



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

Distr.: General
22 February 2006

Original: English

**Committee on the Elimination of Discrimination
against Women
Thirty-fourth session**

Summary record of the 712th meeting

Held at Headquarters, New York, on Wednesday, 25 January 2006, at 3 p.m.

Chairperson: Ms. Belmihoub-Zerdani (Vice-Chairperson)

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06-22134 (E)

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In the absence of Ms. Manalo, Ms. Belmihoub-Zerdani, Vice-Chairperson, took the Chair.

The meeting was called to order at 3.05 p.m.

Consideration of reports submitted by States parties under article 18 of the Convention (continued)

Combined initial, second and third report of the former Yugoslav Republic of Macedonia (continued) (CEDAW/C/MKD/1-3; CEDAW/C/MKD/Q/1-3 and CEDAW/C/MKD/Q/1-3/Add.1)

1. *At the invitation of the Chairperson, members of the delegation of the former Yugoslav Republic of Macedonia took places at the Committee table.*

Article 6 (continued)

2. **Ms. Geleva** (The former Yugoslav Republic of Macedonia) said that the demand for prostitution was not criminalized in her country. However, the Government would conduct an analysis of the situation and also study relevant legislation in other countries, in order to determine whether its laws should be amended. The offering of prostitution services was classified in her country as a misdemeanour.

3. **Ms. Grozdanova** (The former Yugoslav Republic of Macedonia) said that the Ministry of Labour and Social Policy was spearheading efforts to raise awareness of the issue of trafficking in women and children. The Ministry had set up a national referral office to coordinate all related activities, as well as a network of shelters for victims of trafficking.

Articles 7 and 8

4. **Ms. Zou** said that the State party's report did not include sufficient information about women's participation in political and public life at all levels of the political system. She hoped that the next report would provide such data, on a sex-disaggregated basis. The report also stated that traditional stereotypes were affecting women's level of participation, that women did not understand politics and that the media did not cover the issue adequately. She therefore wondered what measures the Government was taking to address the problem, with particular regard to publicity and efforts to educate women.

5. The report indicated that there were very few women and minorities in decision-making positions, and she would therefore be grateful to know whether the Government had taken any steps to increase their participation, notably by introducing temporary special measures. She was disappointed that the State party had provided no information in response to the Committee's question on the subject.

6. **Ms. Coker-Appiah**, noting that in 2002 the State party had introduced a system of proportional representation and a minimum quota of 30 per cent representation of women on electoral lists, asked what other measures the Government had taken to address traditional perceptions of gender roles, and how it enforced its electoral reforms. She urged the State party to take steps to increase the participation of minority women in political life, and asked whether minority women were eligible to vote.

7. **Ms. Gaspard** wondered whether the Government planned to raise the 30 per cent minimum quota and introduce a quota for its executive branch. She also wished to know what measures the Government had taken to encourage women to participate in the electoral process.

8. **Ms. Popescu** said that she would be grateful to know how the State party planned to reactivate its women's forums and enhance cooperation with NGOs and women's organizations with a view to empowering women and raising their awareness of their rights. One useful tool for building women's confidence was to promote women role models. Although women's participation in entrepreneurship was very low, she welcomed the country's active civil society and its increasing number of NGOs.

9. **Ms. Šimonović** said that the general trend regarding women's political participation was very positive. She wondered whether sanctions were provided for parties which failed to observe the 30 per cent quota, whether the State party had plans to regulate the rights of women diplomats, and how it planned to increase women's participation in foreign affairs.

10. **Ms. Patten** said the State party was clearly aware that equality in political decision-making was a necessary precursor to the integration of the gender dimension in Government policymaking. However, she wondered whether it planned to review its electoral laws, given that the introduction of the 30 per cent

minimum quota had not produced the desired results. She also wished to know what measures it had taken to encourage women to participate in the electoral process, political activities and other leadership areas, to increase the involvement of minority groups in public life, and to increase women's participation in international organizations.

11. **Mr. Jakimovski** (The former Yugoslav Republic of Macedonia) said that women accounted for just over half his country's executive Government and that three of its 17 ministers were women. The presidents of the Constitutional Court, the State Judicial Council and two out of three Courts of Appeal were women, as were some 54 per cent of all judges. Women's participation in political parties was not being frustrated by the political parties themselves; it was more a question of women's personal choice. If a political party presented a list with a women's quota below 30 per cent, that list was rejected. Moreover, in accordance with the Law on Equal Opportunities for Women and Men, the minimum quota would be raised to 40 per cent. His country would examine the reasons for the lack of women entrepreneurs, which was a very important issue. Efforts were being made by NGOs to support women entrepreneurs, particularly in the banking sector.

12. **Ms. Mingova-Krepieva** (The former Yugoslav Republic of Macedonia) said that although the 30 per cent quota had not been entirely successful, the number of women members of Parliament had increased from 21 in 2002 to 25 by 2005. In 2002, for the first time, an ethnic Albanian woman had been elected to Parliament and there were currently a total of four. Women also chaired several committees and working groups in Parliament. Although political parties had complied with the 30 per cent quota rule, women tended to be lower on the candidate lists and were therefore less likely to be elected. Parliament was in the process of discussing a new Electoral Code and women members of Parliament, supported by non-governmental organizations, were working to ensure that women candidates had a more appropriate ranking on the candidate lists.

13. At the local level, again due to the fact women were often relegated to the bottom of electoral lists, only 22.7 per cent of elected representatives were women. Currently one Roma woman and four other minority women were members of local councils; that should encourage others to become candidates. She

found it somewhat surprising that women were better represented on rural councils than in urban councils and noted that eight municipalities had no women representatives at all. She stressed that all political parties had pledged to improve the representation of women and recognized the obligation to meet the 30 per cent quota, which would certainly be increased pursuant to the Law on Equal Opportunities.

14. With regard to other mechanisms to assist women, she said that in order to address the difficulty women entrepreneurs had in providing collateral for loans, for example because their mortgages were jointly owned by their spouse, the Government had passed a law whereby the Government would act as guarantor of any loan, thereby replacing the requirement for collateral with a State guarantee.

15. **Ms. Geleva** (The former Yugoslav Republic of Macedonia) said the rights enjoyed by women in the civil service did not apply to foreign service employees overseas; to date her Government had not had to deal with a situation such as a pregnant colleague in a foreign posting. With regard to the representation of women in the foreign service and diplomatic corps, she referred the Committee to the relevant sections of her delegation's written report and replies; approximately 50 per cent of the Ministry of Foreign Affairs staff and 24 per cent of diplomatic staff were women. Unfortunately, women were poorly represented at senior levels; for example, although there had been a woman minister, there had never been a woman State secretary and of the 17 State councillors, the highest non-political positions, only 3 were women, including herself and she was not Macedonian.

16. A new law governing the foreign service was being drafted and a group of women representatives in the Ministry were seeking an amendment to ensure that women were appropriately represented at senior levels. With regard to international organizations, she said few Macedonians were employed by international organizations and virtually no data was available in that regard.

Article 10

17. **Ms. Tavares da Silva** stressed that given the State party's multicultural and multi-ethnic population, it was important to promote the equality of women with men and also promote equality for minority women with other women. She therefore found the lack

of information on the situation of minority women disappointing. Although some information on enrolment rates in secondary education for ethnic groups was provided in the report (pages 76 and 79), she requested data on the numbers of students at all levels, graduation rates, representation of minorities in the teaching staff and the educational success of ethnic groups, including the Roma.

18. According to information she had received from civil society sources, ethnic girls, including the Roma, had the highest illiteracy and dropout rates and the poorest attendance rates. Ethnic children often likewise had difficulties functioning in the Macedonian language and as a result were often sent to schools for the mentally handicapped or were marginalized by teachers and classmates. They were therefore at a disadvantage in the school system and received a poor education due to prejudice, stereotypes and marginalization and, as a result, had much greater difficulty finding employment. Programmes to meet the specific educational needs of those groups must be strengthened and policymaking and evaluation in general should take into account the need to improve the situation of minority women.

19. **Ms. Gaspard**, while noting with pleasure that a significant proportion of the teaching staff in higher education were women, said that the statistics presented were difficult to understand and at times seemed contradictory; every effort should be made to present such data in a clear manner, broken down by subject area. She asked whether teaching and research on gender issues was being carried out at the universities and whether bodies such as the Committees on Gender Equality, established in 10 cities, were working to promote gender issues. The difficulty of integrating gender issues into programmes and institutions was due to a lack of expertise and it was therefore important to have trained researchers and experts at the university level working on gender issues and contributing to the formulation of gender equality policies.

20. **Ms. Ivanova** (The former Yugoslav Republic of Macedonia) said articles 9 and 44 of the Constitution guaranteed equal educational opportunity and compulsory free primary education; the Ministry of Education likewise believed that all citizens should have equal access to education. Dropout rates were approximately 1 per cent overall for both genders; at the primary level the dropout rate was 1.42 per cent,

with Roma children making up approximately 10 per cent of dropouts, followed by ethnic Albanian children; between primary and secondary school approximately 0.5 per cent of children dropped out, nearly 17 per cent of whom belonged to ethnic minorities.

21. Her Government had extended the period of compulsory education to nine years by adding what had been a preschool programme; that would help prepare students for regular school. Local communities were responsible for providing children with free transportation to the nearest school. With regard to girls' enrolment rates, she said girls represented 52.33 per cent of university students, 45.5 per cent of secondary students and 48 per cent of primary students. Measures would be taken to improve girls' enrolment and retention rates at the secondary level by increasing awareness of girls' curriculum needs and by improving infrastructure, including promoting information technologies. It was hoped that such measures would reduce the dropout rate.

22. **Ms. Kamberi** (the former Yugoslav Republic of Macedonia) said improving the overall situation and educational success of Roma children was a priority, a special Roma educational fund had been established to help close the gap between Roma and non-Roma children. The fact that many Roma children spoke Roma at home made it difficult for them to succeed in school, when Macedonian was the language of instruction, and the family's economic situation often meant that they missed kindergarten. It was hoped that the new compulsory preschool year would better prepare them for regular school and improve primary level graduation rates. Plans were also under way in the Ministry to improve Roma children's participation in preschool activities so that they could improve their Macedonian and learn the curriculum more easily. The Ministry of Labour and Social Policy had allocated 220,000 euros to that purpose and additional funding would be sought from the Roma educational fund.

23. She was proud to report that there were 150 Roma students in university, many of them women. The rate of transition of Roma students from primary to secondary was a problem, often due to the family's financial situation. As a result, the Ministry of Education in cooperation with the Open Society Institute — Macedonia and the Roma educational fund, had made available 1,200,000 euros for scholarships to encourage secondary school attendance.

24. **Ms. Geleva** (The former Yugoslav Republic of Macedonia) said that by law ethnic communities were currently guaranteed the right to an education in their maternal language up to and including the university level. Quotas were also used at the university level to increase attendance by minorities, although they were not gender-based. Two new universities were attended primarily by ethnic Albanian students, 45 per cent of whom were women and a 70 per cent of ethnic Albanians studying to become elementary and secondary schoolteachers were women.

25. **Ms. Grozdanova** (The former Yugoslav Republic of Macedonia) said research on gender issues was being carried out at the university level and courses were being taught on gender issues. The Association of Women in Macedonia also sponsored study of gender issues.

Article 11

26. **Ms. Arocha-Domínguez** observed that the State party's responses to the issues and questions raised by the Committee (CEDAW/C/MKD/Q/1-3/Add.1) seemed to take for granted that it was sufficient to harmonize national legislation with European Union legislation. The Government should be cautious about making such an assumption. As the Committee had seen on previous occasions, legislation in European Union countries was not always consistent with the provisions of the Convention.

27. The Committee had asked the reporting State to provide information on the number of families that were headed by women and on what steps had been taken to empower women heads of household (CEDAW/C/MKD/Q/1-3, para. 22). The Government had provided statistics on female-headed households but had not explained what was being done to empower the women economically. She therefore reiterated that question.

28. In its response to question 23 on the list of issues and questions the State party indicated that NGOs had organized training aimed at women from different ethnic groups and that the Government was supporting the activities of the NGO sector. She wondered whether the Government was doing anything, with support from NGOs, to improve the socio-economic status of minority women.

29. **Ms. Zou** asked what was being done to reduce the high rate of female unemployment, in particular

through support for entrepreneurship among women, and what had been done to ensure that women had the same access to credit as men and that they enjoyed some preference with regard to government loans.

30. The report outlined the maternity benefits available to women workers under the country's labour law. She wondered whether those benefits were available to women workers in both the public and the private sectors. In addition, she enquired whether there was any oversight mechanism under the Law on Labour Relations whereby women whose rights had been violated could file a complaint and, if so, whether any such complaints had been submitted to date.

31. **Mr. Jakimovski** (The former Yugoslav Republic of Macedonia), responding to the questions concerning access to credit for women, said that credit lines for women entrepreneurs were available in the private banking sector. The Government was not in a position to provide credit or loans, but it did offer special training programmes for women entrepreneurs.

32. With regard to maternity leave, female workers in both the public and the private sectors were entitled to the same benefits, and strict sanctions were imposed for violations of that right. A woman's benefits might be reduced, however, if her employer went bankrupt or failed to pay the required social insurance contributions.

33. **Ms. Grozdanova** (The former Yugoslav Republic of Macedonia) said that the Government had not undertaken any specific research on discrimination against women of the various ethnic communities with regard to their rights to education, health care or political representation. Various NGOs had made an effort to assess the situation and identify the particular needs and problems of women in rural areas and to inform them of their rights and opportunities under existing legislation. As had been indicated in the Government's responses, the Ministry of Labour and Social Policy was supporting those efforts. During the forthcoming reporting period, the Government, in collaboration with NGOs, planned to organize research with a view to identifying the various types of discrimination faced by women of different ethnic groups.

34. **Ms. Ljatifi** (The former Yugoslav Republic of Macedonia) said that since the publication of her country's report, the pensionable age had been raised from 60 to 62 for women and from 63 to 64 for men,

and instead of 20 years of service as a condition for eligibility, the requirement was now 15. The difference in pensionable age had thus been reduced. The Government was studying the possibility of equalizing the pensionable age as part of the effort to harmonize national legislation with European legislation and bring it into conformity with European Union directives on equal treatment of men and women in respect of social security benefits.

35. She also had updated statistics on the numbers of male and female pensioners and would be happy to provide them in writing if the Committee so wished.

Article 12

36. **Ms. Diariam** was pleased that the report gave details on disease patterns among women, as that information gave a more complete picture of the health situation of Macedonian women than could be gleaned from reproductive health data alone. It did not, however, contain any information on the kinds of women-centred services being provided to address the particular health problems and risks that affected women, in keeping with the Committee's general recommendation No. 24. She wondered if the Ministry of Health was fully aware of its responsibilities under that recommendation and under article 12 of the Convention, and whether it had developed, or was planning to develop, the competencies needed to fulfil those responsibilities.

37. She would like more information on access to basic health services and to specialized reproductive health services addressing gynaecological problems in rural areas, especially for minority women. In particular, she would like to know how those services were being provided, and whether the Government was monitoring discrimination — whether direct or indirect — in their provision. The latter might occur, for example, in the case of poor women who lacked health insurance and who would therefore effectively be denied access to care.

38. Finally, she wondered whether the new draft health strategy would address such concerns and whether it would be premised on article 12 of the Convention and general recommendation No. 24 of the Committee.

39. **Ms. Pimentel** noted that the State party had indicated that it intended to prepare a national strategy for adolescents and young people. She wondered

whether it was considering also developing a national strategy to address the needs of the elderly, especially older women. Additionally, she would like to know whether the country had a national strategy of assistance for disabled women that went beyond the provision of disability insurance and similar social security measures.

40. **Ms. Morvai** was concerned that abortion was still being used so extensively as a method of fertility control. The number of abortions performed each year was about five times higher than the average in the European Union. She would like to know whether any research had been conducted to determine the reasons for that phenomenon and, if so, what the findings had been. She also wondered what could account for the dramatic decline in use of contraceptive devices and agents, which, according to the figures presented in the report, had dropped by some 60 per cent since 1990.

41. **Ms. Janeva** (The former Yugoslav Republic of Macedonia) said that her country had not yet developed a special programme for improving the health of the elderly but it did have a programme aimed at reducing chronic diseases, including several of those that were more frequent or occurred only among women. In addition, the new national health strategy would stress the health of older women and the specific risk factors to which they were exposed.

42. Regarding access to clinics specializing in gynaecology she said that such clinics were located mainly in urban areas. For that reason, the Government had conducted an extensive education campaign among community health nurses, who were available in all rural areas, to train them to provide gynaecological services. The country also had an efficient referral system and good road infrastructure; in an emergency rural women could easily be transferred to specialized health facilities. There was no discrimination against poor rural women in the provision of health-care coverage.

43. Cervical cancer was a major public health concern in her country, and in 2004 the Government had launched an extensive cervical cancer prevention and screening program, which would provide Pap smears for all women, including those who were poor or uninsured.

44. She acknowledged that the abortion rates were high compared to those in other European countries, but the situation was improving. In 1994, for example,

the ratio of abortions to live births had been 50 to 100, whereas now it was 30 to 100. Family planning counselling was now available in clinics, but no specific research had been conducted into why more women were not availing themselves of those services. While it was true that the number of contraceptive devices provided to women through public family planning counselling services seemed to have declined, that was a reflection of the extensive privatization of health services since the early 1990s. Official data did not necessarily include statistics on contraceptives delivered by private gynaecology clinics or contraceptives that women might be purchasing directly from pharmacies.

45. **Mr. Jakimovski** affirmed that all citizens including the elderly, the disabled, the poor and the rural population, had access to health care. Even non-Macedonian asylum-seekers were covered under a scheme in which the Office of the United Nations High Commissioner for Refugees reimbursed the Government for the cost of that coverage. Hence, no one was discriminated against in terms of the right to health care.

Article 14

46. **Ms. Tan** pointed out that the report did not mention any special programmes for girls who left school prematurely, a phenomenon which tended to occur most frequently in rural areas. She enquired what priority the Government placed on implementing programmes aimed at reducing dropout rates among girls in rural areas and persuading girls and women who had left school early to resume their education. If any such programmes had been undertaken, she would be grateful if the delegation could provide some information on what their impact been. She would also like to know what plans the Government had to improve access for rural women and girls to information on reproductive health and family planning.

47. **Ms. Simms** said that, although it was very interesting to hear of all the developments occurring in the former Yugoslav Republic of Macedonia, it would appear that most of the benefits were accruing to the middle classes; the situation in rural areas appeared to be quite different. She found it curious that the report should state, on the one hand, that because of their insufficient education rural women had no alternative to working in agriculture and, on the other, that the

authority of the father was thereby being undermined. That suggested that somebody was doing the undermining and that men were the victims. In fact, what was needed was a programme to get men to take some responsibility, especially in the rural areas, so that they would not think that they had a God-given right to authority.

48. **Ms. Coker-Appiah** said that in many countries women in rural areas tended to be at a disadvantage in terms of access to social services and enjoyment of their rights. She would like additional information on health services for rural women, specifically, how far rural populations had to travel to the nearest health centre, and regarding the doctor/patient ratio. She urged the State party to provide a full picture, in its next report, of the situation of rural women, as required by article 14 of the Convention.

49. **Ms. Ivanova** (The former Yugoslav Republic of Macedonia) said that in line with the provisions of various human rights instruments, the Government had established an office for the development and advancement of education in the languages of minority ethnic communities, with appropriate supporting legislation. It had developed a draft national strategy on education for the years 2005-2015, covering the situation of children in rural areas and their regular participation in each of the segments of the education system. To assist in that endeavour, with support from NGOs a mentoring system had been established for parents of pupils from rural areas, from environments that were more difficult socially and from those areas where there was a very small number of children in any given segment of the education system. Positive results were already visible. In addition, efforts were being made to upgrade the teaching staff and modernize the curricula, in order to make school more attractive for teachers and more interesting to pupils.

50. **Ms. Janeva** (The former Yugoslav Republic of Macedonia) explained that rural medical units, staffed by a general practitioner and midwives, were located throughout the rural areas, with the result that women's access to health services was not a problem.

51. **Ms. Grozdanova** (The former Yugoslav Republic of Macedonia) conceded that women in rural areas did find it more difficult to assert their rights under the Convention. For that reason, Committees on Gender Equality had been established in local government units, in order to organize education campaigns to

inform women — as well as men — about the need to become involved in the current processes at the local level in order to improve the life of their community. Additionally, the Government in cooperation with NGOs had organized information campaigns to educate women from rural areas about their rights.

52. **Ms. Gnacadja** asked whether, in the event of a divorce in which child custody was awarded to the wife, the husband could be ordered to pay child support and, if so, whether the law also provided for enforcement measures such as garnishment of wages in the event of non-payment of child support. Secondly, the report stated that determining which parent should be awarded custody was a difficult decision and, consequently, it was necessary to modernize the current legislation. She wondered why that decision was so difficult, and why there was a need to modernize the legislation.

53. With regard to the right to choose the family name, the report criticized (pp. 123 and 124) the influence of tradition whereby the father's name automatically took precedence and cited the examples of certain Government forms that did not even provide a space for the name of the mother. She wished to know whether the Government had taken measures to end that type of discrimination and suggested that it should simply declare that personal documents that did not contain the mother's name were invalid.

54. As to the question of equality before the courts, she asked whether courts were widely available in rural areas and whether there was a legal aid system to help poor rural women with the costs of going to court.

55. **Ms. Tan** noted that although men and women enjoyed equal rights concerning property ownership and transactions, in reality tradition and custom dictated that property was usually registered in the name of the man. She asked what the Government was doing to inform women about their legal rights with respect to property.

56. It was her understanding that sexual intercourse between an adult and a minor was not forbidden. She asked why that was so and whether the State planned to amend the law.

57. **Ms. Grozdanova** (The former Yugoslav Republic of Macedonia) explained that decisions on child support after divorce were made by the courts and entered into force immediately. There were, however,

practical obstacles to enforcement, since many fathers were unemployed and did not have the funds to pay child support or alimony. Custody of children following divorce was decided by the centre for social work, which interviewed parents and children separately and then decided which parent should receive custody, or whether it should be awarded to a third party.

58. With regard to the availability of courts in rural areas, she said that the majority of the local government units had municipal courts that were accessible to all citizens, including those from the rural areas.

59. While it was true that the father was frequently considered the head of family, that was primarily due to stereotypes and prejudices which were common among women as well as in men; these could be overcome only by ongoing education of the general public. There was a growing trend among young families for the spouses to share the burdens of professional and family life equally and to make decisions regarding the needs and undertakings of the family jointly.

60. The issue of women's inheritance rights was regulated under family law, but, again because of stereotypes and prejudices, there was still insufficient enforcement of the rights of women. In particular, women did not assert their rights after divorce. Recently, associations of lawyers had been established to give free legal advice to women who had been deprived of their property. Moreover, under current law, either spouse had the right, at all times, to veto the sale of property, regardless of whether the title to the property was in the name of the husband or the wife. If the property was sold illegally by one spouse, the courts would award compensation to the other.

61. Finally, she said that sexual intercourse between an adult and a minor was now a crime and punishable according to the provisions of the criminal code.

62. **Ms. Trajkovic** (The former Yugoslav Republic of Macedonia) added that there was now a variety of offences for which the penalty automatically increased if the offence involved a minor: intercourse in public in the sight of a child; incest involving a child; prostitution of a child; showing pornography to a child, and so on. It did not matter whether the child was a boy or a girl.

63. **Mr. Jakimovski** (The former Yugoslav Republic of Macedonia) thanked Committee members for their detailed questions and for their support. While his country had made a lot of progress in the area of women's rights it still had a long way to go especially as regards the multiple forms of discrimination faced by women from ethnic minorities. He believed that his country was more advanced in certain areas than its neighbours and he looked forward to submitting further reports.

64. **The Chairperson** noted that the former Yugoslav Republic of Macedonia had made a lot of progress in a short period of time. She congratulated the delegation on the work achieved so far, and looked forward to receiving future reports.

The meeting rose at 5.15 p.m.