

MACEDONIA

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Macedonia established an Ombudsperson for the Rights of Children in 1999, which is responsible for all child-related matters and is in charge of the Department for Child Protection.²⁶²⁰ In 1999, the government signed a trans-border crime agreement as part of an effort to prevent trafficking and develop an effective transnational database mechanism.²⁶²¹ In addition, the government is working with OSCE and IOM on prevention, protection and law enforcement projects to combat trafficking.²⁶²² The countries of the Stability Pact, including Macedonia, signed the “Anti-Trafficking Declaration” in December 2000, which established country coordinators tasked with coordinating activities, exchanging information, and preparing progress reports.²⁶²³ Following this declaration, the government finalized a National Action Plan to combat trafficking.²⁶²⁴ In December 2002, the government signed another joint declaration with other Southeastern European nations to better assist victims of trafficking.²⁶²⁵ The government hosted an international conference on this topic in May 2003 to strengthen regional cooperation.²⁶²⁶

UNICEF is working to increase access to schools by implementing projects that improve the overall quality of education²⁶²⁷ as well as enhance services for vulnerable children, and promote and monitor the implementation of the Convention of the Rights of Children.²⁶²⁸ The government also works with Catholic Relief Services on civic education activities, school reconstruction, and organizing parent groups in elementary schools.²⁶²⁹ The World Bank currently supports several projects in Macedonia. The Children and Youth Development Project aims to integrate at risk youth from different socio-cultural backgrounds, strengthen institutional capacity, and contribute to the implementation of the Children and Youth Strategy.²⁶³⁰ The Community Development Project is rehabilitating school heating systems as well as providing school furniture and financing social services.²⁶³¹

²⁶²⁰ U.S. Embassy- Skopje, *unclassified telegram no. 2616*, November 26, 2001. See also UNICEF FYR Macedonia, *Ombudsperson for Children*, UNICEF, [online] 2003 [cited July 2, 2003]; available from http://www.unicef.org/macedonia/protection/protection_rights_content.htm.

²⁶²¹ Macedonia ratified the Southeast European Cooperative Initiative “Agreement on Co-operation to Prevent and Combat Transborder Crime,” which links regional governments in information-sharing and planning programs. UNICEF:Area Office for the Balkans, *Trafficking in Human Beings in Southeastern Europe*, UNICEF, August 2000, 12, 95, 97. The Government of Macedonia has participated in regional anti-trafficking efforts through the initiative’s Regional Center for Combating Transborder Crime. See also SECI Regional Center for Combating Transborder Crime, *Operation Mirage: Evaluation Report*, Bucharest, January 21, 2003; available from <http://www.secicenter.org/html/index.htm>.

²⁶²² OSCE is the leading agency with regard to trafficking in Macedonia. Its programs include government negotiations, a working group on the subject and, in conjunction with the IOM, the development of a shelter for women. IOM is also establishing repatriation processes for trafficked women. See UNICEF:Area Office for the Balkans, *Trafficking in Human Beings in Southeastern Europe*, 97.

²⁶²³ Stability Pact, “Stability Pact Countries Sign Anti-Trafficking Declaration”, December 13, 2000 [cited July 2, 2003]; available from http://www.osce.org/odihr/attf/doc_4tfa.php3.

²⁶²⁴ Government of Macedonia, *National Action Plan for Illegal Trafficking in Humans and Illegal Migration in the Republic of Macedonia*, online; available from http://www.osce.org/odihr/attf/pdf/nap_mk.pdf.

²⁶²⁵ The commitment ensures that countries stop the immediate deportation of trafficked persons and to offer them shelter, as well as social, health, and legal assistance. See Alban Bala, *Southeastern Europe: Governments Shift Their Focus In Fighting Human Trafficking*, Radio Free Europe: Radio Liberty, [online] December 13, 2002 [cited July 2, 2003]; available from <http://www.rferl.org/nca/features/2002/12/13122002200939.asp>.

²⁶²⁶ NATO On-line Library, *High-level Conference on Improving Border Security*, NATO, [online] May 16, 2003 [cited July 2, 2003]; available from <http://www.nato.int/docu/pr/2003/p03-045e.htm>.

²⁶²⁷ UNICEF FYR Macedonia, *UNICEF’S Priority: Education Objectives*, UNICEF, [online] [cited July 1, 2003]; available from <http://www.unicef.org/macedonia/education/educationContent.htm>.

²⁶²⁸ Ibid.

²⁶²⁹ Catholic Relief Services, *Macedonia*, Catholic Relief Services, [online] Summer 2002 [cited July 1, 2003]; available from http://www.catholicrelief.org/where_we_work/eastern_europe_&_the_caucasus/macedonia/index.cfm.

²⁶³⁰ World Bank, *Children and Youth Development Project*, World Bank, [online] June 4, 2003 [cited June 13, 2003]; available from <http://web.worldbank.org/external/projects/main?pagePK=104231&piPK=73230&theSitePK=40941&menuPK=228424&Projectid=P073483>.

²⁶³¹ World Bank, *Community Development Project*, World Bank, [online] June 4, 2003 [cited June 13, 2003]; available from <http://web.worldbank.org/external/projects/main?pagePK=104231&piPK=73230&theSitePK=40941&menuPK=228424&Projectid=P076712>.

Incidence and Nature of Child Labor

In 2001, the ILO estimated that less than 1 percent of children ages 10 to 14 years in Macedonia were working.²⁶³² In rural areas, it has been reported that children leave school early to assist with agricultural duties.²⁶³³ Children work in the informal sector, in illegal small businesses,²⁶³⁴ and on the streets and in markets selling cigarettes and other small items.²⁶³⁵ Trafficking of girls, especially for prostitution and pornography, is an ongoing concern.²⁶³⁶

Macedonia is a country of destination for women and children trafficked for prostitution from Eastern European countries such as Bulgaria, Moldova, Romania, Ukraine, and Yugoslavia, as well as a transit and source country for trafficking to Greece, Albania, Kosovo, and Western Europe.²⁶³⁷ The Romanian Embassy and OSCE have indicated that of the 326 foreign women expelled from the town of Tetovo in 1999, many were being held against their will and that at least 20 percent of them were children.²⁶³⁸ Police also reported that Macedonia has been used as a transit country for children trafficked from Albania to Greece to work in forced labor.²⁶³⁹ There are indications that children aged 17 have volunteered for military service in Macedonia. Furthermore, children between the ages of 14 and 18 have joined armed groups abroad during regional conflicts, for example in Bosnia and Kosovo.²⁶⁴⁰

The Constitution mandates free and compulsory primary education and all children are guaranteed equal access,²⁶⁴¹ although parents must provide children with books and supplies.²⁶⁴² The Law on Primary Education specifies that education is compulsory for eight years, normally between the ages of 7 to 15.²⁶⁴³ In 2000, the gross

²⁶³² The ILO reported that 0.02 percent of children in this age group were economically active. See World Bank, *World Development Indicators 2003* [CD-ROM], Washington, D.C., 2003.

²⁶³³ UN Committee on the Rights of the Child, "Initial Report of States Parties due in 1993: Government of the Former Yugoslav Republic of Macedonia" (Geneva, July 27, 1997), CRC /C/Add.36, para. 202; available from [http://www.unhcr.ch/tbs/doc.nsf/\(Symbol\)/CRC.C.8.Add.36.EN?OpenDocument](http://www.unhcr.ch/tbs/doc.nsf/(Symbol)/CRC.C.8.Add.36.EN?OpenDocument).

²⁶³⁴ U.S. Embassy- Skopje, *unclassified telegram no. 2616*. See also U.S. Department of State, *Country Reports on Human Rights Practices- 2002: The Former Yugoslav Republic of Macedonia*, Washington, D.C., March 31, 2003, Section 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2002/18379.htm>.

²⁶³⁵ UN Committee on the Rights of the Child, "Initial Reports of States Parties: FYROM", para. 246. See also U.S. Department of State, *Country Reports- 2002: Macedonia*, Section 6d.

²⁶³⁶ U.S. Department of State, *Trafficking in Persons Report- 2002: The Former Yugoslav Republic of Macedonia*, Washington D.C., June 11, 2003; available from <http://www.state.gov/g/tip/rls/tiprpt/2003/21276>. See also U.S. Department of State, *Country Reports- 2002: Macedonia*, Section 6f. See also UNICEF: Area Office for the Balkans, *Trafficking in Human Beings in Southeastern Europe*.

²⁶³⁷ UNICEF: Area Office for the Balkans, *Trafficking in Human Beings in Southeastern Europe*, 94. See also U.S. Department of State, *Country Reports- 2002: Macedonia*, Section 6f.

²⁶³⁸ UNICEF: Area Office for the Balkans, *Trafficking in Human Beings in Southeastern Europe*, 94.

²⁶³⁹ *Ibid.*

²⁶⁴⁰ Coalition to Stop the Use of Child Soldiers, "Macedonia," in *Global Report 2001*, London, 2001, [cited July 1, 2003]; available from <http://www.child-soldiers.org/cs/childsoldiers.nsf/3f922f75125fc21980256b20003951fc/3b74c32135ce7d2880256b1e0046fe5b?OpenDocument>.

²⁶⁴¹ *Constitution of Macedonia, 1991*, (November 17, 1991), Article 44 [cited July 2, 2003]; available from http://www.uni-wuerzburg.de/law/mk00000_.html.

²⁶⁴² The Ministry of Education is proposing that the government provide these materials free of charge through primary school. Transportation is also free for students. See U.S. Embassy- Skopje, *unclassified telegram no. 2616*. See also U.S. Department of State, *Country Reports- 2002: Macedonia*, Section 5.

²⁶⁴³ UN Committee on the Rights of the Child, "Initial Reports of States Parties: FYROM", para. 20. See also U.S. Embassy- Skopje, *unclassified telegram no. 2616*.

primary enrollment rate was 98.9 percent and the net primary enrollment rate was 92.4 percent.²⁶⁴⁴ In 1995, 95.39 percent of children enrolled in primary school reached grade 5.²⁶⁴⁵ Primary school attendance rates are unavailable for Macedonia. While enrollment rates indicate a level of commitment to education, they do not always reflect children's participation in school.²⁶⁴⁶ Dropout rates for girls in primary and secondary school are high, particularly among ethnic Roma or Albanian children.²⁶⁴⁷

Child Labor Laws and Enforcement

The Constitution and Labor Relations Act set the minimum age for employment at 15 years.²⁶⁴⁸ The Labor Relations Act prohibits overtime work by children, as well as work between 10 p.m. and 6 a.m., or work that may be harmful or threatening to their health or life.²⁶⁴⁹ The Constitution prohibits forced labor.²⁶⁵⁰ The Macedonian Criminal Code prohibits various acts of sexual exploitation against children, including the recruitment or solicitation of children for prostitution and/or the procurement of a child for these activities.²⁶⁵¹ Individuals convicted of instigating, recruiting or procuring a child for prostitution shall be punished with imprisonment of three months to five years.²⁶⁵² Articles in the criminal code related to prostitution and forced labor are used to prohibit and punish those involved in trafficking in persons. Seventy trafficking-related charges have been brought against more than 100 perpetrators, with a result of 11 convictions from April 2002 to March 2003.²⁶⁵³ Labor inspectors at the Ministry of Labor and Social Policy are responsible for enforcing the child labor laws; however, they have been reluctant to enforce these laws.²⁶⁵⁴ The Ombudsperson for the Rights of Children has processed 50 cases of child rights violations and reports to Parliament on an annual basis.²⁶⁵⁵

The Government of Macedonia ratified ILO Convention 138 on November 17, 1991 and ILO Convention 182 on May 30, 2002.²⁶⁵⁶

²⁶⁴⁴ World Bank, *World Development Indicators 2003*.

²⁶⁴⁵ *Ibid.*

²⁶⁴⁶ For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.

²⁶⁴⁷ This is due in part to cultural tradition concerning girls participation in school as well as due to a lack of classes in minority languages. See U.S. Department of State, *Country Reports- 2002: Macedonia*, Section 5. See also UN Committee on the Rights of the Child, *Concluding Observations of the Committee on the Rights of the Child: The Former Yugoslav Republic of Macedonia*, CRC/C/15/Add.118, February 23, 2000, para. 42; available from <http://www.hri.ca/fortherecord2000/documentation/tbodies/crc-c-15-add118.htm>. See also U.S. Embassy- Skopje, *unclassified telegram no. 2616*.

²⁶⁴⁸ *Constitution of Macedonia, 1991*, Article 42(1). In addition, the minimum age for work in mines is 18. See *Labor Relations Act: Macedonia*, (December 27, 1993), Section 7; available from <http://www.natlex.ilo.org/txt/E93MKDO2.htm>.

²⁶⁴⁹ *Labor Relations Act: Macedonia, 1993*, Sections 63, 66 and 67.

²⁶⁵⁰ *Constitution of Macedonia, 1991*, Article 11(2).

²⁶⁵¹ *Criminal Code of Macedonia*, as cited in The Protection Project Legal Library, [database online]; available from <http://209.190.246.239/protectionproject/statutesPDF/MacedoniaFpdf>. See also UN Committee on the Rights of the Child, "Initial Reports of States Parties: FYROM", para. 259.

²⁶⁵² *Criminal Code*.

²⁶⁵³ U.S. Department of State, *Trafficking in Persons Report: Macedonia*.

²⁶⁵⁴ *Labor Relations Act: Macedonia, 1993*, Section 139. See also U.S. Department of State, *Country Reports- 2002: Macedonia*, Section 6d. According to the government, no cases of child labor are filed with the Ministry. See Oliver Krliu, letter to USDOL official, September 14, 2000.

²⁶⁵⁵ U.S. Embassy- Skopje, *unclassified telegram no. 2616*. See also UNICEF FYR Macedonia, *Ombudsperson for Children*.

²⁶⁵⁶ ILO, *Ratifications by Country*, in ILOLEX, [database online] [cited September 30, 2002]; available from <http://www.ilo.org/ilolex/english/newratframeE.htm>.