

Macedonia

Incidence and Nature of Child Labor

The ILO estimated that less than 1 percent of children ages 10 to 14 years in Macedonia were working in 2002.²⁴³⁴ Children work in the informal sector, in illegal small businesses,²⁴³⁵ and on the streets and in markets selling cigarettes and other small items.²⁴³⁶ Girls are involved in commercial sexual exploitation on the streets of Macedonia.²⁴³⁷

Children are trafficked to Macedonia from Moldova, Romania, Bulgaria, and Ukraine. Macedonia is also a transit country for trafficking to Greece, Serbia and Montenegro, Albania, and Western Europe.²⁴³⁸

The Constitution mandates free and compulsory primary education and all children are guaranteed equal access,²⁴³⁹ although students had to pay for books and supplies.²⁴⁴⁰ The Law on Primary Education specifies that education is compulsory for 8 years, normally between the ages of 7 to 15.²⁴⁴¹ In 2000, the gross primary enrollment rate was 99.3 percent and the net primary enrollment rate was 92.8 percent.²⁴⁴² Gross

²⁴³⁴ The ILO reported that 0.02 percent of children in this age group were economically active. See World Bank, *World Development Indicators 2004* [CD-ROM], Washington, D.C., 2004.

²⁴³⁵ U.S. Embassy- Skopje, *unclassified telegram no. 2616*, November 26, 2001. See also U.S. Department of State, *Country Reports on Human Rights Practices- 2003: The Former Yugoslav Republic of Macedonia*, Washington, D.C., February 25, 2004, Section 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2003/27852.htm>.

²⁴³⁶ 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), para. 246; available from [http://www.unhchr.ch/tbs/doc.nsf/\(Symbol\)/CRC.C.8.Add.36.EN?OpenDocument](http://www.unhchr.ch/tbs/doc.nsf/(Symbol)/CRC.C.8.Add.36.EN?OpenDocument). See also U.S. Department of State, *Country Reports- 2003: Macedonia*, Section 6d.

²⁴³⁷ Barbara Limanowska, *Trafficking in Human Beings in South Eastern Europe: 2003 Update*, UNICEF, UNOHSHR, OSCE/ODIHR, November 2003, 178.

²⁴³⁸ Barbara Limanowska, *Trafficking in Human Beings in Southeastern Europe: Current Responses to Trafficking in Human Beings in Albania, Bosnia and Herzegovina, Bulgaria, Croatia, The Former Republic of Yugoslavia, The Former Yugoslav Republic of Macedonia, Moldova, Romania*, UNICEF, UNOHCHE, OSCE-ODIHR, June, 2002, 107; available from [http://www.child-rights.org/PolicyAdvocacy/pahome2.5.nsf/0/CFA82B758B41BEDB88256E46008360E5/\\$file/Trafficking%20in%20Human%20Beings%20in%20SE%20Europe%20compressed.pdf](http://www.child-rights.org/PolicyAdvocacy/pahome2.5.nsf/0/CFA82B758B41BEDB88256E46008360E5/$file/Trafficking%20in%20Human%20Beings%20in%20SE%20Europe%20compressed.pdf). See also U.S. Department of State, *Trafficking in Persons Report- 2003: The Former Yugoslav Republic of Macedonia*, Washington D.C., June 14, 2004; available from <http://www.state.gov/g/tip/rls/tiprpt/2004/33192.htm>. See also U.S. Embassy- Skopje, *unclassified telegram no. 126969*, June 2004.

²⁴³⁹ *Constitution of Macedonia, 1991*, (November 17, 1991), Article 44 [cited March 24, 2004]; available from http://www.uni-wuerzburg.de/law/mk00000_.html.

²⁴⁴⁰ 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- 2003: Macedonia*, Section 5.

²⁴⁴¹ 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*.

²⁴⁴² World Bank, *World Development Indicators 2004*. The enrollment statistics in this year's report differ slightly from those presented in last year's report, even though both reports were based on data from 2000. This discrepancy is a result of either statistical adjustments that were made in the school-age population, or corrections to enrollment data.

and net enrollment ratios are based on the number of students formally registered in primary school and therefore do not necessarily reflect actual school attendance. Recent primary school attendance statistics are not available for Macedonia. Dropout rates for girls in primary and secondary school are high, particularly among ethnic Roma or Albanian children.²⁴⁴³

Child Labor Laws and Enforcement

The Constitution sets the minimum age for employment at 15.²⁴⁴⁴ The Labor Relations Act prohibits overtime work by children under 18, 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.²⁴⁴⁵ The Constitution prohibits forced labor.²⁴⁴⁶ The Macedonian Criminal Code prohibits various acts of sexual exploitation against children, including the recruitment of children for prostitution and/or the procurement of a child for these activities.²⁴⁴⁷ Individuals convicted of instigating, recruiting, or procuring a child for prostitution shall be punished with imprisonment of 3 months to 5 years.²⁴⁴⁸ The Ministries of Labor and Social Policy, Economy, Health, and Interior, as well as the Ombudsman for the Rights of Children are responsible for investigating and addressing child labor complaints.²⁴⁴⁹ However, the U.S. Department of State reported that there are increasing reports of child labor and inadequate implementation of policies and laws.²⁴⁵⁰ The Ombudsperson for the Rights of Children investigates violations of children's rights and reports to Parliament on an annual basis.²⁴⁵¹

The Criminal Code prohibits trafficking in children and punishes those convicted of such an offence with at least 8 years in prison. Individuals who knowingly engage in sexual relations with a trafficked child are also subject to 8 years in prison.²⁴⁵² Articles in the criminal code related to prostitution and forced labor can also be used to prohibit and punish those involved in trafficking in persons. The Ministry of Interior's

²⁴⁴³ 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- 2003: 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*.

²⁴⁴⁴ *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.ilo.org/dyn/natlex/docs/WEBTEXT/47727/65084/E93MKD02.htm>.

²⁴⁴⁵ *Labor Relations Act: Macedonia, 1993*, Sections 63, 66 and 67.

²⁴⁴⁶ *Constitution of Macedonia, 1991*, Article 11(2).

²⁴⁴⁷ Government of Macedonia, *Criminal Code of Macedonia*, as cited in The Protection Project Legal Library, [database online] [cited March 29, 2004], Articles 192-93; available from <http://209.190.246.239/protectionproject/statutesPDF/MacedoniaF.pdf>. See also UN Committee on the Rights of the Child, "Initial Reports of States Parties: FYROM", para. 259.

²⁴⁴⁸ Government of Macedonia, *Criminal Code*, Articles 192-93.

²⁴⁴⁹ U.S. Embassy- Skopje, *unclassified telegram no. 1414*, August 2004.

²⁴⁵⁰ U.S. Department of State, *Country Reports- 2003: Macedonia*, Section 6d. See also U.S. Embassy- Skopje, *unclassified telegram no. 1414*.

²⁴⁵¹ U.S. Embassy- Skopje, *unclassified telegram no. 2616*. See also UNICEF FYR Macedonia, *Ombudsperson for Children*, UNICEF, [online] 2004 [cited May 12, 2004]; available from http://www.unicef.org/macedonia/protection/protection_rights_content.htm.

²⁴⁵² U.S. Embassy- Skopje, *unclassified telegram no. 0494*, April 4, 2004.

Anti-Trafficking Department of the Criminal Police is responsible for enforcing anti-trafficking laws.²⁴⁵³ In the last year, 19 people were convicted of trafficking offences, with punishments ranging from 3 to 12 years. The government has also convicted several former government officials and police officers on corruption charges related to trafficking in persons.²⁴⁵⁴

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

The Government of Macedonia has an Ombudsperson for the Rights of Children, which is responsible for all child-related matters and is in charge of the Department for Child Protection.²⁴⁵⁵ The government operates the “Project for Children on the Streets” to prevent child labor.²⁴⁵⁶ The government’s National Commission for Prevention and Suppression of Trafficking in Persons has established a Secretariat, which includes police officials, NGOs, the OSCE, and the IOM. A Trafficking of Children sub-group has been formed within the Secretariat.²⁴⁵⁷ The government cooperates with IOM to provide a shelter for victims of trafficking.²⁴⁵⁸

Selected Child Labor Measures Adopted by Governments		
Ratified Convention 138	1/17/1991	✓
Ratified Convention 182	5/30/2002	✓
ILO-IPEC Member		
National Plan for Children		✓
National Child Labor Action Plan		
Sector Action Plan (Trafficking)		✓

The government has signed the Agreement on Co-operation to Prevent and Combat Transborder Crime in an effort to prevent trafficking and develop an effective transnational database mechanism.²⁴⁵⁹ The countries of the Stability Pact for South Eastern Europe, including Macedonia, operate a Task Force on Trafficking in Human Beings, which is responsible for streamlining and accelerating efforts to combat human trafficking in the region.²⁴⁶⁰ The Macedonian government has a national/governmental coordinator

²⁴⁵³ Barbara Limanowska, *Trafficking in Human Beings in South Eastern Europe: 2003 Update*, 179.

²⁴⁵⁴ Article 418a is the relevant legislation. See U.S. Department of State, *Trafficking in Persons Report-2003: Macedonia*.

²⁴⁵⁵ U.S. Embassy- Skopje, *unclassified telegram no. 2616*. See also UNICEF FYR Macedonia, *Ombudsperson for Children*. See also Macedonia, The Centre for Europe’s Children, March 22, 2004 [cited May 12, 2004]; available from <http://www.ombudsnet.org/Ombudsmen/Macedonia/Macedonia.htm>.

²⁴⁵⁶ U.S. Embassy- Skopje, *unclassified telegram no. 1414*.

²⁴⁵⁷ U.S. Department of State, *Country Reports- 2003: Macedonia*, Section 6f.

²⁴⁵⁸ Fourteen of the trafficking victims assisted at the shelter were under the age of 18. See U.S. Department of State, *Trafficking in Persons Report-2003: Macedonia*. See also Barbara Limanowska, *Trafficking in Human Beings in South Eastern Europe: 2003 Update*, 181, 83. See also U.S. Department of State, *Country Reports- 2003: Macedonia*, Section 6f.

²⁴⁵⁹ This agreement links regional governments in information-sharing and planning programs. Other countries involved in this initiative include Albania, Bosnia and Herzegovina, Bulgaria, Croatia, Greece, Hungary, Moldova, Romania, and Turkey. See UNICEF: Area Office for the Balkans, *Trafficking in Human Beings in SouthEastern Europe*, August 2000, 12, 95.

²⁴⁶⁰ The Task Force meets regularly to discuss how to combat trafficking of persons in the region. See Stability Pact for South Eastern Europe, *The Task Force on Trafficking in Human Beings*, 2004 [cited September 1, 2004]; available from <http://www.stabilitypact.org/trafficking/info.html>. See also Stability Pact for South Eastern Europe, *Conclusions and Progress Report: 6th Anti-Trafficking Meeting, Belgrade, 23-24 March 2004*, Task Force on Trafficking in Human Beings, June 7, 2004 [cited September 1, 2004]; available from <http://www.stabilitypact.org/wt3/040607-trafficking.pdf>. See also *The Stability Pact for South Eastern Europe (EBRD-Countries)*, The Stability Pact, 2004 [cited September 1, 2004]; available from <http://www.ebrd.com/country/country/see/pact.htm>.

to coordinate anti-trafficking measures within the country and operates multidisciplinary national working groups to work on the issue.²⁴⁶¹

UNICEF is working to increase quality and access to education for all children as well as enhance services for vulnerable children, and promote and monitor the implementation of the Convention of the Rights of Children.²⁴⁶² The government works with Catholic Relief Services on civic education activities and organizing parent groups in schools.²⁴⁶³ 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.²⁴⁶⁴ The Community Development Project is rehabilitating school heating systems as well as providing school furniture and financing social services.²⁴⁶⁵ The Education Modernization project aims to strengthen school management, build capacity of central and local governments to operate in a decentralized education system, and ensure high quality outputs through monitoring and evaluation of the project.²⁴⁶⁶

²⁴⁶¹ Stability Pact for South Eastern Europe, *The Task Force on Trafficking in Human Beings*.

²⁴⁶² UNICEF FYR Macedonia, *UNICEF'S Priority: Education Objectives*, [online] [cited May 14, 2004]; available from <http://www.unicef.org/macedonia/education/educationContent.htm>.

²⁴⁶³ Catholic Relief Services, *Macedonia*, Catholic Relief Services, [online] 2004 [cited May 14, 2004]; available from http://www.catholicrelief.org/where_we_work/eastern_europe_&_the_caucasus/macedonia/index.cfm.

²⁴⁶⁴ World Bank, *Children and Youth Development Project*, World Bank, [online] March 29, 2004 [cited March 29, 2004]; available from <http://web.worldbank.org/external/projects/main?pagePK=104231&piPK=73230&theSitePK=40941&menuPK=228424&Projectid=P073483>.

²⁴⁶⁵ World Bank, *Community Development Project*, World Bank, [online] March 29, 2004 [cited March 29, 2004]; available from <http://web.worldbank.org/external/projects/main?pagePK=104231&piPK=73230&theSitePK=40941&menuPK=228424&Projectid=P076712>.

²⁴⁶⁶ World Bank, *Education Modernization*, May 12, 2004 [cited May 12, 2004]; available from <http://web.worldbank.org/external/projects/main?pagePK=104231&piPK=73230&theSitePK=40941&menuPK=228424&Projectid=P066157>.