, as well as the Army generals. The President also presides over the Security Council of the Republic of Macedonia and appoints three of its members. The President also appoints and dismisses the Director of the Intelligence Agency.

72. The Constitutional Court decides on the accountability of the President by a two-thirds majority vote of all judges. If the Constitutional Court considers the president accountable for a violation, his/her mandate shall terminate in accordance with the Constitution.

3. Government of the Republic of Macedonia

73. The executive power is vested in the Government of the Republic of Macedonia. The Government is composed of a Prime Minister, four Deputy Prime Ministers and 18 other cabinet Ministers. The Government has 15 ministries (<http://vlada.mk/node/69>). Autonomous bodies within the Government are the Agency of Youth and Sports, the

Agency of Emigration, the Commission for Relations with Religious Communities and Groups, the Agency for Development and Investments, the Centre for Crisis Management, the Protection and Rescue Directorate and the Commodity Reserve Agency. Moreover, there are other agencies working within the Government itself (<http://vlada.mk/node/71>), administration organizations (<http://vlada.mk/node/72>), as well as first instance and special commissions (<http://vlada.mk/node/73>).

74. The Prime Minister and Ministers cannot be Members of Parliament. The Prime Minister and the Ministers enjoy immunity. The Government decides on their immunity. The office of the Prime Minister and that of a Minister is incompatible with the performance of any other public office or profession.

75. The organisation and the mode of working of the Government are regulated by the Law on the Government of the Republic of Macedonia.

76. Under the Constitution, the Government of the Republic of Macedonia designs the policy of execution of laws and of other regulations of the Assembly and is accountable for their execution, proposes laws, the Budget of the Republic and other regulations to be adopted by the Assembly, proposes a Spatial Plan of the Republic, proposes decisions concerning the reserves of the Republic and takes care of their execution, adopts secondary legislation and other regulations for execution of the laws, determines principles on the internal organisation and the mode of work of the Ministries and of the other administrative bodies, directs and supervises their work, provides for opinions on draft laws and on the other regulations submitted to the Assembly by other bodies authorized to propose laws, takes decisions on the recognition of States and governments, establishes diplomatic and consular relations with other States, proposes the Chief Public Prosecutor, appoints and dismisses holders of public and other offices determined by law and Constitution and performs other functions as determined by law and the Constitution.

4. Judicial power

77. Judicial power is exercised by courts. The courts are autonomous and independent. The courts judge on the basis of the Constitution, laws and international agreements ratified in accordance with the Constitution. Emergency courts are prohibited.

78. The types of courts, their jurisdiction, their establishment, abrogation, organisation and composition, as well as the procedures they follow, are regulated by the Law on Courts.

79. The Law on Courts stipulates that the objectives and functions of the judicial power encompass an impartial application of law regardless of the position and status of the parties, protection, respect and promotion of human rights and freedoms, ensuring equality, equal opportunity, and non-discrimination on any grounds and ensuring legal security based on the rule of law.

80. In the judiciary, the judicial power is exercised by First Instance Courts, the Courts of Appeal, Administrative Court, the High Administrative Court and the Supreme Court of the Republic of Macedonia.

5. Local self-government

81. The Constitution guarantees citizens the right to local self-government. Units of local self-government are the municipalities. Municipalities are financed from their own sources of income determined by law, as well as from funds allocated by the central power. Local self-government is regulated by the Law on Local Self-Government.

82. The territorial division of the Republic and the area administered by each municipality are defined by the Law on Territorial Organization of the Local Self-

Government in the Republic of Macedonia. According to the said Law, there are 84 municipalities in the Republic of Macedonia.

83. In units of local self-government, citizens, directly and through representatives, participate in the decision-making processes on issues of local relevance particularly in the fields of urban planning, communal activities, culture, sport, social security and child care, pre-school education, primary education, basic health care and other fields determined by law.

6. Electoral system

84. In the Republic of Macedonia, the right to vote is universal, individual and equal for all citizens. Only nationals of the Republic of Macedonia who have been registered in the Voters' List, i.e. who, on the day of election, have attained the legal age of 18 years and are fit for work, have the right to vote. There are no other limitations to the right to vote in the Republic of Macedonia, nor are there any legal grounds to deprive nationals of the Republic of Macedonia of their right to vote.

85. A national of the Republic of Macedonia who has been pronounced an unsuspended sentence of at least six months of imprisonment and has still not started serving the sentence or is already serving a prison sentence for a committed criminal offence does not have the right to be elected as Representative of the Assembly, Member of a Municipal Council and Mayor. Apart from that stipulation, only nationals of the Republic of Macedonia who have a domicile in the municipality and the City of Skopje, where elections take place, have the right to be elected as members of municipal councils or mayors.

86. The electoral model in the Republic of Macedonia is of mixed character. The President of the Republic of Macedonia and the Mayors of Municipalities and the City of Skopje are elected under the majority model. Members of the Assembly of the Republic of Macedonia are elected according to a combined electoral model.

87. The territory of the Republic of Macedonia is divided into six Election Districts whereby 20 Representatives of the Assembly are elected for each election district, i.e. a total of 120 Representatives are elected to the Assembly. Under the amendments to the Electoral Code adopted in 2008 and 2011, nationals of the Republic of Macedonia who have the right to vote, but are temporarily residing and working abroad were enabled to vote at the Diplomatic Missions and Consular Posts of the Republic of Macedonia abroad. Apart from the 120 Representatives of the Assembly, 3 more are elected to the Assembly (1 from each of the 3 Electoral Districts for Europe and Africa, North and South America, as well as Asia and Australia).

88. Members of Municipal Councils and the Council of the City of Skopje are elected according to the proportional model.

89. The procedure for filing complaints and lawsuits requesting protection of the right to vote, as well as deciding upon them is regulated by the Electoral Code. The body responsible for the protection of the right to vote is the State Election Commission (SEC). Judicial protection against its decisions is provided by the Administrative Court.

90. Elections in the Republic of Macedonia are organized by electoral bodies at three different levels. The State Election Commission is the highest electoral body, and then there are Municipal Election Commissions, i.e. the Election Commission of the City of Skopje and Electoral Boards.

91. The Electoral Code specifies the deadlines for holding both early and regular elections in the Republic of Macedonia. Presidential elections are held every five years (under a regular election schedule), whereas early presidential elections are held if the constitutional and legal conditions have been fulfilled. Elections for Representatives of the

Assembly of the Republic of Macedonia, Mayors of Municipalities and of the City of Skopje are held every four years (under a scheduled election cycle). Early parliamentary elections are held if the conditions provided for by the Electoral Code are met, while early municipal and mayoral elections are organized if the criteria as stipulated under the Law on Local Self-Government and the Electoral Code are fulfilled.

7. Associations and foundations

92. The 2010 Law on Associations and Foundations and its 2011 amendments provide the legal framework for exercising the constitutional right to freedom of association.

93. Founders of citizens' associations are citizens of the Republic of Macedonia and legal entities registered in the Republic of Macedonia, whereby three of the minimum five founders must have a registered domicile or residence, i.e. a seat on the territory of the Republic of Macedonia. Associations may also be established by minors of 15 years under a written statement of consent to be submitted by the minor's legal representative. Citizens' associations are founded at the founding assembly. At the assembly, the association's founders adopt the Articles of Association, Program and Statute of the association, electing, as well, its governing bodies.

94. Foundations may be established by one or more founding legal and natural entities under an act of establishment or by a will or legacy verified by a notary.

95. Foreign nationals may also be founders and members of an organization, association or foundation, having the same rights and obligations as nationals of the Republic of Macedonia. They may operate in the Republic of Macedonia via subsidiaries, representative offices or any other setups of a foreign organization seated on the territory of the Republic of Macedonia.

96. Associations and foundations are granted the status of legal entities upon being entered into the Central Register of the Republic of Macedonia.

97. As regards the number of registered associations and foundations, 11,817 entities have been entered in the Register of Associations and Alliances, i.e. the Register of Foundations as having the organizational setup of associations and foundations.

II. General human rights protection and promotion framework

A. Alignment with international human rights instruments

1. Major international human rights conventions and protocols

<i>Convention/Protocol</i>	<i>Signed (S)/ Ratified (R)</i>	<i>Reservations/ Declarations</i>	<i>Adopted Optional Procedures</i>
International Covenant on Economic, Social and Cultural Rights (ICESCR), 1966	R (Official Gazette of the SFRY-MD 7/1971), The Republic of Macedonia acceded by way of succession (18 January 1994), Entered into force on 17 November 1991		

<i>Convention/Protocol</i>	<i>Signed (S)/ Ratified (R)</i>	<i>Reservations/ Declarations</i>	<i>Adopted Optional Procedures</i>
International Covenant on Civil and Political Rights (ICCPR), 1966	R (Official Gazette of the SFRY-MD 7/1971), The Republic of Macedonia acceded by way of succession (18 January 1994), Entered into force on 17 November 1991		
International Convention on the Elimination of all Forms of Racial Discrimination (ICERD), 1965	R (Official Gazette of the SFRY-MD 6/1967), The Republic of Macedonia acceded by way of succession (18 January 1994), Entered into force on 17 November 1991		22 December 1999 By filing a declaration, the Republic of Macedonia recognized the competence of the Committee on the Elimination of Racial Discrimination to receive and consider communications from individuals or groups of individuals within its jurisdiction, with the reservation that the Committee shall not consider communications unless it has ascertained that the same matter has not been, and is not being, examined under another procedure of international investigation or settlement.
Convention on the Elimination of all Forms of Discrimination against Women (CEDAW), 1979	R (Official Gazette of the SFRY-MD 11/1981), The Republic of Macedonia acceded by way of succession (18 January 1994), Entered into force on 17 November 1991		
Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), 1984	R (Official Gazette of the SFRY-MD 11/1981), The Republic of Macedonia acceded by way of succession (2 December 1994), Entered into force on 17 November 1991		The Republic of Macedonia accepted by way of succession the jurisdiction of the Committee against Torture to receive and consider communications from other countries that are parties to the Convention and by or on behalf of individuals under its jurisdiction

<i>Convention/Protocol</i>	<i>Signed (S)/ Ratified (R)</i>	<i>Reservations/ Declarations</i>	<i>Adopted Optional Procedures</i>
Convention on the Rights of the Child (CRC), 1989	R (Official Gazette of the SFRY-MD 15/1990), The Republic of Macedonia acceded by way of succession (2 December 1993), Entered into force on 17 November 1991	The Republic of Macedonia accepted the reservation declared by the SFRY regarding article 51 of the Convention	
Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, 2000	S 17 July 2001 R 12 January 2004	Declaration: Related to article 3, paragraph 2, of Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict the Republic of Macedonia states that under the Macedonian legislation there are no possibilities, neither on obligatory or voluntary grounds, to direct any person younger than 18 years of age to military service, i.e. there is no opportunity to violate the right to a special protection of persons of less than 18 years of age. (Article 62 of the Law on Defense of the Republic of Macedonia).	
Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, 2000	S 17 July 2001 R 17 October 200		
Optional Protocol to the Convention on the Rights of the Child on a communications procedure	S 23 May 2012		
Optional Protocol to the International Covenant on Civil and Political Rights, 1966	R 12 December 1994		
Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, 1989	R 26 January 1995		

<i>Convention/Protocol</i>	<i>Signed (S)/ Ratified (R)</i>	<i>Reservations/ Declarations</i>	<i>Adopted Optional Procedures</i>
Optional Protocol to the Convention on the Elimination of all Forms of Discrimination against Women, 1999	S 3 April 2000 R 17 October 2003		
2002 Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, establishing a system of regular visits undertaken by independent international and national bodies to places where people are deprived of their liberty, in order to prevent torture and other cruel, inhuman or degrading treatment or punishment	S 1 September 2006 R 13 February 2009		
Convention on the Rights of Persons with Disabilities	S 30 March 2007 R 29 December 2011		
Optional Protocol to the Convention on the Rights of Persons with Disabilities	S 29 July 2009 R 29 December 2011		
International Convention for the Protection of all Persons from Enforced Disappearance	S 6 February 2007		

2. Other and related United Nations human rights conventions

<i>Convention/Protocol</i>	<i>Signed (S)/Ratified (R)</i>
Convention on the Prevention and Punishment of the Crime of Genocide, 1948	R 18 January 1994
Convention to Suppress the Slave Trade and Slavery, Geneva, 1926	R 18 January 1994
Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others	R 18 January 1994
United Nations Convention Relating to the Status of Refugees, Geneva, 1951, and Protocol Relating to the Status of Refugees, New York, 1967	R 18 January 1994
Convention Relating to the Status of Stateless Persons, New York, 1954	R 18 January 1994
Rome Statute of the International Criminal Court, Rome, 1998	S 7 October 1998 R 6 March 2002

<i>Convention/Protocol</i>	<i>Signed (S)/Ratified (R)</i>
United Nations Convention ² against Transnational Organized Crime New York, 2000, and the Protocol Thereto on Smuggling of Migrants by Land, Sea and Air, as well as the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children	S 12 December 2000 R 12. January 2005

3. Conventions of the International Labour Organization

<i>Convention/Protocol</i>	<i>Signed (S)/Ratified (R)</i>
Convention No. 14 (1921) concerning the Application of the Weekly Rest in Industrial Undertakings	R 17 November 1991
Convention No. 29 (1930) concerning Forced or Compulsory Labour	R 17 November 1991
Convention No. 81 (1947) concerning Labour Inspection in Industry and Commerce	R 17 November 1991
Convention No. 97 (1949) concerning Migration for Employment (Revised)	R 17 November 1991
Convention No. 87 (1948) concerning Freedom of Association and Protection of the Right to Organise, San Francisco	R 17 November 1991
Convention No. 98 (1949) concerning the Application of the Principles of the Right to Organise and to Bargain Collectively, Geneva	R 17 November 1991
Convention No. 100 (1951) concerning Equal Remuneration for Men and Women Workers for Work of Equal Value, Geneva	R 17 November 1991
Convention No. 102 (1957) concerning Minimum Standards of Social Security, Geneva	R 17 November 1991
Convention No. 105 (1957) concerning the Abolition of Forced Labour, Geneva	R 15 July 2003
Convention No. 106 (1957) concerning Weekly Rest in Commerce and Offices, Geneva	R 17 November 1991
Convention No. 111 (1958) concerning Discrimination in Respect of Employment and Occupation, Geneva	R 17 November 1991
Convention No. 122 (1964) concerning Employment Policy, Geneva	R 17 November 1991
Convention No. 129 (1969) concerning Labour Inspection in Agriculture, Geneva	R 17 November 1991
Convention No. 131 (1970) concerning Minimum Wage Fixing, with Special Reference to Developing Countries, Geneva	R 17 November 1991

² Reservation: "In accordance with Article 35, paragraph 3, of the Convention, the Republic of Macedonia states that it does not consider itself bound by Article 35, paragraph 2, which stipulates that all disputes concerning the interpretation or application of the Convention shall be referred to the International Court of Justice."

<i>Convention/Protocol</i>	<i>Signed (S)/Ratified (R)</i>
Convention No. 132 (1970) concerning Annual Holidays with Pay (Revised), Geneva	R 17 November 1991
Convention No. 138 (1973) concerning Minimum Age for Admission to Employment, Geneva	R 17 November 1991
Migrant Workers (Supplementary Provisions) Convention No. 143 (1975), Geneva	R 17 November 1991
Convention No. 155 (1981) concerning Occupational Safety and Health and the Working Environment, Geneva	R 17 November 1991
Convention No. 156 (1981) concerning Equal Opportunities and Equal Treatment for Men and Women Workers: Workers with Family Responsibilities, Geneva	R 17 November 1991
Convention No. 182 (1999) concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, Geneva	R 30 May 2003

4. UNESCO Convention

<i>Convention/Protocol</i>	<i>Signed (S)/Ratified (R)</i>
Convention against Discrimination in Education, 1960	R 30 April 1997

5. Conventions of the Hague Conference on International Private Law

<i>Convention/Protocol</i>	<i>Signed (S)/Ratified (R)</i>
Convention on the Civil Aspects of International Child Abduction, 1980	R 20 September 1993
Convention on International Access to Justice, 1980	R 20 September 1993
Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption, 1993	R 23 December 2008

6. Geneva Conventions and other international humanitarian law treaties

<i>Convention/Protocol</i>	<i>Signed (S)/Ratified (R)</i>
Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field, 1949, Geneva,	R 1 September 1993
Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea, 1949, Geneva	R 1 September 1993
Geneva Convention relative to the Treatment of Prisoners of War, 1949, Geneva	R 1 September 1993
Geneva Convention relative to the Protection of Civilian Persons in Time of War, 1949, Geneva	R 1 September 1993

<i>Convention/Protocol</i>	<i>Signed (S)/Ratified (R)</i>
Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I), 1977, Geneva	R 1 September 1993
Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II), 1977, Geneva	R 1 September 1993
Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and Their Destruction, 1997, Oslo	R 9 September 1998
Convention on Cluster Munitions, 2008, New York	S 3 December 2008 R 8 December 2009

7. Human Rights Conventions of the Council of Europe

<i>Convention/Protocol</i>	<i>Signed (S)/Ratified (R)</i>
Convention for the Protection of Human Rights and Fundamental Freedoms (ETS 005), 1950, Rome	S 9 November 1995 R 10 April 1997
Protocol to the Convention for the Protection of Human Rights and Fundamental Freedoms (ETS 009), 1952, Paris	S 14 June 1996 R 10 April 1997
European Social Charter (ETS 035), 1961, Torino	S 5 May 1998 R 7 December 2004
Revised European Social Charter (CETS 163), 1996, Strasbourg	S 27 May 2009 R 29 October 2011
European Convention on Recognition and Enforcement of Decisions concerning Custody of Children and on Restoration of Custody of Children (ETS 105), 1980	S 3 April 2001 R 29 November 2002
European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (ETS 126), 1987, Strasbourg	S 14 June 1996 R 6 June 1997
Protocol No. 6 to the Convention for the Protection of Human Rights and Fundamental Freedoms concerning the Abolition of the Death Penalty (ETS 114), 1983, Strasbourg	S 14 June 1996 R 10 April 1997
Protocol No. 7 to the Convention for the Protection of Human Rights and Fundamental Freedoms (ETS 117), 1984, Strasbourg	S 14 June 1996 R 10 April 1997
Protocol No. 8 to the Convention for the Protection of Human Rights and Fundamental Freedoms (ETS 118), 1985, Vienna	S 9 November 1995 R 10 April 1997
Additional Protocol to the European Social Charter (ETS 128), 1998	S 5 May 1998
Protocol amending the European Social Charter (ETS 142), 1991, Torino	S 5 May 1998
European Charter for Regional or Minority Languages (ETS 148), 1992	S 25 July 1996

<i>Convention/Protocol</i>	<i>Signed (S)/Ratified (R)</i>
Protocol No. 1 to the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (ETS 151), 1993, Strasbourg	S 14 June 1996 R 6 June 1997
Protocol No. 2 to the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (ETS 152), 1993, Strasbourg	S 14 June 1996 R 6 June 1997
Protocol No. 11 to the European Convention for the Protection of Human Rights and Fundamental Freedoms (ETS 155), 1994, Strasbourg	S 9 November 1995 R 10 April 1997
Framework Convention for the Protection of National Minorities (ETS 157), 1995, Strasbourg	S 25 July 1996 R 10 April 1997
European Convention on the Exercise of Children's Rights (ETS 160), 1996, Strasbourg	S 3 April 2001 R 15 January 2003
Additional Protocol to the Convention for the Protection of Human Rights and Dignity of the Human Being with regard to the Application of Biology and Medicine, on the Prohibition of Cloning Human Beings (ETS 168), 1998, Paris	S 12 January 1998 R 1 January 2010
Protocol No. 12 to the Convention for the Protection of Human Rights and Fundamental Freedoms (ETS 177), 2000, Rome	S 4 November 2000 R 13 July 2004
Additional Protocol to the Convention on Human Rights and Biomedicine concerning Transplantation of Organs and Tissues of Human Origin (ETS 186), 2002, Strasbourg	S 15 March 2002 R 27 April 2009
Protocol No. 13 to the Convention for the Protection of Human Rights and Fundamental Freedoms, concerning the abolition of the death penalty in all circumstances (ETS 187), 2002, Vilnius	S 3 May 2002 R 13 July 2004
Council of Europe Convention on Action against Trafficking in Human Beings (ETS 197), 2005, Warsaw	S 17 November 2005
Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (ETS 201), 2007, Lanzarote	S 25 October 2007 R 16 October 2010
Protocol No. 14 to the Convention for the Protection of Human Rights and Fundamental Freedoms, amending the control system of the Convention, 2004	S 15 September 2004 R 15 June 2005
Protocol No. 14 <i>bis</i> to the Convention for the Protection of Human Rights and Fundamental Freedoms, 2009, Strasbourg	S 3 September 2009 R 2 April 2010
Council of Europe Convention on preventing and combating violence against women and domestic violence (ETS 210), 2011, Istanbul	S 8 July 2011
Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data (CETS 108), 1981	S 24 March 2006 R 24 March 2006
Additional Protocol to the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data, regarding supervisory authorities and transborder data flows (CETS 181), 2001	S 4 January 2008 R 26 September 2008

B. Legal framework for the protection of human rights at the national level

1. Legislation

98. The legal framework for protection of human rights in the Republic of Macedonia is provided by the Constitution, laws, secondary legislation and international treaties ratified in compliance with the Constitution of the Republic of Macedonia.

99. According to Article 1 of the Constitution, the Republic of Macedonia is a sovereign, independent, democratic and social State the sovereignty in which derives from the citizens and belongs to the citizens. By affirming the citizen as a sovereign holder of power, the Constitution of the Republic of Macedonia sets up a system of parliamentary democracy as a form of government.

100. The civil concept of the Constitution of the Republic of Macedonia is the fundament of the corpus of human rights and freedoms and provides the basis upon which the process of development of civil rights, both individual and collective, is pursued. The fundamental rights and freedoms of the individual and the citizen – the civil and political rights and freedoms, economic, social and cultural rights, as well as the safeguards for the fundamental rights and freedoms – are specified in Chapter 2 of the Constitution of the Republic of Macedonia.

101. The fundamental values of the constitutional order of the Republic of Macedonia are contained in Article 8 of the Constitution: the fundamental human rights and freedoms, recognized in international law and defined by the Constitution, freedom of expression of national affiliation, etc. The Constitution establishes the equality of citizens and the principle of non-discrimination, stipulating that “[t]he 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.” All citizens are equal before the Constitution and laws.” It safeguards the rights to life, to physical and moral integrity and to freedom as inviolable. In the Republic of Macedonia, the death penalty may not be imposed on any grounds whatsoever and any form of torture, inhuman or degrading treatment or punishment is prohibited. The freedom of religion and the right to freely and publicly manifest religion are guaranteed. At the same time, citizens are guaranteed the freedom of association to exercise and protect their political, economic, social, cultural and other rights and beliefs. Citizens are entitled to social security and social insurance, while the State ensures social protection. The State guarantees the right to assistance to the infirm or unfit for work, provides special protection to disabled persons and creates conditions for their involvement in social life.

102. Members of the communities have the right to freely express, foster and develop their identity and national attributes and to use the symbols of their communities. The State guarantees the protection of the ethnic, cultural, linguistic and religious identity of all communities. Furthermore, persons belonging to the communities are entitled to instruction in their respective languages in primary and secondary education. The Constitution also ensures equal protection for all citizens, stipulating that every citizen may invoke protection of rights and freedoms defined by the Constitution before the regular courts and the Constitutional Court, through a procedure based upon the principles of priority and urgency. Restrictions on the rights and freedoms may not discriminate on the grounds of sex, race, colour of skin, language, religion, national or social origin, property or social status.

103. Under Article 50 of the Constitution, every citizen may invoke protection of rights and freedoms defined by the Constitution before regular courts and the Constitutional Court of the Republic of Macedonia, through a procedure based upon the principles of priority

and urgency. The Constitution guarantees judicial protection of the legality of individual acts of the State administration and other institutions carrying out public mandates. Citizens have the right to be informed about human rights and fundamental freedoms and to actively contribute, individually or together with others, to their promotion and protection.

104. The protection of rights and freedoms before courts is ensured under the provisions of the Law on Courts, the Law on Criminal Procedure, the Law on Civil Procedure, the Law on Non-Contentious Procedure, the Law on Administrative Disputes, the Law on Prevention of and Protection against Discrimination, etc.

105. The Law on the Ombudsman provides for the protection of the constitutional and legal rights of the citizens when they are violated by State administration bodies and other bodies or organizations that perform public functions.

106. In practice, the Supreme Court refers to the provisions of the European Convention for the Protection of Human Rights and Fundamental Freedoms, which is not the case with first- and second-instance courts. The Constitutional Court also regularly refers to the provisions of ratified international conventions in the explanatory section of its rulings.

107. According to Article 118 of the Constitution, international agreements ratified in accordance with the Constitution are an integral part of the internal legal order and may not be amended by law.

108. In order to ensure efficient application of international conventions concerning human rights, the period from the signing to the ratification of the international conventions is devoted to aligning the national legislation.

2. European Court of Human Rights

109. The Republic of Macedonia ratified the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR) on 10 April 1997. The first applications against the State lodged by Macedonian citizens and foreign nationals were filed at the end of 1999.

110. Statistical data from the European Court about the inflow of application against the Republic of Macedonia show that from 1999 to 31 December 2011, 3,181 applications were filed with the European Court of Human Rights (ECtHR), 1,955 of which were dismissed as inadmissible or were removed from the list of pending cases on other grounds or criteria for admissibility of applications.

111. As of 31 December 2011, the Government Agent of the Republic of Macedonia processed a total of 346 cases following applications submitted to the ECtHR alleging that the Republic of Macedonia had violated rights and freedoms set out in the ECHR. Of the 346 cases brought before the ECtHR, as of 31 December 2011, 282 were closed, whereas 64 are still pending.

112. The analysis of the structure of applications against the Republic of Macedonia from the aspect of procedural areas that were subject to consideration for alleged violation of the ECHR shows that the civil proceedings constitute 67 per cent of the applications filed. They are followed by criminal cases, with the criminal procedure having been disputed in 16 per cent of the applications. Administrative cases amounted to 9 per cent, enforcement cases to 6 per cent, whereas the non-contentious procedures were disputed in only four cases, i.e. 1 per cent of the applications.

113. The analysis of judgments of the ECtHR shows that the largest number of cases – 57, i.e. 65 per cent – concerned the violation of Article 6, more specifically the right to a trial within a reasonable time. As regards the other rights stipulated in Article 6 – the right to a fair trial – violations were found in 14 cases, i.e. 16 per cent.

114. Other judgments concern violations of Article 5 (the right to liberty and security of person), which were established in four cases. Inefficient investigation into allegations of torture by the police was established in four cases, the same number of cases in which it was ruled that the right to an effective remedy before national authorities under Article 13 and the right to property under Article 1 of Protocol 1 were violated. The right to freedom of association under Article 11 of the Convention was found to have been violated in one case.

C. Framework for human rights promotion at the national level

1. Assembly of the Republic of Macedonia

115. Human rights protection is a constitutional and legal competence of the Assembly of the Republic of Macedonia. The Assembly sets up permanent and provisional working bodies. The Assembly has 21 standing committees, as well as standing working bodies. The committees do not have investigative or any other judicial functions.

116. According to Article 76, paragraph 3, of the Constitution, the Assembly of the Republic of Macedonia establishes a Standing Inquiry Committee for the Protection of Civil Rights and Freedoms. The Committee is composed of a chairperson, elected from the ranks of opposition members of parliament (MPs), eight members and their deputies. The Committee considers general issues, proposals and opinions relating to the implementation of provisions of the Constitution, laws and other regulations and acts governing the exercise and protection of civil rights and freedoms, and highlights the need to adopt laws and other regulations for the purpose of more comprehensive protection of civil rights and freedoms. The findings of the Committee form the basis for institutions of a procedure of examining the accountability of public office holders.

117. At its sessions, the Committee considers complaints from citizens, draft laws governing the protection and exercise of civil rights and freedoms and reports of the European Commission on the progress of the Republic of Macedonia in human rights and minority protection. Experts and representatives of the non-governmental sector and the executive branch of government participate actively in the sessions of the Committee.

118. The Committee on Equal Opportunities of Women and Men is composed of a chairperson, 10 members and their deputies. Its competences include: reviewing draft laws and other regulations in respect of gender mainstreaming, reviewing the draft National Action Plan for Equal Opportunities of Women and Men and monitoring the adoption and implementation of the basic and special measures for creating equal opportunities of women and men in all areas of the public and private sectors through reports submitted by the Sector for Equal Opportunities at the Ministry of Labour and Social Policy. The Commission also launches initiatives for adopting and amending laws and other regulations concerning the equal opportunities for women and men, promotes cooperation among relevant institutions on issues related to equal opportunities for women and men, regularly informs the Assembly about any issues related to equal opportunities for women and men, etc.

119. The Committee on Labour and Social Policy is composed of a chairperson, 12 members and their deputies. It considers issues related to labour relations and protection of employees at work; the right to strike; employment and unemployment rights; protection of women at work and maternity protection; salaries and the living standard; the social policy and social security of the citizens; the system, organization, development and promotion of social security and protection of children; population policy, marriage and family; the system of pensions and disability insurance; and other issues concerning labour and social policy.

120. Under Amendment XII to the Constitution and the 2007 Law on the Committee for Relations among the Communities, the Assembly establishes a Committee for Relations among the Communities. The Committee is composed of 19 members, including: seven members from the ranks of Macedonian MPs, seven members from the ranks of Albanian MPs, and one member each from the ranks of the MPs from the Turkish, Vlach, Roma, Serbian and Bosniak communities.

121. According to the Constitution, laws that directly concern the culture, use of language, education, personal documents and the use of symbols are adopted by a majority of the present MPs, provided that there is a majority vote of the present MPs belonging to the communities that are not a majority in the State. Any dispute over the application of this provision is resolved by the Committee for Relations among the Communities.

122. The Assembly of the Republic of Macedonia establishes a Committee for Supervising the Work of the Directorate for Security and Counter-Intelligence and the Intelligence Agency, which is competent for, among other things, considering issues related to respecting the civil rights and freedoms by the Directorate and the Agency.

123. The Assembly also establishes a Committee for Supervising the Application of Communication Interception Measures by the Ministry of the Interior and the Ministry of Defense. The Committee supervises the application of communication interception measures and their compliance with the law.

124. Every composition of the Assembly also has a non-formal Club of Women MPs, which is composed of all women MPs, the mission of which is to achieve, through legal solutions, gender equality and advancement of women's rights and their active involvement in the decision-making processes in the State.

125. Parliamentary supervision has been introduced under Article 20 of the Law on the Assembly. The committees are also entitled to organize scrutiny hearings in order to obtain information about the implementation of policies and laws by the government and other State bodies.

2. Government institutions competent for human rights promotion

126. The Government of the Republic of Macedonia ensures respect for human rights by supervising the work of the ministries, which includes overseeing the implementation and application of laws and other regulations by State bodies, public enterprises, companies, institutions, and natural and legal persons.

127. The Government comprises a Secretariat for Legislation, which performs functions related to ensuring consistency of the legal system, then provides expert opinions on aligning draft laws and other regulations with the Constitution of the Republic of Macedonia, the European Union acquis and international treaties ratified in compliance with the Constitution of the Republic of Macedonia and gives expert opinions on municipal regulations upon request by the Ministry of Local Self-Government.

128. Aiming to enhance coordination in the area of human rights among all in-line ministries and bodies of the Government of the Republic of Macedonia, as well as to facilitate exchange of information and data and implementation of recommendations contained in reports by the relevant committees of the United Nations and the Council of Europe and other international organizations, in April 2012, the Government of the Republic of Macedonia adopted a decision to establish an Inter-Ministerial Body on Human Rights. The Inter-Ministerial Body on Human Rights is headed by the Minister of Foreign Affairs of the Republic of Macedonia and is composed of the State Secretaries of in-line institutions and external members, who include representatives of the Ombudsman, the Broadcasting Council, the Commission for Protection against Discrimination and the

Commission for Protection of the Right to Free Access to Information of Public Character. The Inter-Ministerial Body on Human Rights meets once every three months and informs the Government about its work at least once a year.

129. The Ministry of Labour and Social Policy has established a Sector for Equal Opportunities, which is tasked with improving the status of women, ensuring equal opportunities for women and men and prevention of and protection against discrimination in accordance with the Law on Equal Opportunities for Women and Men and the Law on Prevention of and Protection against Discrimination.

130. The Sector consists of two units: the Unit for Gender Equality and the Unit for Prevention of and Protection against All Types of Discrimination. The Unit for Gender Equality deals with improving the status of women in all fields of social life, promoting gender equality and the principle of equal opportunities, and implementing the principle of equal opportunities for and treatment of women and men.

131. The Unit for Prevention of and Protection against All Types of Discrimination promotes active and coherent policy on protection against discrimination; actively assists, supports and implements measures and programmes aimed to enhance recognition and understanding of the reasons, consequences and mechanisms of discrimination; conducts informative campaigns and educational programmes aimed to inform the public of the forms of discrimination and promote early recognition of discrimination forms and respect for differences; and takes special steps for eliminating discrimination and violence.

132. According to the Law on the Organization and Work of State Administration Bodies, the Commission for Relations with Religious Communities and Religious Groups is an independent body of the State administration. The Commission deals with the legal status of the religious communities and groups and with the relations among the State, the religious communities and the religious groups. It is also competent for the duties of the State administration related to promotion and development of the freedom of religion; cooperation of the State with churches, religious communities and religious groups and improvement of their status in society; cooperation with the eparchies of the Macedonian Orthodox Church abroad; development and promotion of the values of religious cultures; development of religious education and assistance in its inclusion in the education system; providing assistance in the construction of religious buildings and protection of ecclesiastical cultural heritage; providing assistance in exercising their rights established by law; issuing stay permits to foreign clerics in the Republic of Macedonia upon request by a registered church, religious community or religious group; and other duties defined by law. The Commission follows the work of 30 churches, religious communities and religious groups in the Republic of Macedonia.

133. For the purpose of successful and full implementation of the Ohrid Framework Agreement, in April 2004 the Government of the Republic of Macedonia adopted a Decision to establish the Sector for Implementation of the Framework Agreement, which was transformed into a Secretariat for Implementation of the Framework Agreement in 2007.

134. The Secretariat for Implementation of the Framework Agreement became operational in January 2008. It performs duties relating to coordination and alignment of the work of State administration bodies concerning the implementation of the Framework Agreement; providing and coordinating the support for the Government in attaining strategic priorities relating to obligations arising from the Framework Agreement, especially in terms of ensuring equitable representation of citizens belonging to communities in State administration bodies; defines the methodology for preparing government action plans for the implementation of the Framework Agreement; coordinates the development of the Action Plan for Preparation of Projects under the Framework

Agreement and coordinates and follows its implementation; communicates regularly and coordinates the implementation of obligations assumed and projects designed under action plans of the relevant ministries; coordinates activities with State administration bodies and donors; provides a coherent approach to improving the efficiency of the process of implementation of the Framework Agreement; works on providing human resources required for the implementation of the Framework Agreement; assists in obtaining funds required for successful fulfillment of obligations arising from the Framework Agreement from the Budget of the Republic of Macedonia and from donors; maintains communication with the public and other target groups through the media and updates its website regularly; presents reports to the Government on the implementation of the Framework Agreement; makes expert analyses in this area for the needs of the Government; provides expert opinion on the materials that concern the implementation of the Framework Agreement; and other duties related to the implementation of the Framework Agreement assigned by the Government.

135. The Agency for the Exercise of Rights of the Communities has been established under the Law on the Promotion and Protection of Rights of Communities that represent less than 20 per cent of the population in the Republic of Macedonia. The Agency is tasked with safeguarding and promoting rights of persons belonging to the communities in the area of employment in terms of the principle of equitable representation; the use of the languages; education in their mother tongues (primary, secondary and higher); promotes the culture and cultural heritage of the persons belonging to the communities and the right to being informed in one's own language through electronic and printed media; provides support in establishing citizens' associations and foundations for the purpose of cultural, educational, artistic and scientific goals; safeguards the right to use of symbols; and performs other tasks concerning the rights of persons belonging to the communities as defined by law.

3. Independent national human rights institutions

136. The Constitutional Court is a body of the State that protects constitutionality and legality. One of the basic competences of the Constitutional Court, in addition to assessing the conformity of primary and secondary legislation with the Constitution, i.e. the law, is to process requests for protection of civil rights and freedoms.

137. However, the Constitutional Court is not competent to protect all rights and freedoms guaranteed by the Constitution, but only certain rights and freedoms incorporated in the corpus of civil and political rights and freedoms that are also guaranteed by the International Covenant on Civil and Political Rights. More specifically, according to Article 110, subparagraph 3, of the Constitution, the Constitutional Court protects "the freedoms and rights of the individual and citizen relating to the freedom of conviction, conscience, thought and public expression of thought, political association and activity as well as to the prohibition of discrimination of citizens on the grounds of sex, race, religion or national, social or political affiliation".

138. The Ombudsman is an independent State body elected by the Assembly of the Republic of Macedonia with a mandate to protect the constitutional and legal rights of the citizens from unlawful acts, actions and failures to act by bodies of the central and local government and safeguards the principles of non-discrimination and equitable representation of persons belonging to the communities in civil and public service on the basis of impartiality and in compliance with the Constitution, laws and international treaties ratified in accordance with the Constitution.

139. The Ombudsman is appointed for a term of office of eight years, renewable once, and performs his or her duties from the seat in Skopje and through six local offices.

140. The sovereignty and independence of the Ombudsman are guaranteed by the budget of the Ombudsman, which is part of the national budget but is voted for separately by the Assembly of the Republic of Macedonia.

141. The procedure before the Ombudsman is confidential and the citizens filing applications do not pay any fee thereof.

142. According to the Law, the Ombudsman provides special protection of the rights of children and of the disabled and, at the same time, performs the office of National Preventive Mechanism against Torture and Inhuman or Degrading Treatment or Punishment.

143. In 2011, the Secretariat of the Committee of National Institutions for the Promotion and Protection of Human Rights at the United Nations accredited the Ombudsman as a B status National Human Rights Institution.

144. For the purpose of respecting civil rights and freedoms, the Ombudsman may issue recommendations, opinions, suggestions and other acts of a critical, ethical or advisory nature to the executive bodies.

145. The Ombudsman produces an Annual Report on the situation regarding respect for the constitutional and legal rights of citizens of the Republic of Macedonia, which is submitted to the Assembly and is available to the public.

146. The Commission for Protection against Discrimination is a sovereign and independent body established in December 2010. Its competences are defined by the Law on Prevention of and Protection against Discrimination. The Commission has the status of a legal entity and is composed of seven members. The members of the Commission are appointed by the Assembly of the Republic of Macedonia to a five-year term, renewable once.

147. The Commission also has competences to: process complaints; produce opinions and recommendations on specific cases of discrimination; inform the public about cases of discrimination and take steps to promote and educate about equality, human rights and non-discrimination; follow the implementation of the Law on Prevention of and Protection against Discrimination; launch initiatives to amend the legislation for the purpose of improving the protection against discrimination; cooperate with bodies responsible for ensuring equality and protecting human rights in the local government; give recommendations to State bodies about implementing measures for safeguarding equality; give opinions on draft laws that concern the protection against discrimination; and performs other duties as defined by the Law on Prevention of and Protection against Discrimination.

148. The Directorate for Protection of Personal Data was established as an independent and autonomous body in 2005 and is tasked with overseeing the legality of processing personal data and with protecting personal data. The Directorate is headed by a Director, who is appointed by the Assembly of the Republic of Macedonia.

149. In line with its competences defined by law, the Directorate conducts inspection and supervision of the legality of processing personal data, keeps a Central Registry, issues permits for processing personal data and for transferring personal data to other countries, imposes bans on illegal processing of personal data, and gives opinions on draft acts that concern protection of personal data.

150. In addition to the foregoing competences, the Directorate is the only competent body where citizens can request legal protection of the right to privacy and the right to access, change and delete personal data from databases containing personal data by submitting an application, request for establishment of violation of the right to protection of personal data or by submitting an initiative for inspection by the Directorate.

151. Under Article 18, paragraph 4, of the Law on Protection of Personal Data, in the event of violation of the right to protection of personal data, the Inspector of Personal Data Protection conducts an inspection and adopts a decision thereof. Under Article 45, paragraph 4, of the foregoing Law, a petition may be filed with the competent court to institute administrative proceedings against the decision of the Inspector within 15 days from the day of receipt of the decision. According to the Law on Misdemeanours, the Directorate for Protection of Personal Data is a misdemeanour body and may impose fines for violations of the right to protection of personal data through the Commission deciding on misdemeanours. The Directorate conducts the misdemeanour procedure through the Misdemeanour Commission in compliance with the Law.

152. The Commission for Protection of the Right to Free Access to Information of Public Character has been established under the Law on Free Access to Information of Public Character, which was adopted in 2006. The Commission is composed of a Chairperson, a Deputy Chairperson and three members, each with a term of office of five years and a term limit of two terms. They are elected and dismissed by the Assembly of the Republic of Macedonia, following a previously published public advertisement.

153. The Commission follows the implementation of the provisions of the Law on Free Access to Information of Public Character, processes complaints against decisions and conclusions adopted by holders of information whereby the holders reject requests for access to information, produces and publishes a list of holders of information, undertakes activities for educating holders of information in enabling free access to the information that they hold and cooperates with holders of information in safeguarding the right to access to information.

154. The Broadcasting Council of the Republic of Macedonia is an independent regulatory non-profit body with a public mandate in broadcasting. The competences of the Council are specified in the Law on Broadcasting. The Council safeguards freedom of expression and media pluralism, ensures diverse, independent and autonomous media, supports the economic and technological development of broadcasting and protects the interests of the citizens in respect of broadcasting. The Council is financed by the broadcasting fee and the broadcasting license fee. The competences of the Council include granting, revoking and renewal of broadcasting licenses, registration of radio and television stations that are rebroadcast through the public communication network, supervises the operation of broadcasting entities and processes complaints from citizens about radio or television programmes and stations rebroadcast through public communication networks.

155. The Council is composed of 15 members, who are elected and dismissed by the Assembly of the Republic of Macedonia. The candidates for the Council are nominated by: the President of the Republic of Macedonia (two candidates), the Committee on Elections and Appointments (three), the Macedonian Academy of Sciences and Arts (one), the Interuniversity Conference (three), the Anticorruption Commission (one), the Commission for Protection of Competition (one), the Association of Units of Local Self-Government (two) and the majority association of journalists of the Republic of Macedonia (two).

4. Dissemination of human rights instruments

156. Under Article 190 of the Rules of Procedure of the Assembly of the Republic of Macedonia, laws on ratification of international treaties and original texts of the international treaties are published in a special section of the Official Gazette of the Republic of Macedonia entitled "International Treaties". These laws are also available online, on the website of the Official Gazette of the Republic of Macedonia (www.slvesnik.com.mk).

157. All basic human rights instruments ratified by the Republic of Macedonia have been translated into the Macedonian language. The relevant ministries issue publications containing the instruments for the implementation of which they are responsible, which are often made available on their websites, as well.

158. In 2008, a practice was established to translate into the Macedonian language the judgments of the European Court of Human Rights in cases versus the Republic of Macedonia, publish them on the website of the Ministry of Justice and distribute them to all courts in the Republic of Macedonia and other institutions involved in the specific case considered by the ECtHR.

5. Raising awareness about human rights among civil servants and other professionals

159. Under the reform of the justice system, the police and the penitentiary system, the Republic of Macedonia pays special attention to raising awareness about human rights among civil servants as a precondition for their exercise.

160. These trainings are part of the curriculum for regular and continuous training of judges, public prosecutors, the police and prison staff.

161. During the five years of its operation, the Academy for Judges and Public Prosecutors (AJPP) conducted initial trainings for four generations of candidates for judges and public prosecutors, for a total of 80 trainees.

162. In its education programmes, the AJPP devotes special attention to training of judges and public prosecutors in human rights, covering the following subjects: prohibition of torture and other cruel, inhuman or degrading treatment or punishment, freedom of expression, right to a fair trial, protection of the honour and dignity, rights of the child and prohibition of discrimination and domestic violence.

163. As regards training of prison staff, under the 2010 Programme for Initial and Continuous Training and Testing the Knowledge and Abilities of Employees at Penitentiary and Correctional Facilities and at Educational and Correctional Facilities and the Action Plan for its implementation, the Directorate for the Execution of Sanctions organizes initial and continuous training of employees at these institutions on previously set subjects and for a specific number of mandatory classes depending on the level of knowledge of the prison staff. The trainings cover topics related to all primary and secondary legislation governing the treatment of convicted and remand prisoners and juveniles.

164. Training of health care providers is conducted continuously, in accordance with public health care programmes of the Ministry of Health, which are adopted annually and are part of the "Health for All" programme, the tuberculosis prevention programme, the programme for active health protection of mothers and children, the programme for protection against HIV/AIDS, the programme for prevention and suppression of brucellosis in humans, the programme for regular medical examinations of pupils and students and the National Public Health Programme. These programmes include training of health care providers and production of educational materials for health care providers and promotional materials for the public.

165. At the Ministry of the Interior (MoI) there is a centre that provides continuous training of employees at the MoI on various subjects related to human rights within their competences. Since 2009, trainings have been conducted to fight against discrimination (for the special mobile unit Alpha), the role of the Ombudsman and the National Preventive Mechanism, the rights of persons deprived of their freedom and protection of human rights while performing policing duties.

166. In cooperation with the OSCE/ODIHR, training courses have been conducted for the manual "Countering Terrorism, Protecting Human Rights" and on human rights and the

investigation of terrorist crimes. In cooperation with the Ombudsman, officers in the Alpha Unit for Combating Street Crime underwent training on policing, police ethics and human rights. In cooperation with the United Nations Children's Fund (UNICEF), a series of training courses has been conducted for the Law on Juvenile Justice and juvenile rights (for uniformed police officers and police inspectors).

167. For the purpose of improving the quality of protection of personal data and educating officers about personal data protection, the Directorate for Protection of Personal Data, within its competences provides training to controllers and processing officers at State and public institutions and for those in the private sector.

168. The Commission for Protection of the Right to Free Access to Information of Public Character implements activities aimed to educate holders of information in enabling free access to information. The Commission provides training to officers responsible for processing requests for free access to information of public character employed at holders of information and to representatives of citizens' associations and non-governmental organizations. The training has been conducted regularly since the Law entered into force. Since the establishment of the Commission, 84 training courses have been conducted at the local and central levels, which were taken by approximately 800 officers responsible for processing requests for free access to information of public character at holders of information.

169. In order to raise awareness about human rights, from 2007 to 2012 the Ombudsman undertook a large number of educational and informative activities for civil servants and public employees at bodies of central and local government, prison staff, attendees at the Academy for Judges and Public Prosecutors, police officers, auxiliary staff of the Ombudsman and representatives of NGOs in the Republic of Macedonia.

6. Increasing awareness about human rights through educational programmes and informing the public with support from the Government

170. Reforms have been carried through in education, fostering awareness about human rights through the education process.

171. The Concept of Nine-Year Primary Education was introduced in the 2007/2008 school year and incorporates the principle of non-discrimination, as follows: "The school shall take all necessary steps to ensure protection of the child (pupil) against all forms of discrimination during his or her stay in the school and all activities in the educational process. The school shall promote and enable the exercise of the rights of each pupil and the enjoyment of benefits of the educational process without any discrimination on the grounds of race, colour of skin, sex, language, religion, national, ethnic or social background, property status, disability or any other status of the child or his or her parent or legal guardian".

172. Syllabuses have been designed for the first, second, third and fourth grades. The development goals set by the curriculum for the subject "Introduction to natural sciences" include: "Human relations between the sexes should be fostered among pupils".

173. The gender and development programme has been implemented, mainstreaming gender in syllabuses, curricula and textbooks. Six regional trainings have been conducted for secondary school teachers on gender mainstreaming in the education process.

174. The one-year programme "Gender-Sensitive Education" was concluded in December 2008. The programme introduced the concept of gender sensitivity in the curriculum for Life Skills, which is taught during class teacher classes. A Life Skills Education manual has been issued.

175. Fifteen two-day trainings have been held for 320 teachers from 312 primary schools in 71 municipalities aimed to strengthen the capacities of first-grade to fifth-grade teachers with skills and knowledge to recognize stereotypes and prejudices in textbooks and instructional materials about the roles of girls/women and boys/men in society.

176. In December 2008 and in January 2009, six educational workshops were held on gender sensitization and gender mainstreaming in the work of social workers, health care providers and the police. The workshops educated and strengthened the capacities of 80 professionals.

177. In 2010, the Ministry of Labour and Social Policy conducted an informative campaign in 10 municipalities by organizing open days for direct contact of citizens with representatives of the Ministry of Labour and Social Policy and the legal representative for unequal treatment of women and men. The campaign aimed to inform citizens about the Law on Equal Opportunities of Women and Men and the protective mechanism in cases of discrimination on the grounds of sex. Educational and informative brochures and flyers were produced and an infomercial was aired on the local media in these municipalities.

178. Upon the adoption of the Law on Prevention of and Protection against Discrimination, a large number of activities were implemented for its promotion among the public and for awareness raising, complemented by a great number of trainings and conferences for in-line bodies at the national and local levels that operate in the area of antidiscrimination and equal opportunities.

179. A non-discrimination and equal opportunity campaign was organized, aimed at raising public awareness about the importance and significance of antidiscrimination as a social process and at promoting the competences of the Legal Representative for Gender Equality. The "Equal Opportunities – Do Not Discriminate" campaign included a series of promotional activities, public events, direct meetings with citizens and journalists and panel discussions. The campaign concluded on 17 December 2011 with the presentation of the best painting, best essay and best photograph awards for the competition on the theme of "Gender Equality and Non-Discrimination".

180. For the purpose of preparing for the practical implementation of the Law on Prevention of and Protection against Discrimination, the project "Implementation of the Law on Prevention of and Protection against Discrimination" was carried out in cooperation with the British Council in the Republic of Macedonia. The project included several trainings and educational seminars for promotion of the Law and creating conditions for its successful implementation. Regional workshops have also been organized, focusing on improving interdepartmental cooperation when processing cases of discrimination, whereas meetings have also been held with the Mayors of 12 municipalities, which discussed the memorandum of cooperation on promotion of the concept of non-discrimination between the local self-government and the Ministry of Labour and Social Policy.

7. Raising awareness about human rights through the mass media

181. The Government of the Republic of Macedonia has established partnership cooperation with the media on raising awareness about human rights.

182. The Government contributes to increasing awareness about human rights by promoting the signing and ratification of human rights conventions by the Republic of Macedonia in printed and electronic media. Furthermore, the Government reports regularly, through the media, on the adoption of laws designed to further improve the legal framework for protection and advancement of human rights in accordance with the European Union acquis and ratified conventions.

183. Thus, as part of its activities for signing the Council of Europe Convention on preventing and combating violence against women and domestic violence, in 2011 the Ministry of Justice of the Republic of Macedonia announced the signing of this Convention by the Republic of Macedonia in the printed media and reported on the new international standards set by the Convention.

184. Within the campaign of the Government of the Republic of Macedonia for prevention of and combating domestic violence, the motto of which was “Let’s step out of the darkness of domestic violence together”, the Ministry of Labour and Social Policy and the Prevention Support Project of the UNDP Office promoted a brochure and an infomercial for this campaign through electronic and printed media in November 2011.

185. As part of the activities for ratification of the United Nations Convention on the Rights of Persons with Disabilities, the Government has informed, through printed and electronic media, that this Convention is ready to be ratified. At the same time, the Government has also supported the campaigns of non-governmental organizations for ratification of this Convention.

186. The Ombudsman reports regularly on the situation concerning the respect for human rights within its competences through electronic and printed media.

187. In 2008, a short animated film was uploaded on the website of the Commission for Protection of the Right to Free Access to Information of Public Character, marking the launch of the media campaign for raising public awareness, that is, for informing and educating citizens about their constitutionally guaranteed right to free access to information of public character.

188. In cooperation with the Macedonian Radio and Television, the Commission produced a 45-second infomercial in 2011. The infomercial was aired for two months in two time slots and in two languages – Macedonian and Albanian – on the first and second channels of the Macedonian Television. The primary goal of this television campaign was to inform the wider public about the relatively new legal right and promote free access.

8. The role of civil society, including non-governmental organizations

189. The goal of the Strategy for Cooperation of the Government with the Civil Sector (2007-2011) is to improve the cooperation between the Government and the civil society by strengthening the consultative role of associations and foundations in the policy-making process and enhancing confidence in civil society. The Strategy sets out the guidelines for improving the legal framework; the participation of civil society in policy-making; pursuing inter-institutional cooperation; pursuing interdepartmental cooperation; inclusion of civil society in the European Union integration process; creating more favourable conditions for financial sustainability of civil society; and continuous development of civil society.

190. The activities for implementation of the Strategy are coordinated by the Unit for Cooperation with Non-Governmental Organizations at the General Secretariat of the Government. The Unit produces and submits an annual report to the Government of the Republic of Macedonia about measures and activities taken under the Strategy for Cooperation of the Government with the Civil Sector. The reports are published on the website of the Unit (www.nvosorabotka.gov.mk).

191. The Unit for Cooperation with Non-Governmental Organizations provides administrative support to the Commission for Allocation of Funds for Financing Activities of Associations and Foundations under the Budget of the Republic of Macedonia.

192. In July 2011, the Government of the Republic of Macedonia adopted the Code of Good Practices for Participation of the Civil Society in the Policy-Making Process. The Code is designed to promote the cooperation of the Government and State administration

bodies with civil society through effective and regular communication and consultations in the policy-making process; and improve the quality of policy-making, decision-making and carrying out the policies established by the Government and State administration bodies by utilizing the expertise of the civil society.

193. The 2012-2017 Strategy for Cooperation of the Government with the Civil Sector was adopted in June 2012.

9. Budget allocations and trends

194. In carrying out the legal reform, the Government relies on funds from the Budget, a loan from the World Bank and the pre-accession funds of the European Union.

195. More specifically, in the period 2006-2011, EUR 787,425 was allocated under the Budget of the Republic of Macedonia to the Ministry of Justice for implementing the justice system reform strategy, which envisaged building institutional capacities and improving judicial infrastructure and information systems. In 2012, the Budget of the Republic of Macedonia allocated EUR 1,300,000, or MKD 80 million, to the Ministry of Justice for further implementation of activities under the reform.

196. The value of the project for reconstruction of penitentiaries amounts to Euro 52,000,000 Euro 46,000,000 of which have been loaned from the Council of Europe Development Bank, while Euro 6,000,000 have been provided by the Government of the Republic of Macedonia.

197. According to data provided by the Ministry of Finance, the national budget expenditures per functional area in 2012 and 2013 were as follows:

Expenditures per functional area in million denars

<i>Functional area</i>	<i>2012</i>		<i>2013</i>	
	<i>Expenditures</i>	<i>Percentage of total expenditures</i>	<i>Expenditures</i>	<i>Percentage of total expenditures</i>
Public order and security	11.082	6.63	10.889	6.00
Health care	25.520	15.26	26.215	14.45
Education, science and sport	21.775	13.02	22.256	12.27
Social and child protection	54.096	32.35	57.889	31.91

D. The reporting process at the national level

198. The multi-sector and transparent approach is the fundamental principle underlying the national structure for producing reports of the Republic of Macedonia on international human rights conventions.

199. Although there is no single national institution that has exclusive competence for preparing (and informing on) these reports, a practice has been established that the Ministry of Foreign Affairs, the Ministry of Justice or the Ministry of Labour and Social Policy coordinate the reporting and report-producing processes. These processes involve the Government, ministries, bodies within ministries and independent bodies, such as the Ombudsman and non-governmental organizations. The establishment of the Interdepartmental Body on Human Rights should improve the coordination of the reporting process and will also facilitate the exchange of information for implementing the recommendations contained in reports of relevant United Nations committees.

200. The Ministry of Foreign Affairs coordinates the compiling of reports on the International Covenant on Economic, Social and Cultural Rights, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Elimination of All Forms of Racial Discrimination and on the Convention on the Rights of the Child and its optional Protocols; the preparing of the common core document on United Nations human rights conventions; and the producing of the National Report of the Republic of Macedonia under the Universal Periodical Review (UPR) and the Midterm Report of the Republic of Macedonia on the Progress in Implementing Recommendations. The Ministry of Justice coordinates the process of producing reports on the International Covenant on Civil and Political Rights, while the Ministry of Labour and Social Policy coordinates the preparing of reports on the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of Persons with Disabilities and its optional Protocol.

201. Upon compiling the reports, they are delivered for endorsement to the institutions involved in their preparation, and are then submitted to the Government of the Republic of Macedonia for adoption. Upon adoption by the Government, the reports are delivered to the relevant United Nations committee.

202. Upon receiving the final conclusions of human rights treaty bodies, the Ministry of Foreign Affairs forwards them to the competent ministries for further processing. The recommendations are taken into account in amending the relevant legislation and in fulfilling the international obligations of the Republic of Macedonia.

203. Civil society has been involved in the preparation of some reports (through workshops, publishing reports on comments on the websites of the ministries), but there has been no systematic approach for their inclusion. The Interdepartmental Body on Human Rights is working on devising modes for regular involvement of civil society in the reporting process.

III. Information about equality and non-discrimination and effective legal remedies

1. Equality and non-discrimination

204. The provisions of Article 9 of the Constitution relating to equality and protection against discrimination have been incorporated in series of national laws.

Law on the Prevention of and Protection against Discrimination

205. The Law on the Prevention of and Protection against Discrimination was adopted in 2010, in pursuance with recommendations of the European Commission for adoption of a comprehensive law on protection against discrimination. This Law ensures prevention of and protection against discrimination in the exercise of rights guaranteed under the Constitution of the Republic of Macedonia, under laws and under ratified international treaties. The Law prohibits any direct or indirect discrimination, invocation and stimulation of discrimination and helping in discriminatory treatment on the grounds of: sex, race, skin colour, gender, belonging to a marginalized group, ethnic origin, language, citizenship, social origin, religion or confession, other types of belief, education, political belonging, personal or social status, mental and physical disability, age, family or marital status, property status, health condition or on any other grounds established by law or by ratified international agreements.

206. This Law is applied by all State bodies, bodies of the local self-government, legal persons with public authorities and legal and natural persons in areas of: work and labour relations; education, science and sport; social security, including social protection, pension and disability insurance, health insurance and health protection; judiciary and administration; housing; public informing and media; access to goods and services; participating and being active in trade unions, political parties, associations of citizens and foundations or any other organization based upon membership; culture and other areas determined by law.

207. The Law contains provisions regarding the following forms of discrimination: direct and indirect discrimination, harassment, discrimination against persons with mental and physical disability, invocation and stimulation of discrimination, victimization, discrimination in provision of goods and services and more severe forms of discrimination.

208. The protection against and the prohibition of discrimination applies to all natural and legal persons. The Law also stipulates judicial protection. Namely, the person considering that some of his/her rights have been infringed because of discrimination is entitled to file a lawsuit with the competent court. Under the lawsuit the person may request the court to determine that the defendant has violated the right of the plaintiff to equal treatment, i.e. that the action that the defendant has undertaken or overlooked may directly lead to violation of the right to equality of treatment; or that the court prohibit undertaking actions violating or actions that may violate the right of the plaintiff to equal treatment, i.e. that court order undertaking actions to eliminate the discrimination or its consequences; or that the court order compensation of the material and non-material damage caused by the violation of the rights protected by this Law; or that the verdict establishing the violation of rights to equal treatment is published in the media at the expense of the defendant.

209. According to Article 38 of this Law, if a party to a court procedure claims that his/her right to equal treatment in pursuance with this Law has been violated, the party is obliged to state all the facts and evidence justifying his/her claim. The responding party has the burden of providing evidence that there has been no discrimination.

210. The Law regulates the procedure for the prevention of and protection against discrimination before the Commission for Protection against Discrimination.

211. The Commission for Protection against Discrimination was established in December 2010, in accordance with the Law on the Prevention of and Protection against Discrimination. The Commission is composed of seven members. The Commission has the following competences: acts upon complaints, gives opinions and recommendations for concrete cases of discrimination; gives information to the submitter of the complaint about his/her rights and opportunities for starting a court or other procedure for protection; institutes an initiative for starting a procedure before competent bodies because of perpetrated violations of the Law; submits an annual report to the Assembly of the Republic of Macedonia; informs the public about cases of discrimination and undertakes activities for promotion and education about equality, human rights and non-discrimination; monitors the implementation of the Law; raises initiatives for amendments to regulations for purposes of implementation and improvement of the protection against discrimination; gives recommendations to State bodies to undertake measures for administration of equality; gives opinions upon draft laws significant for the protection against discrimination. Furthermore, the Law on Protection against Discrimination stipulates that the Commission gives an opinion regarding the alleged discrimination within 90 days from the day of submission of the complaint and accordingly informs the submitter and the person against whom the complaint is submitted. In its written opinion, and after discrimination has been established, the Commission recommends a manner for eliminating the infringements of the right. The person to whom the recommendation is given is obliged to act upon the recommendation and to eliminate the infringement of the right within 30

days from the day of receipt of the recommendation, and to inform the Commission accordingly. According to Article 29 of the Law, if the person to whom the recommendation is given does not act upon the recommendation, or does not eliminate the infringement of the right, the Commission may raise an initiative for institution of a procedure before a competent body in order that the responsibility of that person is established.

212. In 2011, the Commission for Protection against Discrimination received a total number of 63 applications. In 16 applications no action was undertaken, in 4 cases discrimination was established, 2 cases were settled amicably, in 5 cases the procedure was stayed, and in 20 cases no discrimination was established. In 2012, the Commission received 74 cases, of which in 14 cases no actions were undertaken, while in 26 cases no discrimination was established.

213. In 2012, the Government of the Republic of Macedonia adopted a National Strategy on Equality and Non-Discrimination. This is a national document the basic purpose of which is to improve the status of the most vulnerable categories of citizens in society and to ensure continual progress in exercising rights to equality and non-discrimination. The National Strategy is focused on four grounds of discrimination (mental and physical disability, ethnic affiliation, age and gender), transposed into strategic goals and specific activities for their achievements, having also established indicators and entities responsible for the implementation of the Strategy.

214. The Law on Equal Opportunities of Women and Men was adopted in 2006. In 2008 the Law was supplemented, while in January 2012, with a view to advancing equal opportunities of women and men and to ensuring more efficient protection in cases of unequal treatment a new Law on Equal Opportunities of Women and Men was adopted.

215. Discrimination based on gender in the fields of employment and labour, education, social security, culture and sport is prohibited, both in the public and in the private sector, in accordance with this and other laws. Direct and indirect discrimination, harassment and sexual harassment are also prohibited.

216. The 2012-2020 Gender Equality Strategy and the 2013-2016 National Plan for Promotion of Gender Equality have been adopted in accordance with this Law.

217. The Law defines basic measures for attainment of the principle of equal opportunities, which represent normative measures in various fields that prohibit gender based discrimination. The Law stipulates an obligation for entities referred to in the Law to care for and to create conditions for securing equal treatment in the exercise and protection of rights and freedoms. The Law also foresees sanctions for the non-fulfillment of requirements and for violation of prohibitions.

218. In addition to these measures, the basic measures also include measures connected to the design of policies of: legislative, executive and judiciary bodies, bodies of units of local self-government, legal entities that have been authorized by law to perform activities of public interest, citizens' associations and foundations, education institutions, institutions in the field of social protection, medical institutions, scientific and cultural institutions, political parties and the media, which are aimed at the establishment of equal opportunities in terms of informing the individual and the public, programming of activities and development of strategies for specific areas of social life.

219. The Law regulates the procedure for the establishment of unequal treatment of men and women and guarantees the right to damage compensation.

Law on labour relations

220. The Law on Labour Relations incorporates the provisions of the Council Directive on equal pay for men and women, as well as of the Directive on equal access to employment, education and equal conditions for work and the Directive on the burden of proof in cases of discrimination.

221. Prohibition of discrimination is promoted under Article 6 of the Law which provides that: "The employer must not place the applicant or employee in an unequal legal position on the basis of race, skin colour, gender, age, health condition or disability; religious, political, or other conviction, trade union membership, national and social origin, family status, sexual orientation, or other personal circumstances. Men and women must be provided equal opportunities and equal treatment upon employment, promotion at work, training, education, re-qualification, pay, awards, absences from work, conditions for work, working hours and termination of employment contracts." The Law stipulates that any provisions of collective agreements and employment contracts which discriminate on any of the grounds referred to in Article 6 shall be null and void.

222. The Law prohibits direct and indirect discrimination, then it sets forth exceptions from the prohibition of discrimination and it defines the terms of harassment and sexual harassment.

223. Discrimination is prohibited with respect to: conditions for employment, including criteria and conditions for selection of candidates for a job, in any sector of activity and at all levels of professional hierarchy; promotion at work; access to all types and levels of professional advancement, re-qualification and improvement of qualifications; conditions for work, all rights deriving from employment and employment relations including equality of pay; termination of employment contracts and rights of members active in trade unions or employers' associations or members of any other professional organization, including privileges deriving from such membership.

224. Article 9 of the Law provides that harassment and sexual harassment represent discrimination within the meaning of Article 6 of this Law and are thus prohibited.

225. In cases of discrimination on grounds referred to in Article 6 of the Law, the job applicant or the employee has the right to demand damage compensation in the amount of five average salaries paid in the Republic of Macedonia.

226. If in a case of a dispute, the job applicant or the employee present facts that the employer has acted in contravention of Articles 6 and 9 of this Law, the employer has the burden to prove that there has been no discrimination, i.e. that the employer has acted in accordance with the legal provisions, unless the employer proves that the unequal treatment has been provided on grounds of exceptions referred to in Article 8 of the Law. Article 107 sets forth the obligation for the employer to provide equal pay for equal work in equal conditions, regardless of the gender of the employees.

227. In cases of discrimination on grounds referred to in Article 6 of the Law, the job applicant or the employee has the right to damage compensation in accordance with the provisions of the Contract Law.

Law on the Ombudsman

228. Following the Framework Agreement and the 2001 constitutional amendments, the Ombudsman has been given important competences in protection against discrimination. Namely, according to Amendment XI of the Constitution: "The Ombudsman shall give particular attention to safeguarding the principles of non-discrimination and equitable representation of communities in State administration bodies, units of local self-government and in public services."

229. With a view to implementing the constitutionally stipulated competences, in 2003, a new Law on the Ombudsman was adopted. According to Article 2 of this Law “The Ombudsman is a body of the Republic of Macedonia that protects the constitutional and legal freedoms and rights of citizens and all other persons when they have been violated with acts, actions and failures to act by bodies of the State administration and by other bodies and organizations having public mandates, and that undertakes actions and measures for the protection of the principle of non-discrimination and equitable representation of persons belonging to the communities in bodies of the State administration, bodies of units of local self-government and public institutions and services.”

230. Furthermore, according to this Law: Any person may submit an application to the Ombudsman when he/she considers that his/her constitutional and legal freedoms and rights have been violated or when there has been a breach of the principles of non-discrimination and of equitable representation of persons belonging to the communities in bodies having public competences.

231. The number of applications received, together with opened and completed cases processed by the Office of the Ombudsman in the period from 2007 to 2012 may be seen in the table below, as the number of completed procedures and the number of cases transferred to the next year.

Review of received and completed applications and pending applications on grounds of non-discrimination and equitable representation

Area	Applications received per year	Number of applicants	Transferred from the previous year	Total pending	Anonymous	Cases instituted by the Office of the Ombudsman	Manner of settlement of cases					Information submitted to Ministers	Information submitted to the Government	Information submitted to other bodies and organizations having public competences	Total of completed procedures	Pending cases	
							By a decision to terminate the case or not to institute a procedure	Resolved in another manner	Established violations								
									Issued opinions, suggestions, recommendations	Actions undertaken upon intervention by the Ombudsman	All required legal actions undertaken by the Ombudsman						Requests by the Ombudsman for action to be undertaken dismissed
2007- Non-discrimination and equitable representation	6	6	9	15			10								10	5	
2008- Non-discrimination and equitable representation	21	20	5	26		1	16		3	1	1	1			6	18	8
2009- Non-discrimination and equitable representation	20	20	8	28			9	2	9	4	3	2	3		2	18	10
2010- Non-discrimination and equitable representation	16	16	10	26			12	2	4	3	1					18	8
2011- Non-discrimination and equitable representation	42	53	8	50			16	2	19	11	7	1	2	1		36	14
2012- Non-discrimination and equitable representation	26	26	14	40			22			7						29	11
Total	131	141	54	185		1	95	6	35	26	12	4	5	1	8	129	56

232. In 2009, the Office of the Ombudsman established an electronic system for processing cases in areas of non-discrimination and equitable representation. Under this system applications received, i.e. cases, are registered/processed in separate areas in line with the Law and Rules of Procedure of the Office of the Ombudsman. Therefore, it is underlined that the statistical data does not correlate fully to the 19 discriminatory grounds

referred to in the Law on the Protection against Discrimination (Official Gazette of the Republic of Macedonia No. 50/10), considering that the system was introduced at the Office of the Ombudsman before the Assembly of the Republic of Macedonia adopted the Law on Protection against Discrimination.

233. In the context of the above stated, it is underlined that in 2009, the Office of the Ombudsman received 20 applications, of which 7 relating to labour relations, 4 relating to ethnic affiliation, 1 relating to election and appointment, 1 gender related application and 7 applications on other grounds.

234. In 2010, the Office of the Ombudsman received 16 applications, of which 4 relating to labour relations, 9 relating to ethnic affiliation, and 3 applications on other grounds.

235. In 2011, the Office of the Ombudsman received 42 applications, of which 2 relating to religion, 2 relating to labour relations, 15 relating to ethnic affiliation, 13 relating to mobbing and harassment, 1 relating to political conviction, 2 application relating to access to goods and services, 3 applications relating to equitable representation in employment, election and appointment, and 4 applications relating to other grounds.

236. In 2012, the Office of the Ombudsman received 32 applications, of which 1 relating to religion, 10 relating to labour relations, 7 relating to ethnic affiliation, 4 relating to mobbing and harassment, 1 gender-related application, 3 applications relating to equitable representation in employment, election and appointment, and 6 applications relating to other grounds.

237. Articles 3 to 6 of the 2006 Law on Courts stipulate that the objectives and functions of the judiciary are: impartial application of the law regardless of the position and status of the parties; protection, respect and promotion of human rights and freedoms; ensuring equality and non-discrimination on any grounds; ensuring legal security based on the rule of law. Everyone is entitled to equal access to courts for protection of their rights and legal interests.

238. The Law on Health Care provides that all citizens have the right to the highest possible standards of respect for human rights and values in the provision of health care, i.e. all citizens have the right to physical and mental integrity and security of the person, as well as to respect for their moral, cultural, religious and philosophical beliefs. Furthermore, the Law stipulates that the non-discrimination principle is ensured through the prohibition of discrimination in provision of health care services on grounds of race, gender, age, ethnic affiliation, social origin, religion, political or other conviction, property status, culture, language, type of illness, mental or physical disability.

239. In the context of patients' rights, the Law on Protection of Patients' Rights prohibits discrimination on grounds of gender, race, colour of skin, language, religion, political or any other opinion, ethnic or social origin, belonging to an ethnic minority, material status, origin by birth, sexual orientation or any other status.

240. Furthermore, in the exercise of social protection rights, the Law on Social Protection prohibits direct and indirect discrimination on grounds of gender, race, colour of skin, national, ethnic, social, political, religious, cultural, linguistic and social affiliation, disability and origin.

241. The Law on the Protection of Children prohibits any form of direct or indirect discrimination and ill-treatment in the exercise of rights to child protection and in the use of any forms of child protection.

242. The Law on the Legal Status of Church, Religious Community and Religious Group, adopted in 2007, places a special emphasis on the freedom of conviction and religion as a

private matter of the individual, as well as on equality of citizens in their rights and duties, regardless of their religious, ethnic and racial affiliation, etc.

243. The Criminal Code guarantees criminal law protection against discrimination and inequality. Thus, Chapter 15 of the Criminal Code – Crimes against human rights and freedoms – sanctions the following crimes: Article 137: Violation of the equality of citizens; Article 144: endangering the security; Article 319: Causing national, racial, or religious hate, discord, and intolerance.

244. Under the amendments to the Criminal Code adopted in September 2009, a new crime is sanctioned under Article 394-d: Dissemination of racist and xenophobic material through computer systems.

245. Furthermore, in following with the recommendations contained in the IV Report of the European Commission against Racism and Intolerance, which, inter alia, require to envisage racial discrimination as an aggravating circumstance in the criminal legislation, upon the adoption of the Law Amending and Supplementing the Criminal Code, in September 2009, Article 39, containing provisions on meting out the sentence was supplemented with a new subparagraph 5, according to which: “While meting out the sentence, the court shall particularly take into consideration if the crime was committed against a person or group of persons or property, directly or indirectly, due to his/her or their national and social background, political and religious belief, wealth and social position, gender, race or colour of skin.”

Gender equality

246. According to the Law on Labour Relations, men and women must be ensured equal opportunities and equal treatment in employment. Measures providing for special protection and assistance to certain categories of employees, as set forth in the Law on Labour Relations, collective agreements and employment contracts, i.e. measures providing for special protection of and assistance to a specific category of employees, especially the disabled, the elderly workers, pregnant women and women exercising any of the maternity protection rights, as well as provisions envisaging special rights for parents, adoptive parents and adopted children must not be considered as discriminatory.

247. Gender equality is guaranteed in advertising job openings. The employer must not advertise the job opening only for men or only for women, unless a specific gender is a necessary requirement for the performance of the job.

248. The National Employment Strategy was adopted in 2011, with a view to improving women’s employment rate. The Strategy envisages active measures to be undertaken until 2015 in order to reach a 42 per cent employment rate of women at the age of 15 to 64 (in 2009 this rate was 29.4 per cent). The Strategy also envisages programs for advancement of employment, self-employment, and women’s entrepreneurship.

249. In January 2008, the Sector for Equal Opportunities at the Ministry of Labour and Social Policy, together with the Ministry of Education and Science started the project entitled “Gender Sensitive Education”. The Project consisted of 15 two-day trainings for teachers in primary schools in the Republic of Macedonia. In addition, a Handbook on Non-Discrimination in the Education System of the Republic of Macedonia was published under this Project.

250. In 2009, with UNIFEM support, a one-year program of gender budgeting in the context of the budget policies of the Government of the Republic of Macedonia was implemented. Under this gender budgeting initiative, an analysis was made of some of the policies in areas of labour relations and employment and of some of the social protection policies.

251. In parallel with these activities, the 2007-2012 National Action Plan on Gender Equality was adopted. This Action Plan designs policies and measures aimed at promoting and protecting women's rights in all areas of social life. The Action Plan was prepared in the Macedonian, Albanian and English languages and was promoted throughout the country. It contains 10 strategic and priority areas of action, while defining the approach to implementing the measures under one-year operative plans.

252. In accordance with the Action Plan, in March 2009, a Program of Equal Opportunities of Women and Men at the Ministry of Defense and at the Army of the Republic of Macedonia was adopted. This Program was aimed at promoting possibilities and manners of designing basic and special measures and activities to contribute to creating equal opportunities for men and women working at the Ministry of Defense and serving the Army of the Republic of Macedonia.

253. In addition, the National Action Plan for Advancing the Social Status of Roma Women in the Republic of Macedonia was adopted in 2010, covering the period from 2011 to 2013. The aim of this Action Plan is to advance the social and economic integration of the Roma. Thus, there have been workshops organized in three municipalities for unemployed Roma women.

Domestic violence

254. In the last period, the Government of the Republic of Macedonia has been continually undertaking specific activities and measures to counter domestic violence.

255. The national legislation sets up a relevant framework of preventive activities and treatment of consequences of domestic violence (the Law on the Family, the Law on Social Protection and the Criminal Code). This framework is further supported with national strategic documents – 2008-2011 National Strategy for Protection against Domestic Violence and the 2012-2015 National Strategy for the Prevention of and Protection against Domestic Violence. The legal sanctions against violence in marriage and in the family set forth measures and procedures for protection of victims of domestic violence, as well as measures for perpetrators of domestic violence.

256. The implementation of the 2008-2011 National Strategy for Protection against Domestic Violence has helped establish a comprehensive and efficient system in the country for prevention of and protection against domestic violence. This strategic document was focused on raising the public awareness, on improving services and the coordination among institutions, ensuring thus relevant protection for victims on the entire territory of the Republic of Macedonia. As a logical consequence of the progress made and goals achieved under the previous Strategy, in July 2012, the Government of the Republic of Macedonia adopted the 2012-2015 National Strategy of the Prevention of and Protection against Domestic Violence. This Strategy will be implemented in five strategic areas: prevention, protection, assistance and support to victims of domestic violence; prosecution of perpetrators; inter-sector cooperation and strengthening of institutional capacities; monitoring and evaluation.

257. Aiming at attaining a higher level of efficiency and joint work on the prevention of and protection against domestic violence, the Government of the Republic of Macedonia is now forming a National Coordination Body for prevention of and protection against domestic violence. This body will be composed of representatives of in-line ministries, Representatives of the ruling party and of the opposition at the Assembly of the Republic of Macedonia, and representatives of the National Network against Domestic Violence, composed of NGOs working on the issue of domestic violence.

258. Furthermore, in 2012, the Ministry of Labour and Social Policy and the United Nations (UNDP, UN Women) signed a project document "Preventing Domestic Violence

through competent national institutions and accountable and transparent judicial system". In the course of 2013, in the context of the legal and institutional framework for countering all forms of domestic violence, in cooperation with the United Nations, all bottlenecks will be identified in the judicial system when processing cases of domestic violence and capacities will be strengthened in order to ensure more efficient management of cases of domestic violence. These activities will be implemented with a developed methodology of making a comprehensive assessment of judicial procedures in cases of domestic violence and through the development of training modules based on the assessment of the management of cases of domestic violence with a view to enhancing the capacities of professionals to the end of 2013.

2. Vulnerable groups

Rights of persons with disabilities

259. According to Article 35 of the Constitution, the authorities provide particular protection for disabled persons, as well as conditions for their involvement in the life of the society. In pursuance with this constitutional principle, the Republic of Macedonia harmonizes its legislation with international standards on rights of disabled persons, while strengthening the institutional and human capacities necessary for ensuring inclusion of disabled persons in social life. In this respect, the following laws were adopted: Law on the Use of Sign Language, Law on Associations of Disabled Persons and Law on Employment of Disabled Persons.

260. Furthermore, with the aim of intensifying the process of ratification of the United Nations Convention on the Rights of Persons with Disabilities, in 2010, the Government of the Republic of Macedonia adopted the 2010-2018 National Strategy on the Harmonization of Rights of Persons with Disabilities (revised).

261. One of the goals of the Strategy is the establishment of legislative and institutional capacities for the implementation of the Convention on the Rights of Persons with Disabilities. In addition, the Strategy envisages provision of support to organizations of disabled persons and involvement of disabled persons in decision making processes on issues affecting disabled persons. In the context of the implementation of the Strategy, in 2010, the Government of the Republic of Macedonia established a National Coordination Body on Equal Rights of Disabled Persons in the Republic of Macedonia, which is composed of representatives of nation-wide organizations of disabled persons, ministries and institutions working in this area. The National Coordination Body considers all existing laws and regulations and proposes qualitative improvements to the benefit of disabled persons. All activities, the equipment and premises of this Body are financed under the Budget of the Republic of Macedonia.

262. In parallel with these activities, on 5 December 2011, the Assembly of the Republic of Macedonia adopted the Law on the Ratification of the United Nations Convention on the Rights of Persons with Disabilities and its Protocol. In November 2012, the Government of the Republic of Macedonia adopted a Decision to establish a National Coordination Body for the implementation of the United Nations Convention on the Rights of Persons with Disabilities in the Republic of Macedonia, which is chaired by the Minister of Labour and Social Policy. In addition to representatives of in-line institutions, members of this Body are also representatives of the National Council of Organizations of Persons with Disabilities of the Republic of Macedonia, as well as a representative of the Polio Plus movement working on the issue of disability.

263. In addition to other rights this category of persons exercise, the amendments to the Law on Social Protection, which entered into force on 1 July 2012, introduced a

supplement for blind persons and the right to supplement for immobile persons in the nominal amount of MKD 7,000. This supplement is paid to completely blind persons above the age of 26, i.e. those having a 100 per cent disability, as well as to persons with moderate, serious and severe mental disability, who cannot satisfy their basic life needs without the use of a wheelchair.

264. In 2012, in the Republic of Macedonia there were a total number of 411 protective workshops employing a total number of 3,417 disabled persons. In addition, the number of disabled persons having sole proprietor companies is 290, while about 600 disabled persons are employed at public administration bodies, units of local self-government or other companies which do not have the status of protective workshops.

265. The Concept of the nine-year primary education defines the principle of inclusion of pupils with special needs in regular primary education. The principle according to which children with special education needs are to be provided education in the system of regular schools close to their homes has been widely accepted.

266. According to the Law on Health Insurance, the provision of the orthopaedic and other aides is defined as a basic health care service. In addition, a Rulebook has been adopted which defines criteria for the exercise of the right to orthopaedic and other aides.

Rights of non-majority communities

267. The pursuance of the policy of advancement and protection of rights of persons belonging to non-majority communities in the Republic of Macedonia is a long-term commitment, the goal of which is the development of a society with a highly developed sense of integration and belonging of all citizens and respect for all individual cultural, linguistic, religious and other rights.

268. Following the 2001 Ohrid Framework Agreement, comprehensive reforms were undertaken in the Republic of Macedonia in the area of protection and promotion of rights of persons belonging to the communities, primarily through the adoption of amendments to the Constitution (V-XVII), which define the legal framework regulating the status of persons belonging to the communities. These constitutional provisions have been further elaborated in relevant laws relating to various aspects of the exercise of rights by persons belonging to the communities in different areas.

269. Amendment V to the Constitution of the Republic of Macedonia regulates the right to use of the languages of the communities. Amendment VI relates to equitable representation of citizens belonging to all communities in State administration bodies and other public institutions at all levels. Amendment VII relates to the legal equality of religious communities and religious groups. Amendment VIII relates to the free expression and development of the identity and specific features of the communities, to the use of symbols of the communities, to the establishment of cultural, artistic, educational and scientific institutions; the right to education in the mother tongue in primary and secondary education. According to Amendment IX, the authorities guarantee the protection, promotion and enhancement of the historical and artistic heritage of Macedonia and all communities in Macedonia. Amendments X, XI, XII, XIII, XIV, XV, XVI and XVII to the Constitution regulate the issue of participation of persons belonging to the communities in the Republic of Macedonia in the work and in the decision making process at the Assembly of the Republic of Macedonia, at the Committee for Relations among the Communities, the Security Council, the Constitutional Court and units of local self-government.

270. More than 70 laws have been adopted and/or amended for the purpose of implementing the constitutional amendments.

271. The Secretariat for the Implementation of the Framework Agreement is tasked with implementing strategies and other decisions adopted by the Government.

272. In January 2007, the Government of the Republic of Macedonia adopted the Strategy on Equitable Representation of Non-Majority Ethnic Communities in the Republic of Macedonia.

273. Persons belonging to the communities have the right freely to express, foster and develop their identity and community attributes. The authorities guarantee the protection, promotion and enhancement of the historical and artistic heritage of Macedonia and all communities in Macedonia and the treasures of which it is composed, regardless of their legal status. This principle is confirmed under Amendment VIII of the Macedonian Constitution.

274. The Law on the Promotion and Protection of Rights of Communities that represent less than 20 per cent of the Population in the Republic of Macedonia and the Law on the Use of Languages Spoken by less than 20 per cent of the Population were adopted in 2008. The Agency for the Exercise of Rights of Communities was established in accordance with the Law on the Promotion and Protection of Rights of Communities that represent less than 20 per cent of the Population in the Republic of Macedonia.

275. The Ministry of Culture has established a Department for the promotion and advancement of the culture of the communities in the Republic of Macedonia, which provides support for the promotion and expression of the specific cultural attributes of the non-majority communities.

276. The Ministry of Education and Science has established a Department for Development of Education in the Languages of Persons Belonging to the Communities and an Education Development Bureau, which work on advancing the right to education in the languages of the communities.

Roma

277. Policies and activities for inclusion of the Roma in the Republic of Macedonia have been set forth under the National Strategy for the Roma in the Republic of Macedonia and the 2005-2015 Decade of Roma Inclusion, i.e. in the relevant National Action Plans for implementation of specific activities in areas of education, housing, health care and employment, which will be revised in the course of 2013. Municipalities in which the majority population is Roma have designed local action plans that are implemented according to their available budgets.

278. There are various policies, programs and projects implemented at all levels of the education process, in order to ensure support to the integration and to the increase of the number of Roma students, as follows:

Pre-school education

- Inclusion of Roma children in pre-school education.

Primary Education

- Roma families are exempt from payment of administrative fees for issuance of immunization certificates. This fee mostly burdened Roma families and was a serious obstacle for the enrolment of Roma children in schools;
- A Handbook has been published on non-discrimination in the education system of the Republic of Macedonia in the Macedonian, Albanian, Bosniak, Vlach, Roma, Serbian and Turkish languages. The Handbook has been distributed in all primary

and secondary schools. There have been also two trainings for authorized State and local education inspectors for monitoring the application of the Handbook. The Handbook places special emphasis on Roma pupils, as one of the most vulnerable categories;

- There has been a textbook published in the Roma language for the subject of Language and Culture of the Roma. Hence, under the project for free of charge textbooks for all students, in the 2010/2011 academic year, the Ministry of Education and Science provided for the first time free textbooks for the optional subject of Language and Culture of the Roma for the third, fourth and for the fifth grade pupils. The total circulation of the textbook was 1,300.

Secondary Education

- Project for scholarships and mentorship of Roma students of the I, II, III and IV year of secondary education in the 2010/2011 academic year (613 students were granted financial assistance for the 2010/2011 academic year);
- As regards the mentorship activities, a Committee of 160 professors has been established at the Ministry of Education and Science in various natural science and humanities subjects, for which the Roma students state that they need assistance;
- Assistance in preparing for the secondary school graduation exam for students of the IV year of secondary education;
- Facilitated criteria for enrolment of Roma students in public secondary schools (students belonging to the Roma ethnic community may enroll in a given secondary school even if they have won up to 10 per cent less points than the number of points set forth in the Competition for enrolment in secondary schools and if they fulfill the additional criteria for skills and knowledge required for enrolment at the given secondary school);
- Construction of a combined general secondary education and vocational education school in the Municipality of Shuto Orizari, in which the majority of the population are Roma. According to the envisaged schedule of activities, the school construction is to be completed by the start of the next 2012/2013 academic year.

279. Eleven Information Centres have been opened in cooperation with Roma non-governmental organizations, under the project for opening Roma Information Centres, the goal of which is to inform, provide assistance and support to persons belonging to the Roma ethnic community in fulfilling their practical needs and for their prompter integration, in pursuance with the priority areas set forth under the Roma Decade and Strategy.

280. In April 2011, the OSCE Mission in Skopje and the Ministry of Labour and Social Policy concluded a Memorandum of Cooperation for the implementation of the project of Legal Assistance to the Roma Community. In cooperation with the Ministry of Labour and Social Policy, OSCE has also opened mobile legal offices mainly in settlements with a larger concentration of the Roma population, which are located and function at NGO premises.

281. As regards employment, the Employment Agency implements active employment programs/measures in pursuance with the 2011 Operative Plan of Active Employment Programs and Measures. Such measures involve employers and unemployed Roma, in addition to other persons registered as unemployed with the Employment Agency of the Republic of Macedonia.

282. The 2011 Operative Plan envisages 2 programs specifically intended for employment of unemployed Roma: Self-Employment Program, which has as one of its target groups unemployed Roma. The Program is implemented through training of unemployed persons interested in learning about entrepreneurship, designing solid and sustainable business plans, assistance in registering a business and getting subsidies for starting a business. Under the Roma Support Program, the training will be focused on professions which are in demand at the labour market, in line with the results of the Analysis of the demands at the labour market in the Republic of Macedonia and in line with information of the professional services of the Employment Agency of the Republic of Macedonia. In addition, persons covered by the trainings will be provided with remuneration in the amount of MKD 4,700 to cover the alimentation and transport costs during the days of training. This amount also includes personal income tax and insurance in case of accident at work and occupational diseases. Persons registered as unemployed who have not been included in the Program for Employment Preparation are eligible to participate in this Program of training for professions in demand.

283. In addition to active employment measures, as part of their regular work, employment centres provide unemployed Roma other types of services, such as mediation in employment, workers' club services (information, counselling, various types of trainings), etc.

284. As regards housing, the general consideration is that the living conditions of the Roma are very bad, often below the proclaimed standards for proper housing. In light of such a situation, in 2010, the Government of the Republic of Macedonia signed Memorandums of Cooperation with 19 municipalities with the purpose of undertaking coordinated actions for the resolution of the problems of the Roma, and in order to ensure budget funds for certain activities at the local level intended for the Roma. As a result of the signed Memorandums of Cooperation, under the 2011 Budget of the Republic of Macedonia, funds in the amount of MKD 10,986,000 were allocated for implementation of projects in line with the Roma Decade and Strategy in the Republic of Macedonia and in line with the Housing Action Plan. Thus, the following projects were implemented:

285. Based on the advertisement published in 2009 for allocation of apartments constructed under the Project for provision of housing for socially vulnerable groups – F/P 1674, which is partially funded with a loan in the amount of Euro 25,350,000 from the Council of Europe Development Bank, under the Loan Agreement F/P 1674 (2009) and with 25,350,000 from the Budget of the Republic of Macedonia, in 2011, a total number of 30 apartments were allocated to persons belonging to the Roma community as follows: 10 families in Ohrid, 4 families in Kicevo, 9 families in Kavadarci and 7 families in Kocani.

286. According to certain assessments, about 70 per cent of the Roma do not possess property ownership deeds for their housing, i.e. they live in illegally constructed houses and the legal status of their property is not regulated. With a view to resolving these problems, not only of the Roma population, but also of the population at large at the national level, in 2011, the Government of the Republic of Macedonia adopted the Law on the Legalization of Illegally Constructed Buildings. The fee for legalization is Euro 1 per 1 m². This Law will bring the greatest benefits to Roma.

287. In the health care area, aiming at improving the health status of Roma, in 2010, in cooperation with the civil sector, the Ministry of Health started implementing the project – “Roma Health Care Mediators”. The activities of the mediators have helped eliminate the barriers in the communication between Roma and health care workers. Their field activities have also helped identify families and persons that have no access to health care. Such families and persons have been informed about access to health care and health insurance and they have been informed about the availability of free of charge health care services, part of the preventive and curative programs of the Ministry of Health. Under this project,

15 health care mediators started working on 16 May 2012 in eight municipalities with predominantly Roma population.

288. Under the public health programs of the Ministry of Health (Program for obligatory immunization of the population of the Republic of Macedonia, Program for active health protection of mothers and children, Program for protection against tuberculosis and the National public health program) there are activities envisaged completely targeted for this vulnerable group. (Field activities for detection of children who have not been immunized or have been partially immunized, detection of persons with TBC, and provision of medicines and treatment).

Children

289. Article 40 of the Constitution of the Republic of Macedonia provides for special care and protection of children and of the family. The legal relations in marriage, family and non-marital partnerships are regulated under the Law on the Family. Parents have the right and duty to provide care and upbringing to their children. The authorities in the Republic of Macedonia ensure special protection of parentless children and children without parental care. Children born in marriage and children born out of wedlock have the same rights.

290. The Government of the Republic of Macedonia adopted a National Action Plan on Children's Rights covering the period from 2006 to 2015, which envisages the following priorities: fully incorporating the provisions of the Convention on the Rights of the Child, reducing child poverty, education of the public at large about children's rights, including all children in the education process, improving children's health care, adoption of a Law on Juvenile Justice, protection of children against all types of abuses, violence and exploitation. The National Action Plan on Children's Rights was revised in 2012. The implementation of the National Action Plan is a task of the National Commission on Children's Rights.

291. In November 2008, the Government of the Republic of Macedonia adopted an Action Plan for Prevention and Countering Sexual Abuse of Children and Paedophilia, covering the period from 2009 to 2012, which envisages measures and activities for provision of assistance and care to child victims of sexual abuse and paedophilia and measures for the establishment and advancement of a coordinated system of cooperation among government institutions and between the government and the non-governmental sector, working on all issues involved in this context. At the beginning of 2012, the Ministry of Labour and Social Policy promoted the website www.stop-pedofilija.org.mk, which can be used to report cases of sexual abuse of children and cases of paedophilia. One of the goals in this respect is to raise the public awareness about the problem of sexual abuse of children and about the problem of paedophilia and to motivate children who have been subjected to sexual abuse and paedophilia to report the cases. With a view to protecting children against sexual abuse and paedophilia, in 2012, 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, 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.

292. Article 44 of the Constitution of the Republic of Macedonia provides that everyone has the right to education. Education is accessible to everyone under equal conditions. Primary education is compulsory and is free. Under the amendments and supplements to the Law on Primary Education, primary education lasts nine years. According to the amendments and supplements to the Law on Secondary Education, adopted in April 2007, secondary education is also compulsory and free.

293. The Law on Juvenile Justice, adopted in July 2007, reforms the juvenile legislation and it implements standards set forth under ratified international conventions and documents on children's rights. Taking into consideration such standards, the Law is founded on the following principles: the principle of protection of juveniles and juveniles' rights, resettlement and assistance in the treatment of juveniles, restorative justice and prevention of juvenile delinquency.

294. The Law on the Protection of Children sets forth the system and the organizational set-up for provision of child protection, as an activity of public interest. The Law incorporates provisions of the Convention on the Rights of the Child, other relevant conventions, protocols and other documents.

295. By incorporating the provisions of conventions and other documents in the system of child protection, the focus is on the child as a holder of rights, as well as on protection of the right to life and development of children, protection of the best interests of the child, ensuring minimum standards for all children under equal conditions, respect for the right of children to freedom, to hold opinions and to free expression of their opinions, education, ensuring conditions for healthy life and ensuring other social rights. The Law contains provisions on protection against any form of discrimination and provisions on legal protection in cases of direct and indirect discrimination. Institutions tasked with ensuring protection for children are obliged to undertake all measures to protect children against illegal use or abuse of narcotics, psychotropic substances and precursors. In addition, the Law prohibits involvement of minors in armed conflicts and other armed activities, as well as children's involvement in religious organizing and activities, also prohibiting abuse of children for purposes of political or religious organizing and activities.

296. In June 2012, the Government of the Republic of Macedonia established a National Coordination Body for protection of children against abuse and neglect, which includes representatives of all in-line Ministries and non-governmental organizations. This Coordination Body is chaired by the Minister of Labour and Social Policy. In December 2012, the Government of the Republic of Macedonia adopted a National Action Plan for the prevention of and countering abuse and neglect of children, covering the period from 2013-2015, supported by an operative plan setting out specific activities for the prevention and dealing with abuse and neglect of children to be pursued in 2013.

297. With a view to ensuring a systematic and holistic approach to dealing with the issue of children on the street, an Action Plan is now designed for the period from 2013 to 2015, focusing on social and health protection of these children and on various forms of their inclusion in the education system of the Republic of Macedonia. The Action Plan is to be adopted in the first quarter of 2013.

298. A free SOS line has been introduced (15505), which can be used to report cases of children on the street or cases of child victims of sexual abuse.

The elderly

299. On 13 July 2010, the Government of the Republic of Macedonia adopted the 2010-2020 National Strategy for the Elderly. The goal of the Strategy is to design an integral and coordinated policy for protection of the elderly, with a focus on improving the quality of their life, their social and economic status, then strengthening the social cohesion, encouraging and sustaining their independent life, preventing their marginalization and development and enhancement of the social and health protection systems. The mission will be accomplished through the implementation of the Operative Plan detailing measures defined in the Strategy to be undertaken by all institutions participating in the implementation of the Strategy. In addition, a National Coordination Body has been

established to monitor and evaluate the implementation of the Strategy. Representatives of all relevant in-line institutions are members of this Coordination Body.

300. The Ministry of Labour and Social Policy has called all Senior Citizens' Homes, which previously were registered as companies, to license themselves as institutions for social protection of the elderly, this being the only legal ground for their establishment. Thus, in addition to the four facilities for institutional accommodation of the elderly, the national capacities have now been increased with another 13 private entities-licensed institutions for social protection of the elderly. Most of the rest of the senior citizens' homes are now pursuing the procedure for their licensing.

301. In the last years, there have been intensive activities for developing non-institutional forms of care and assistance to the elderly under the legally prescribed forms: day care and provisional accommodation for the elderly, home care, provision of financial assistance to persons older than 65 years of age who are unfit for work, who have no livelihood, nor do they have any property or property right that can provide them with income and who cannot be provided assistance under the Law on the Family, are entitled to permanent pecuniary benefit in accordance with the Law on Social Protection. The Ministry of Labour and Social Policy provides support to all NGOs and municipalities that are prepared to work on and develop this type of non-institutional protection of the elderly.

302. Pensions will be increased by 5 per cent in 2013. This pension increase is part of the 2013 Budget calculations. In addition to the 5 per cent pension increase, there will be indexation, which depending on the costs of living and salaries trends will amount to about 2 per cent for the next year. Thus, the cumulative pension increase will be 7 per cent.

303. A project pursued in the last years has been the project of spa recreation and treatment of pension beneficiaries. More than 15,000 pensioners have been covered with this project. As a result of the great satisfaction of pensioners with the services under this project, the project will be continued in the coming four years and it is planned to cover about 40,000 pensioners.

304. In addition, in cooperation with the Public Transportation Company, the City of Skopje provides free of charge transportation for pensioners on Tuesdays and Fridays – for women over 62 years of age and for men over 64 years of age. As of 1 October 2012, this service is available also on Saturdays.

305. The Report on the continuation of the implementation of the Regional Strategy for implementation of the Madrid International Plan of Action on Ageing (MIPAA) in the Republic of Macedonia was prepared in October 2011.

3. Legal remedies

306. The right to appeal is a constitutionally guaranteed right. Namely, Article 15 of the Constitution guarantees the right to appeal against individual legal acts issued in first instance proceedings by a court, administrative body, organization or other institutions carrying out public mandates.

307. This constitutional provision has been incorporated in all procedural laws. Namely, the right to appeal is a fundamental principle contained in the Law on Courts, the Law on Criminal Procedure, the Law on Civil Procedure and in the Law on Non-Contentious Procedure. The dissatisfied party has the right to appeal against rulings of first instance courts. Courts of Appeal deliberate upon appeals against rulings of first instance courts under their jurisdiction.

308. In addition, these laws regulate the right to extraordinary legal remedy. The Supreme Court of the Republic of Macedonia has the competence of deliberating upon

extraordinary legal remedies against final court rulings. This Court also has the competence of deciding in the third and last instance upon appeals against rulings of Courts of Appeals.

309. The Law on Administrative Procedure guarantees the right to appeal against individual legal acts adopted in a first instance procedure by an administrative body or organizations or other institutions having a public mandate.

310. According to the Constitution, the Constitutional Court protects the freedoms and rights of the individual and citizen relating to the freedom of conviction, conscience, thought and public expression of thought, political association and activity as well as to the prohibition of discrimination among citizens on the grounds of gender, race, religion or national, social or political affiliation.

311. In addition to the abstract normative control, the competence of the Constitutional Court also encompasses review of individual acts and activities or public authority bodies, which citizens believe have violated some of their constitutional rights. In addition to direct petitions (constitutional complaint) for the protection of rights violated by an individual act or activity, citizens may also lodge a constitutional complaint against an administrative act or against a court ruling adopted in any instance.

312. In the context of measures for enforcement of judgments of the European Court of Human Rights, which the Republic of Macedonia undertakes with a view to designing an effective legal instrument to overcome the greatest problem, as established by the European Court of Human Rights, i.e. the problem with the right to a trial within a reasonable time, it is underlined that the 2006 Law on Courts and its 2008 amendments introduced a domestic legal remedy for the protection of the right to a trial within a reasonable time.

313. According to the relevant legal provisions, the Supreme Court of the Republic of Macedonia has the exclusive competence of deliberating upon petitions for the protection of the right to a trial within a reasonable period, in line with the rules and principles set forth under the Convention for the Protection of Human Rights and Fundamental Freedoms and relying on the case-law of the European Human Court of Rights. Articles 36 and 36-a define the procedure to be followed by the Court in such cases, defining as well the procedural preconditions to be fulfilled by the party lodging the petition.

314. According to Article 36 of the Law, the party may lodge the request for the protection of the right to a trial within reasonable time, in the course of the proceedings before domestic courts, or within six months at the most after the court ruling has become final.

315. In cases in which the Supreme Court will have established a violation of the right to a trial within reasonable time, in its ruling, the Supreme Court sets the deadlines within which the court before which the proceedings concerned take place must adopt a ruling about the right, obligation or criminal liability of the petitioner, and in addition the Supreme Court will award a just compensation for the party submitting the petition against violation of the right to a trial within reasonable time. Within eight days from the receipt of the ruling, the party dissatisfied with the ruling of the Chamber of the Supreme Court of the Republic of Macedonia has the right to lodge an appeal with the Supreme Court.

316. The just compensation is paid from the Judicial Budget within three months after the ruling of the Supreme Court has become final. In the context of implementing the relevant legal provisions in this area, a separate Department has been established at the Supreme Court for the protection of the right to a trial within reasonable time.

317. In its judgments of 2 November 2011, in the cases of Adzi-Spirkovska versus the Republic of Macedonia and Topuzovski versus the Republic of Macedonia, the European Court of Human Rights presented its opinion about efforts undertaken by domestic institutions in this context. Namely, the Court concluded that the legal remedy of lodging a

request with the Supreme Court of the Republic of Macedonia for the protection of the right to a trial within reasonable time represented an effective legal remedy within the meaning of Article 13 of the Convention, ensuring sufficient protection before domestic courts of all applicants whose right to a trial within reasonable time, guaranteed under Article 6 of the Convention, had been violated.

318. The fact that this domestic legal remedy has been assessed as effective by the European Court of Human Rights means that before applying to the Strasbourg Court with allegations for violation of the right to a trial within reasonable time, all citizens of the Republic of Macedonia will have to first use this domestic legal remedy. However, this obligation applies to potential applicants as of the day of publication of the relevant judgment of the European Court of Human Rights – 2 November 2011.

319. The amendments to the Law on Criminal Procedure adopted in 2004 introduce the right to a retrial in a criminal law case, regarding which the European Court of Human Rights has issued a final judgment. Thus, according to Article 418, paragraph 1, subparagraph 7, the criminal procedure which has ended with a final ruling may be repeated in favor of the convicted person, if under a judgment of the European Court of Human Rights a violation of human rights and freedoms has been established. This right is also regulated under the Law on Civil Procedure.

320. The right to damage compensation is regulated under the criminal, civil and administrative legislation. According to Article 13 of the Constitution: “A person unlawfully detained, apprehended or convicted has a right to legal redress and other rights determined by law.”

321. This provision is elaborated in Articles 578-586, of Chapter XXXIV of the Law on Criminal Procedure, which contains provisions on the procedure for award of compensation, rehabilitation and exercise of other rights by persons unlawfully convicted or deprived of freedom.

322. Article 11 of the Law on Administrative Disputes provides that in an administrative dispute restitution of impounded items may be requested, as well as compensation for the damage the plaintiff has suffered owing to the disputed act.
