



REPUBLIC OF MACEDONIA
MINISTRY OF LABOR AND SOCIAL POLICY

**FIRST REPORT
ON THE NON- ACCEPTED PROVISIONS OF THE
REVISED EUROPEAN SOCIAL CHARTER**

Submitted by

THE REPUBLIC OF MACEDONIA

(regarding articles 3.1, 3.3, 4.1, 4.4, 7.5, 9, 10.1, 10.2, 10.3, 10.4, 10, 5, 14.1, 14.2, 15.3, 18.1, 18.2, 18.3, 18.4, 19.2, 19.3, 19.4, 19.7, 19.9, 19.10, 19.11, 19.12, 22, 23, 25, 27.1, 27.2, 30, 31.1, 31.2 and 31.3)

Skopje, December 2017

The Republic of Macedonia, on January 6 2012, ratified the Revised European Social Charter, accepting 63 (out of 98) provisions of the Charter.

In accordance with the obligations arising from the Article C and Article 22 of Part IV of the Charter, the Republic of Macedonia submits its first Report on the non-accepted provisions of the Revised European Social Charter.

Prior to the preparation and submission of this Report, a **Seminar on the non-accepted provisions of the revised European Social Charter** was organized.

The seminar was held in Skopje on November 8 2017, with representatives from the Council of Europe (Department of the European Social Charter, DG I), from the European Committee for Social Rights, and from numerous relevant institutions and organizations in the Republic of Macedonia. The purpose of the seminar was exchange of opinions and information between participants concerning the 35 provisions, which the Republic of Macedonia when ratifying the revised European Social Charter in 2012, has not accepted these provisions. Besides, in this event the opinions and views concerning the collective complaints procedure were also exchanged.

This Report is an addition to the data and information presented and discussed during the Seminar.

It covers all 35 individual provisions (articles and paragraphs) of the Charter that have not yet been accepted by the Republic of Macedonia.

Accepted/Non-accepted provisions of the revised European Social Charter by the Republic of Macedonia

1.1	1.2	1.3	1.4	2.1	2.2	2.3	2.4	2.5	2.6	2.7	3.1
3.2	3.3	3.4	4.1	4.2	4.3	4.4	4.5	5	6.1	6.2	6.3
6.4	7.1	7.2	7.3	7.4	7.5	7.6	7.7	7.8	7.9	7.10	8.1
8.2	8.3	8.4	8.5	9	10.1	10.2	10.3	10.4	10.5	11.1	11.2
11.3	12.1	12.2	12.3	12.4	13.1	13.2	13.3	13.4	14.1	14.2	15.1
15.2	15.3	16	17.1	17.2	18.1	18.2	18.3	18.4	19.1	19.2	19.3
19.4	19.5	19.6	19.7	19.8	19.9	19.10	19.11	19.12	20	21	22
23	24	25	26.1	26.2	27.1	27.2	27.3	28	29	30	31.1
31.2	31.3										

	Accepted provisions
	Non - accepted provisions

Article 9 – The right to vocational guidance

Article 9

With a view to ensuring the effective exercise of the right to vocational guidance, the Parties undertake to provide or promote, as necessary, a service which will assist all persons, including the handicapped, to solve problems related to occupational choice and progress, with due regard to the individual's characteristics and their relation to occupational opportunity: this assistance should be available free of charge, both to young persons, including schoolchildren, and to adults.

The Employment Service Agency of the Republic of Macedonia (ESARM), in the domain of its tasks carries out active programs and measures for employment, and provides various services for the unemployed.

A labor market service is the Professional Orientation and Career Counseling, as part of the services for employment support. Professional Orientation and Career Counseling includes several activities: information, evaluation of personal characteristics, counseling, professional orientation, help for career choices and employment, strengthening skills for career management etc.

The service is carried out according to the Law on Employment and Insurance in Case of Unemployment. From 2005 to 2017, Professional Orientation and Career Counseling is carried out as part of the annual Operational Plan for Active Programs and Measures for Employment and Services in the Labor Market. According to the Plan, this service is part of the annual work programs of the ESARM.

In accordance with the changes in the demands by the labor market and the ESARM's clients, this service constantly evolves, while the methods used when working with the unemployed in the past period were improved.

Since its implementation, professional orientation was carried out as part of the regular activities from the Work Program of ESARM. In the Program mainly participated psychologists from employment centers and the Central Service (as activity coordinator) who were qualified to implement techniques for testing abilities and other characteristics of professional development. Under this service information, professional orientation and concealing were provided, together with help for career and education choices. The beneficiaries of this service were unemployed individuals, students, people with disabilities, and employers who expressed the need for selection of the unemployed for training and employment. Special emphasis was given to the development of an individualized approach when working with clients i.e. the unemployed individuals. For the ESARM to come closer to the EU's standards, the Professional Orientation service was carried out by creating the ESARM's New Model of Services, as part of the EU's Technical Assistance to Support Employment Policy– Phase 3 (2007-2009). The service was improved to include a larger number of participants who would receive quality services according to their needs.

During the EU's Additional Modernization of the Employment Service Agency (2012-2013), a new work methodology for employment centers was developed, and the service was improved with the Professional Orientation and Career Counseling.

With this new concept, the ESARM intended to build an approach for common standards and a unified approach in all local employment centers - standards that can be successfully implemented with the available human resources. This would fulfil the needs of employment seekers in all employment centers, emphasizing the work with individuals from the ESARM's employment registry (together with the work with other target groups such as students, etc.). The service is complex which considers modern methods of professional orientation and career development.

To develop this new approach in the implementation of the new concept of this service, training was carried out for ESARM employees, supported by the implementation of two previously mentioned projects.

In 2014 and 2015, additional activities were carried out as part of the USAID's Youth Employment Skills (YES). The introduction of new forms of work and tools created the need to strengthen capacities of employment centers in terms of technical conditions and human resources.

The knowledge and skills of 66 employees in all employment centers (training ended in 2016) were straightened:

- Training for career counselors;
- Training for career counselors for employment centers when using evaluation tools;
- Training for employees in training centers when using the Battery of Instruments for Professional Orientation;
- Training for a new model of group career counseling.

The training was supported by appropriate training materials, manuals, evaluation techniques etc.

Realization of the Professional Orientation and Career Counseling service in 2017

Under the Operational Plan for Active Programs and Measures for Employment and Services in the Labor Market for 2017, the Professional Orientation and Career Counseling service aims to allow employment seekers to gain career skills.

The planned number of beneficiaries for 2017 is 1,800 unemployed registered at the ESARM, 540 unemployed young people registered at the ESARM.

The planned budget for this service in 2017, is 604,800 denars (for young people up to 29, the planned budget is 181,440). The funds come from the ESARM's Budget.

The Professional Orientation and Career Counseling is carried out in all 30 employment centers of the ESARM. All activities by this service are performed by the employees at the employment centers who are trained for career counselors. The number of activities and unemployed individuals partially depends on the size of employment centers, available human resources and existing conditions and capacities at the center. The Professional Orientation and Career Counseling service is free.

The service consists of various activities, as the following:

- Providing information (individually or as a group at workshops by using printed or electronic materials) on the presentation of careers, the state of the labor market, available work, training opportunities, information on using services and active programs and employment measures carried out by the ESARM, etc.;
- The use of self-help tools that allow the service's users to be informed and gain career development skills;
- Group workshops with implementation of the Group Career Counseling Model (training on the importance and possibilities of career development counseling);
- Group workshops for information and testing of evaluation tools;
- Application of evaluation and self-evaluation of personal characteristics techniques that would allow the unemployed to acknowledge their employment capabilities and needs for further development;
- Individual counseling;
- Preparation of a career action plan.

Counseling (group or individual) should allow the individual added support in career planning by strengthening the possibilities for balance between their own skills, interests, work values and other personal characteristics and the demands of the labor market.

The activities of this service are carried out according to the needs of beneficiaries who are assisted during the counseling process. The beneficiaries, the unemployed take part in the service through written announcements at the employment centers, information about the service on the ESARM's website, phonecalls and SMS, participation based on interest by the beneficiaries, participation based on Individual Plans for Employment, through counseling as part of support services, etc.

Some activities of the service can be carried out upon request by employers, such as assisting the selection of candidates for training or acquiring adequate workforce for employment.

Results

The following chart presents the number of service beneficiaries, the unemployed in 2015, 2016 and 2017

No.	Year	Planned number of unemployed persons according to the Operational Plan		Covered beneficiaries with this service				
				Unemployed persons				
		Total	Under 29 years	Total	Women	%	Up to 29 years	%
1	2015	1,800	540	2,451	1,409	57.49	2,035	83.03
2	2016	1,800	540	3,061	1,621	52.96	2,001	65.37
3	2017*	1,800	540	1,599	931	58.22	1,219	76.23

* Data from 2017 are referred to the period January-November (the implementation of this service is still ongoing)

In the Professional Orientation and Career Counseling are included people with disabilities, together with other beneficiaries.

In 2017 ESARM participated in the project *Pilot Action for Access to Labor Rights for People with Disabilities*. ESARM employees carried out evaluation of personal characteristics of the unemployed individuals with disabilities, and counseling for employment and career development.

As part of the professional orientation, activities were carried out with primary school, secondary school and college graduates: the state of the labor market was presented at group informative meetings; presentation of active programs and measures for employment carried out by the ESARM; and individual and group counseling for professional orientation. Large number of students visited employment fairs organized by the ESARM, to learn more about employers, required work positions, available positions, and the state of the labor market.

The realization of the Professional Orientation and Career Counseling service at the ESARM aimed at the unemployed, contributed in:

- Activating the unemployed, especially young people, through new activities of the service (self-evaluation, training, improved interview, planning);
- Increased awareness by the users of their personal characteristics, the planning of job seeking, and structural career building;
- Unemployed people who are better informed about the conditions of the labor market, active measures and services carried out by the ESARM as part of their career counseling;
- The unemployed were active participants in the preparation of their career action plans, thus improving their planning skills for job seeking;

- Some participants changed their status from unemployed to employed. The service does not result in employment, but its services allowed the users to become active job seekers (being informed, directions, participating in other services and active employment programs and measures, strengthened capacities for presentation in the labor market, motivation, etc.);
- The beneficiaries gained new knowledge and skills that will be useful in future job seeking. The results of these services have a long-term effect.

By providing this service the entire implementation the new modern work concept of employment centers is strengthened. This includes working with different categories of unemployed people (especially young people as a vulnerable category in the labor market), allowing easier access to services and improving the access to individualized services, supported by the profiling process and development of individual plans for employment, etc.

Professional Orientation and Career Counseling activities allow easier access to all job seeking activities. The ultimate goal for unemployed people is to become proactive, with strengthened planning skills and increased motivation and success in job seeking and employment.

Article 10 – The right to vocational training

Article 10§1

With a view to ensuring the effective exercise of the right to vocational training, the Parties undertake to provide or promote, as necessary, the technical and vocational training of all persons, including the handicapped, in consultation with employers' and workers' organisations, and to grant facilities for access to higher technical and university education, based solely on individual aptitude.

In terms of Article 10, paragraph 1, several reform processes are ongoing, thus requiring further work on several open issues in order to reach the equal access to education and training for everyone, according to demands in the labor market. The reform processes include the vocational education and training system, higher education and adult education, as well as formal and informal learning.

From this reasons and in order to enable preconditions on fulfilling or accepting the paragraphs of this article, the competent authorities make efforts to meet and finalize the following processes/open issues:

Open issue (reason) - 10/1.1.

Reforms in the vocational education and training are an integrated process that should be continuous, according to the fast changes in the labor market. The activities started in the frames of the projects are not completed. In order to acquire the initial indicators for monitoring and evaluation of success, a generation of students must graduate and gain employment – this will provide traceability of their development and advancing. The implementation of the reforms initiated in the secondary vocational schools varies due to unequally equipped schools and trained staff, as well as different acceptance of students by the companies.

Description of the current state (explanation):

The process of reforms in education is an important segment of vocational education. It prepares the students for the labor market. Current analyses show that graduates lack skills to participate directly in the labor market. On the other hand, the companies require 3-6 months to train these cadres, in order to engage them and directly include in the future employment. This requires reforms in the vocational education and training. The Ministry of Education and Science, through projects supported by the EU (for reforms in vocational education and post-secondary school education from the Instrument of Pre-Accession Assistance (IPA) and from the World Bank (for reforms in for-year vocational education)), began reforms in the secondary vocational education and training.

Most significant results from the mutual collaboration and coordination of the national educational institutions are the templates for occupational standards, qualification standards and curriculums for vocational education. The qualifications template/ form was created in accordance with the requirements by the Macedonian Qualifications Framework, and the template/ form for curriculums for vocational education is modularly designed and contains the learning results.

During a period of one year, more than 150 occupational standards for, curriculums for 72 education profiles (qualifications) for vocational education (69 for a two and three-year education, and 3 for a four-year education), as well as curriculums for vocational subjects according to the teaching plans were developed.

In the 2017-2018 school year, reforms began in all secondary vocational schools in the two and three-year vocational education, according to new curriculums and teaching plans. The reforms in the four-year vocational education are carried out as a pilot project in 6 secondary schools for three education profiles (qualifications) – construction technician, hotel-catering technician and electrical engineer for computers and automation.

The curriculum for vocational subjects in the 2017-2018 school year is carried out according to the teaching programs designed with the learning outcomes. The curriculum on general education continues according to existing teaching programs. Secondary vocational schools not included in the reform of four-year vocational education implement non-reformed curriculum.

An important condition for successful reforms in vocational education is the continuous monitoring of the educational process by all parties, analyses and recommendation to overcome current problems, in order for the next generation of students in vocational education to follow the same curriculums and acquire qualifications. Vocational schools should have adequate space, equipment and monitoring tools needed to carry out the teaching for a certain vocation, to develop curriculums in general education subjects that designed with learning outcomes. When reforms are carried out on every level and teaching conditions are equal, we can expect success from the graduates who become employed in companies without further training.

Upcoming reforms in vocational education will include developing the learning system through work, introduction of a dual system of education and training, strengthening of internships.

From 27.09.2017, the project of dual vocational education according to the German model officially began. It is a three-year project for dual vocational education carried out in the Republic of Macedonia with German expertise and support. This project is important for the economic development in Macedonia, and will solve many problems. It will help companies to employ professional cadre with the students being trained in a company - an example of a public-private partnership.

Dual education is oriented toward the demands of the labor market and is an investment in the future and economy. The idea for dual vocational education is supported by the Government of the Republic of Macedonia by creating conditions for easier implementation of the project and allocating budget funds to support companies. The Government will implement the dual education system in the secondary vocational education. The companies will be able to grant scholarships to secondary school students who will be obliged to work for a certain period at those companies.

With financial assistance by the Embassy of Switzerland, a project to develop secondary vocational education in Macedonia (in formal and informal education) will be carried out. The goal is to increase employment among young people, especially women and vulnerable groups (Roma and young people with disabilities). The project will last for 10 years and will be implemented from March 2018.

Emphasis will be given to the cooperation between the educational system (including informal education) and the business community (companies). The idea is to build a sustainable system for the companies to detect required skills from candidates, and allow the development of those skills (through formal or informal education). The project will focus on several sectors: health and social protection, personal services, agriculture, the food industry and catering and hospitality.

Open issue (reason) - 10/1.2.

Continuous monitoring of the students' progress during their education, acquired knowledge, skills and competences, their employment, required qualifications on the labor market, are all process that require an integrated monitoring and analysis system by each country.

Description of the current state (explanation):

In the Republic of Macedonia, each institution, an employers' organization, economic chambers, local municipality and other interested stakeholders for their purposes carry out research in vocational education and the labor market, and on that base create analyses and statistics. This shows us that there is no single system (database) that will include all information on the vocational education and the labor market, as well as monitoring system that would track the destinations of the graduates.

To overcome this, the Republic of Macedonia did certain efforts towards improvement of the situation. Namely, from October 2015, began the process of development of the **Skills Observatory** that would allow the Ministry of Education and Science to analyze the appropriateness of the skills that the students of secondary school possess in correlation with the needs of the labor market, in order to improve the curriculums in accordance with the employers' requirements. The Observatory will offer information on the employability of certain professions, the waiting time until employment, salaries according to the education profile etc., which will assist the secondary school students and their parents in their choice of secondary school.

The Skills Observatory, together with the European Training Foundation, carried out research – *Study for Determining Employability of Graduate Students (Tracer Study)*. The Study is carried out by collecting data on graduates, starting with the 2014/2015 school year in secondary technical and higher education, and determining their employability.

Open issue (reason) - 10/1.3.

Until now, the opening of career centers and the training of the teachers and colleagues (psychologists/pedagogues) for career counselors was carried out by the projects. This is a problem in terms of continuous sustainability, unlike higher education where the Law on Higher Education prescribes the manner of establishment of Career Centers and their role.

Description of the current state (explanation):

The Ministry of Education and Science together with the Education Development Center from the USA, Skopje office, that implemented the Project (Network YES), financed by USAID, opened and equipped 52 career centers for career counseling for students in public secondary schools in a number of municipalities in the Republic of Macedonia.

The programs for career counseling in the centers were delivered by qualified career counselors who were teachers and psychologists/pedagogues in schools. More than 180 teachers and colleagues (psychologists/pedagogues) have been trained.

The project “*Strengthening of the Lifelong Learning through Modernization of the Vocational Education and Training System and the Adult Education*”, financed by the European Union through IPA, identified the need to build capacities of teachers and colleagues to establish and operate career counseling centers, in accordance with the YES project model.

Training was carried out of 117 career counselors from 52 public secondary vocational schools who have career centers, and 63 teachers were trained from 24 secondary vocational schools from the Republic of Macedonia that lack career centers in the schools.

In the upcoming period there will be changes in the laws on education that will also include the establishment of **Career Centers** and introduction of **career counselors** as professional staff.

Only by doing this i.e. the systematic introduction of the career counselors can achieve the expected results, the sustainability and continuity, and initiation of career guidance for students since the moment they enroll in the secondary schools, and not at the end of the education. This is of exceptional importance for their proper guidance in career choices, as well as for reconciliation of supply and demand in the labor market.

According to the Law on Higher Education, the university establishes at least one career center. The career center maintains a record of alumni and organizes career fairs at each faculty/university that has a career center. The career centers are established for practical teaching for the students, to produce a professional cadre who will implement modern innovative techniques and technologies in the teaching process. The career centers consist of educational counselors. The centers are obliged to form working groups (from representatives from technical faculties and economic chambers) and organize monthly meetings in the presence of representatives from the Agency for Foreign Investments and Promotion of Export about the needs for cadre in the labor market and for narrowing of the gap between the supply and demand of the labor force.

Career centers keep record of former students, organize career fairs where all institutions of higher education take part. These fairs are organized to recruit cadres for so-called entry-level jobs. Such events allow students to meet employers and conduct interviews for jobs. Many companies that visit these job fairs also recruit through online platforms offered by the higher educational institutions, and use these events to meet the interested students.

In the frames of the career centers, the students are getting more active role and they are directly involved, as volunteers, in terms of logistical support of the faculties, in the implementation of the activities related to the work of the faculty: organizing of so-called Open Day, promotional activities in secondary schools, logistical support for enrollment of new students and general activities at the beginning of the academic year (receiving documents, organizing the first academic class), etc.

Open issue (reason) - 10/1.4.

Training for the teaching staff was carried out in the last year as part of the projects and were aimed only at teachers who will be delivering the new curriculums. Due to the small number of counselors at the Center for Vocational Education and Training (one counselor per occupation), it is difficult to carry out training for teachers, especially because, starting from the next year, the reforms in the technical (four-year) education will commence on national level will (it is currently a pilot of three educational profiles in 6 vocational schools).

Description of the current state (explanation):

The professional development of the teachers from vocational schools in terms of delivery of the new teaching programs that are modularly designed for vocational education and training, was carried out until the end of August by experts. More than 350 teachers who teach in two-year and three-year vocational education in the first year completed their training. Emphasis was given on the student and the approach based on the learning outcomes, which will be vital to the effect of the reformed qualifications.

Furthermore, 28 trainers/ master trainers (11 counselors from the Center for Vocational education and Training and 17 teachers from secondary vocational schools) underwent training and would later train approximately 2,000 participants (principals, teachers and associates from the secondary vocational schools) on implementation of the modernization process of the technical education, and on implementation of the modularly designed curriculums based on the learning outcomes and assessment criteria.

Two-day plenary sessions took place at the end of August 2017 for several groups consisted of 100-125 students (principals, teachers and associates) from the 6 vocational schools that piloted the modularly designed curriculums.

Upon completion of the projects, in order to ensure continuous quality and sustainability, a system for continuous training should be established which would follow the so-called Cascade model - led by the teachers themselves and supported by the relevant counselor; as well as establishment of web portals for exchange of experiences, materials, etc.

Open issue (reason) - 10/1.5.

Training of different target groups is a long-term process due to the diversity of the target groups. Their needs are also different and the inclusion on the labor market demands dedication and continuous participation by all institutions, not just by one or two.

Description of the current state (explanation):

In order to increase the scope and the coverage with the active measures of the long-term unemployed people, the young people and individuals with low qualifications, in order to improve the qualifications of the teachers and in order to stimulate the learning through practice in the secondary vocational education, a number of activities were implemented, with further activities and reforms being planned for the period to follow.

In order to improve the social inclusion of the most vulnerable groups in the society, and initiated by the Administration for Execution of Sanctions and the Ministry for Education and Science, UNDP agreed to support the authorities to institutionalize education as part of the system of the penitentiary-correctional institutions. Introducing professional training in the penitentiary-correctional institutions should allow faster resocialization of convicted persons and their easier inclusion in the labor market.

Three cycles of professional training have been carried out in “KPU Zatvor Kumanovo” in Kumanovo by two secondary vocational schools from Kumanovo, where 75 convicts completed the training; two cycles of training in “KPU Zatvor Shtip” in Shtip were implemented where 45 convicts completed the training. In accordance with the Law on Vocational Education and Training, all 120 participants in the process gained level 1 professional qualifications and received certificates. In accordance with the Law on National Qualifications Framework, the participants received certificates for level 2 professional qualifications and sub-qualifications as stated in the Macedonian Qualifications Framework, as part of the “Formal Learning”. The training was provided by educational institutions that deliver trainings in accordance with programs approved by the Ministry of Education and Science.

By the end of 2017, a training process should be completed in “KPU Idrizovo”, Skopje – Women’s Ward for 17 persons.

In order to increase the cooperation between the employers and the secondary vocational schools and verified trainers by the Ministry of Education and Science (for delivery of trainings according to the needs of the employers and to increase the economic activity in the municipalities), the 2017 Operational Plan foresees delivery of two pilot programs: Training for Meeting of the Local Needs for Qualified Labor Force and Center for Professional Training where 80 young unemployed people under the age of 29 will take part in the first phase, and 50% of those should receive employment at employers who emphasized they need qualification and professional labor force.

Open issue (reason) - 10/1.6.

Inclusion of student with special educational needs is a long-term process that requires full dedication by all institutions, especially the educational institutions, but also by parents that are the key player in the entire system. Without support from schools, the dedication from teachers and without direct cooperation with the parents, the inclusion of the students will not be fully implemented.

Description of the current state (explanation):

In order to be completed the professional staff in the public secondary schools in the Republic of Macedonia, and in order to assist the teachers in their work with students

with special educational needs, 57 defectologists were employed in the secondary schools.

This school year, the Ministry of Education and Science, the Ministry of Labor and Social Policy, the Employment Service Agency of the Republic of Macedonia and the United Nations Development Program (UNDP), together with local communities and civic organizations through the Community Work Program, supported 106 education assistants and 34 personal assistants for children in 40 elementary and secondary schools in 19 municipalities. The Program assists students with disabilities in the elementary and secondary schools by hiring education assistants and personal assistants.

The inclusion of the education assistants and personal assistants in schools should be regulated by law, and their work should be monitored until the end of the school year. The final report should include recommendations for improving their inclusion and work with disabled students.

Open issue (reason) - 10/1.7.

The biggest reason is the lack of harmonization in the legal framework, the overlapping of authorities, gaps, but also the need for urgent harmonization of all laws with the Law on National Qualifications Framework.

Description of the current state (explanation):

In the legal framework there is overlapping of the competencies of the institutions. The introduction of the Law on National Qualifications Framework created certain gaps in other laws that regulate, especially, the vocational education and training. Changes are required in the assessment of the results of the vocational education and training, and in the evaluation of the results of the key competencies. Harmonization of the definitions in all laws is necessary – such as, for example, educational profiles with qualifications, vocations with Sectors of Qualifications in the vocational education.

Article 10§2

With a view to ensuring the effective exercise of the right to vocational training, the Parties undertake to provide or promote a system of apprenticeship and other systematic arrangements for training young boys and girls in their various employments.

Like the above-said for the previous paragraph from Article 10 of the European Social Charter, the same can be said of the second paragraph of the same Article – it is necessary to ensure the prerequisites for meeting of these provisions i.e., their acceptance. Hence, there are commitments by the relevant institutions for implementation of the initiated reform processes.

Open issue (reason) - 10/2.1.

The practical training in the secondary vocational education and training is regulated by law, however its realization fails to offer expected results. There is a small number of students who work as interns at companies, while the others carry out practical teaching at schools. Thus producing cadres with unequal knowledge, skills and competences. Another problem is the lack of interest and motivation among the students to solve the tasks at practical training, and the poor treatment of the students by the employers. With the introduction of mandatory secondary education, students formally enroll into secondary vocational schools to avoid penalties for their parents. The continuous training and the sharing of experiences is a real problem since it comes down to training as part of projects. The Center for Vocational Education and Training should be a leader through their regular activities, not through projects.

Description of the current state (explanation):

According to the Law on Vocational Education and Training, in terms of delivery of practical training, a training agreement is foreseen for the training period between the institution for vocational education and training, the employer and student, while the parent or guardian signs the agreement for an underage student.

Employers can carry out practical training for students if they meet the conditions for space, equipment and staff. For the purpose of systematic collection of data, a Registry for Verification of the Employers for Practical Training is introduced, managed by the Economic Chamber of Macedonia and a Registry of Agreements Signed between Institutions for Vocational Education and Training and Employers for Practical Training of Students.

Prior to the practical training, the agreement must be signed and registered at the Registry of students who have entered into agreements for practical training with the institution for vocational education and training and the employer. The chambers manage a Registry of students who entered into agreements for practical training with the vocational educational institution and the employer. The chambers submit quarterly reports for these signed agreements to the Ministry and to the Center.

Through the *Development of Skills and Innovations* project, the Ministry of Education provided grants to support mutual projects between secondary vocational schools and companies, in order to improve the practical training of the students and of their skills for employment.

The main goal of this Program is to increase employability of students from secondary vocational schools, according to the needs of small, medium and large companies, as well as to increase the quality of practical training through financial assistance to implement various models of cooperation between vocational schools and companies. More specifically, the objective is to increase the number of students who acquire technical and socioeconomic skills (including entrepreneurship skills), for better opportunities for employment after graduation from the vocational education.

The grants are meant for different models of cooperation:

- Work based learning through on-job acquisition of competencies and knowledge (establishing a school company in a vocational school, on the basis of business leadership and mentoring – business mentoring relation), including students in training courses in companies, and accommodation of the students for practical trainings in companies);
- Work based learning in order to identify knowledge, skills and experiences that correlate with the needs of the world of work (learning based on specific, smaller courses, and establishing of summer camps for learning by the relevant stakeholders).

The training was completed by: 421 mentors from companies where students have practical teaching; of which 400 are certified mentors, and 161 practical teachers. A program for vocational-didactic training is created for the trainers by the employers where the practical training is held. Practical teaching took place in 229 companies with certified mentors and work based learning on the companies' request (good practice are the companies EVN, Drexler Mayer, KNAUF, RUEN, USJE).

The Republic of Macedonia contributed greatly to the improved employment opportunities for young people (15-29 years) with the *Learning through Work* program carried out as part of the USAID project – *Youth Employment Skills*. The program was compatible with practical trainings in the secondary vocational education. Various forms of work based learning were developed in the frames of this program, such as visits to companies, observing a job, work at a work places and self-employment.

Training programs for mentors from companies were developed, to work with students; 171 mentors from various companies completed the training. The training program for teachers in companies was completed by 53 teachers. 102 teachers finished their training for inclusive on job learning; 777 students completed the program.

Open issue (reason) - 10/2.2.

The programs for vocational and professional training in the higher education are regulated by law. There is an equal approach to these programs for the young people from Macedonia and from other countries, but in accordance with the law. Problems arise when foreign nationals with incomplete or no documentation wish to participate in the programs.

Description of the current state (explanation):

According to the Law on Higher Education, the manner of realization of programs for professional training in the higher education is prescribed. The universities and the higher vocational school can organize different programs for vocational or professional training, having in mind the lifelong learning concept. Such programs are organized to improve, supplement, deepen and modernize the knowledge and are not considered as studies in the sense of this Law. Upon completion of the programs, the university or higher vocational school issues a certificate. The participants involved in the various forms of vocational i.e. professional training do not have the status of students. The forms of vocational or professional training, including other forms of organizing them, as well as the rights and obligations of the participants are regulated with a general act by the university and their respective units, in accordance with the statute of the university or the independent higher vocational school.

In addition to the programs for vocational or professional training, the university and its units, or the higher vocational school, have obligations to organize various forms of informal learning - at least two annual course/trainings according to the curriculum or similar, if it does not affect the study programs for acquisition of higher education.

Article 10§3

With a view to ensuring the effective exercise of the right to vocational training, the Parties undertake to provide or promote, as necessary:

- a. adequate and readily available training facilities for adult workers;
- b. special facilities for the retraining of adult workers needed as a result of technological development or new trends in employment;

PROVIDING AND PROMOTING OF TRAININGS FOR ADULT WORKERS

The Employment Service Agency of the Republic of Macedonia is a public institution that carries out vocational, organizational, administrative and other duties required for employment and insurance in case of unemployment, and assists the participants in the labor market.

The base for training, re-training and further training is given by the Law on Employment and Insurance in Case of Unemployment. The trainings/measures are elaborated in the Operational Plan for Active Programs and Measures for Employment and Services on the Labor Market.

According to Article 3 from the Law on Employment and Insurance in Case of Unemployment, the main task of the labor exchange among others is: referring of the unemployed to training, retraining and further training for employment or, in accordance with Article 12, one of the services from the labor exchange of the employers provided by the Agency is assistance to the employer in organizing training, retraining or further training of unemployed individuals according their level of education and skills for the needs of the employer.

Namely, that is according to Articles 14, 15 and 16 (Chapter 3. TRAINING, RETRAINING OR FURTHER TRAINING)

“Article 14

The Agency determines the needs of the employer for workers and of the unemployed persons for employment that should be employed with training, retraining or further training, and informs the unemployed individuals and the employers about the requirements, conditions and manner of organizing of training, retraining and further training.

The Employment Service Agency carries out training, retraining or further training prior to termination of an employment relation, short-term trainings for unemployed persons, on job trainings and trainings for involvement of unemployed persons in public works, either independently or through public and private training providers, by selecting them via public call, under conditions determined with an agreement between the Employment Service Agency and the training provider.

Article 15

By training, retraining and further training is enabled acquisition and supplementing of the knowledge improvement of the unemployed and other persons for employment purposes.

The training, retraining and further training are organized and carried out in the Agency or at the employer, with special programs, under conditions determined with an act of the Agency.

The training, retraining and further training can be also delivered in public and private educational institutions, in accordance with the educational legal framework.

Article 16

The Agency coordinates the training, retraining and further training in public and private educational institutions in the area of education for the participants.

One of the main tasks of the ESARM is implementation of the Operational Plan for Active Programs and Measures for Employment and Services in the Labor Market (OP) - an annual document that includes the measures and services implemented by the ESARM.

The following training programs are part of the OP 2017:

- Training at a known employer;
- Training at a work place with subsidized employment;
- Training for required positions on the labor market;
- Advanced IT skills training;
- Training for drivers for C, D and E category;
- Training for old crafts;
- Internship 1;
- Training for basic employment skills for young people under 29 years of age and for unemployed in foreign languages;
- Training for basic employment skills for young people under 29 years of age and for unemployed in computers;
- Qualifications training according to current labor market needs (catering and industry sector);
- Entrepreneurship training and counseling for young people;

OP is a document adopted every year. Although most of these trainings are implemented every year, as part of the OP, there is always an opportunity, depending on the labor market needs, to include new trainings or adapt the existing ones, in order to meet the requirements of the employers and of the unemployed individuals (keeping up with the latest technological trends, etc.).

The trainings foreseen by OP pertain to all categories of unemployed persons.

Description of some of the OP measures:

Training at a known employer

This measure supports training for jobs that require elementary or secondary education and for which no certificates/licenses are issued.

The training is carried out for a specific job over a period of **3 months**.

The unemployed person receives **9,000 denars** monthly, which also includes insurance in a case of accident at work and professional disease.

The employer is obliged to submit a monthly attendance record to the ESARM.

The employer is obliged to carry out the training program, according to initially confirmed **plan** for the same.

The employer will receive a **one-off payment of 1,339 denars for mentorship and running expenses** per trained person for a period of 3 months.

Same employer can train a maximum of 20 persons for one job position, and deliver more than one training per person. The employer is obliged to keep at work at least 50% of the trained persons, and cannot reduce the total number of full time employees in a period of 6 months.

Training with subsidized employment

The on job training lasts 3 months.

The employer is obliged to deliver the training program based on initially prepared plan for the same, and to issue a certificate for completed practical training to the participants. The participants will receive 9,000 denars monthly which also includes insurance in a case of accident at work and professional disease.

After the training, the employer is obliged to employ all participants for which he will receive an employment subsidy in the form of a gross monthly salary of **19,000 denars** in a period of **6 months**, with full time work – of which 17,000 denars will be for the unemployed person and 2,000 denars for the employer as compensation for costs of the training of that person.

The employer is obliged to retain the subsidized worker in the next **12 months** and cannot reduce the number of the full time workers.

Training for meeting the demand for specific occupations on the labor market

The training program will be realized during a period of four months at a verified training provider, with one month of this time intended for practical training in the premises of the company. The training will provide skills for positions required by the labor market, ascertained on the basis of several sources (data about the local labor market, analysis for the skills required by the labor market, a survey of the employers' organization, economic chambers and municipalities, as well as upon request by an employer and the interest shown by the job seekers for such training).

Trainings will be carried out for the following occupations: **accounting officer, masseur, makeup artist, home care assistant for elderly persons, car repairman for modern vehicles, locksmith.**

The training will be implemented by verified training providers from the Center for Adult Education and the Ministry of Education and Science. The participation criteria for each occupation, including the prior level of education, are defined in the training programs in accordance with the Law on Adult Education. The training providers will receive a maximum of **30,000 denars** per trained person. The participants receive a net amount of **5,043 denars** monthly (personal income tax and insurance in a case of accident at work and professional disease are calculated on top of this amount).

Upon completion of the training, and verification of the knowledge and skills acquired, the participants will be awarded **certificates**, which will be entered in the individual portfolio of the registered unemployed person.

Training for drivers for C, E and E - category

The trainings for drivers will be focused on occupations in demand on the labor market, in the transport sector i.e. will be focused on meeting the needs of drivers holding “C”, “D” and “E” driving license, for employers that applied on the public call. The trainings will be delivered by **selected licensed driving schools** during a period of **1 month**. The candidates who complete the training (theoretical and practical part) will take a **driving license exam for category “C”, “D” and “E”** in exam centers that are licensed for organizing and delivery of driver exam for this category. Eligible participants are the unemployed persons registered with the ESARM and employees of private transport companies. The employer will cover 50% of the training costs.

Upon completing the training and after passing the exam, the unemployed person will receive a confirmation letter for a driver’s license for category “C”, “D” or “E”, which will be recorded in the person’s file.

Training for acquiring old craft skills

The interested unemployed persons will be involved in a measure in which they will receive skills for traditional crafts: **blacksmith - 6-month training; cooper - 6-month training; duvet-maker - 4-month training; glazier - 3-month training; chimney sweeper - 3-month training; sheet-metal maker - 6-month training; glass painter - 3-month training; stained glass art - 6-month training; glass-bead jewelry - 3-month training; wood carver - 6-month training; furrier - 6-month training; potter - 6-month training; cobbler - 6-month training; watchmaker - 6-month training, and other crafts. Depending on the actual craft and the length of the training (3-6 months), the trainers will receive between 30,000 and 50,000 denars per trained person. The trainees will receive 9,000 denars monthly (including tax and insurance in a case of accident at work and professional disease).**

Training for languages

Advanced IT skills training

Conditions and criteria – the advanced IT training programs are aimed to improve the IT skills among the unemployed persons who have graduated from secondary school or the university graduates.

The training program includes the following program packages:

Java SE8 Programmer – the package consists of two trainings and an exam:

- **Training:** Java SE 8 Fundamentals
- **Training:** Java SE 8 Programming
- **Exam:** 1Z0-808 OCA, Java SE 8 Programmer

Package description: the training introduces the participants to object-oriented programming, using Java as a program language. Through practical exercise, the

participants will build skills as Java programmers, studying the main functionalities, the possibilities of the Java program language, application programming interfaces for design of object-oriented applications with Java SE8. Testers for software quality ISTQB.

The tester – package would include 2 trainings with 2 exams:

- **Training:** ISTQB Foundation Exam: ISTQB Foundation
- **Training:** ISTQB Agile Tester Exam: ISTQB Agile Tester

Package description: this package is aimed at individuals who wish to learn about the testing principles as support for the application development process. Participants will be introduced to the basics of dynamic and static techniques for testing software, as well as the planning process of testing and the tools used.

The training is for those who wish to gain practical knowledge about the concept of software testing.

This includes the test analysts, the test 42 engineers, the user acceptance testers i.e. everyone who would like to see themselves in one of these roles.

The measure consists of program packages considered to be mostly used and in demand by the labor market, according to the Ministry of Information Society, and based on consultation with the Macedonian ICT Chamber of Commerce (MASIT), The Association of Chambers of Commerce and the Economic Chamber of Macedonia.

Trainings will be carried out in the regions based upon interest from the unemployed persons and the provided training prerequisites, meaning that the trainings will be delivered in every region where there is at least 10 participants and candidates who have completed the preliminary selection process.

Eligible to participate in this measure are registered unemployed persons who are secondary school or university graduates.

The selection of unemployed candidates is the responsibility of the authorized training center that needs to do prior verification of the relevant IT skills of the candidate.

The trainings will be carried out over a period of 3-6 months from the day of completing the final ranking lists, based upon the activity plan by the authorized training center. The participants who complete the training, receive a certificate and a voucher for a passed exam/s for acquisition with international certificate. During the training, the authorized training center does monthly reports on the candidates' attendance. The final exam/s for the program packages should be taken in a period of 3 months after the training's completion, after which, the candidates who failed the final exam have additional 3 months to retake the exam on their own expense.

COVERAGE with OP 2017:

- 5,604 persons in trainings
- 184,884,400 MKD (over 3 million euros)

RESULTS 2016:

- 3,332 persons in trainings

Article 10§4

With a view to ensuring the effective exercise of the right to vocational training, the Parties undertake to provide or promote, as necessary, special measures for the retraining and reintegration of the long-term unemployed.

MEASURES/POLICIES FOR TRAINING AND REINTEGRATION OF THE LONG-TERM UNEMPLOYED PERSONS

STATISTICAL DATA (State Statistics Office):

- Activity rate 56.9%
- Employment rate 44.1%
- Unemployment rate 22.6%
- Unemployment rate for ages 15-24 - 47.1%
- Employment rate for ages 15-24 - 17.6%
- Long-term unemployment rate (2016) is 19.2% (participation of long-term unemployed persons – more than a year from the total labor force)
- 80.9%- of long-term unemployment (2016) – participation of long-term unemployed persons longer than 1 year in the total number of unemployed persons.

Registered Unemployment Data – ESARM (state: 31.08.2017)

- 96,728 unemployed**
- 96,434 job seekers
- Long-term unemployed 63,407, i.e. **65.6%** of the total number of unemployed (of those, 18.5% await employment 4 years and longer)

Employment Service Agency (as of August 2017)

- Registered unemployed people – 96,728
 - Gender
 - 59.1% - male
 - 40.9% - female
 - Age
 - 22.5% - young unemployed (15-29 years old)
 - 41.5% - age group 30-49
 - 36.0% - age group 50+
 - Education
 - 43.3% - without education and only primary education
 - 12.7% - with uncompleted secondary education
 - 29.0% - with completed secondary education
 - 15.0% - with university or higher education
 - Duration of being registered
 - 34.4% - up to 12 months
 - 47.1% - between 1 – 3 years
 - 18.5 – more than 4 years

Long - term unemployed (63,407 unemployed - 65.6%)

- Gender

61.7% - male

38.3% - female

- Age

16.2% - young unemployed (15-29 years old)

43.5% - age group 30-49

40.3% - age group 50+

- Education

47.9% - without education and only primary education

13.4% - with uncompleted secondary education

26.3% - with completed secondary education

12.4% - with university or higher education

Two direct grants were implemented in the frames of the Employment Service Agency of the Republic of Macedonia (financed through the EU's Instrument for Pre-Accession Assistance - IPA), with some measures aimed at the long-term unemployed:

Support to the employment of young people, long-term unemployed and women I –

1st Direct Grant – 7,950 participants (*Internship program, Trainings for general skills, Trainings for skills demanded on the labour market*)

Support to the employment of young people, long-term unemployed and women II –

2nd Direct Grant – 4,720 participants (*internship program, training for skills demanded by specific employer, training for basic language and IT skills, Training for skills demanded on the labour market, Advanced IT skills*)

Profiling the Unemployed and Individual Employment Plans

Employability checklist is included - tool for improvement of the design of an Individual Employment Plan. ESARM's officer collects all personal information about the individual and classifies her/him in one of the three profiles as directly employable, moderate obstacles, significant obstacles.

Services:

- Employment services for the unemployed
- Informing
- Counseling
- Guidance
- Job search skills
- Mediation in employment
- Forms of working with the unemployed
- Individual approach
- Group work

Motivational Training

The motivational training includes young unemployed persons up to the age of 29 (with advantage for those with poor qualifications) and **long-term unemployed persons** from the ESARM's registry of unemployed.

The **goal** of the motivational trainings is to increase the motivation among the unemployed people, to be active job seekers. The trainings shall contribute to strengthen the self – confidence of the unemployed by informing them and training them in job seeking techniques.

In the trainings, the unemployed persons are introduced to active programs and measures for employment, and with the services available from the ESARM, and they will be motivated to use them. The motivating of the unemployed persons in the job seeking process will be implemented through **individual counseling and training** (based on evaluation and need for an individual approach to working with an unemployed person), and by **group motivational trainings through workshops**.

Organization of the motivational trainings:

- Motivational training is carried out in all employment centers according to the ESARM's motivational training plan for 2017.
- The number of trainings carried out by employment centers will be adjusted according to the number of unemployed persons in the Registry for Employment.

The participants are involved in the trainings based on the interest expressed by the unemployed persons, following consultation and recommendations from the Individual Plan for Employment of the person, etc.

The participants are informed and summoned via letters, telephone, SMS, information on the ESARM's web portal, etc.

The expected outcomes from the completion of these trainings are better information, interest and motivation to participate in the ESARM's services and active measures for employment, and other active job-seeking activities. These effects are long-term and they will contribute towards better motivation of the unemployed to improve their employment skills. The results achieved will be monitored through the number of participants involved in the motivational trainings and their employment status after the trainings.

Article 10§5

With a view to ensuring the effective exercise of the right to vocational training, the Parties undertake to encourage the full utilisation of the facilities provided by appropriate measures such as:

- a. reducing or abolishing any fees or charges;
- b. granting financial assistance in appropriate cases;
- c. including in the normal working hours time spent on supplementary training taken by the worker, at the request of his employer, during employment;
- d. ensuring, through adequate supervision, in consultation with the employers' and workers' organisations, the efficiency of apprenticeship and other training arrangements for young workers, and the adequate protection of young workers generally.

INTRODUCTION/ EXISTENCE OF DIFFERENT MEASURES/BENEFITS/INCENTIVES TO ENCOURAGE THE EFFECTIVE EXERCISING OF THE RIGHT TO VOCATIONAL TRAINING

Measure carried out by the ESARM – Training for occupations in demand on the labor market

The training program will be carried out over a period of up to four months by a verified training provider, which includes one month for practical training in the premises of the employer.

The training will provide **knowledge on the occupations required in the labor market**, confirmed by several sources (data about the local labor market, analysis for the skills required by the labor market, a survey by the employers' organization, economic chambers and municipalities, upon request by an employer, interest by job seekers for such training).

Trainings will be carried out for the following **occupations**: accountant officer, masseur, makeup artist, home care assistant for elderly, auto mechanic for modern vehicles, locksmith.

The training will be implemented by **training providers verified by the Center for Adult Education and the Ministry of Education and Science**. The participation criteria are defined in the training programs in accordance with the Law on Adult Education. The training providers will receive a maximum of **30,000 denars per trained person**.

The trainees receive a monthly net amount of **5,043 denars** (added to this sum are the personal income and insurance in a case of accident at work and professional disease). Upon completion of the training and verification of the knowledge and skills acquired, the participants will be awarded a **certificate** on the skills acquired which will be recorded in the unemployed person's file.

Article 3 - The right to safe and healthy working conditions

Article 3§1

With a view to ensuring the effective exercise of the right to safe and healthy working conditions, the Parties undertake, in consultation with employers' and workers' organisations to formulate, implement and periodically review a coherent national policy on occupational safety, occupational health and the working environment. The primary aim of this policy shall be to improve occupational safety and health and to prevent accidents and injury to health arising out of, linked with or occurring in the course of work, particularly by minimising the causes of hazards inherent in the working environment;

The Law on Occupational Safety and Health introduces measures for improved occupational safety and health, and all amendments are made in consultation with social partners. Furthermore, all acts are discussed on regular basis by the social partners through the Economic-Social Council, as a tripartite national body that gives recommendations and advice to the Government of the Republic of Macedonia.

The social partners are also part of the **Occupational Safety and Health Council** - an expert advisory body, established by the Government. The body consists of representatives from the Government, labor unions, employers' associations, occupational safety and health associations, and science representatives.

The National Occupational Safety and Health Council gives advice and recommendations for the Occupational Safety and Health Program, on issues related to the occupational health and safety, the strategy on coherent policy for prevention and mitigation of the work related injuries, as well as opinions and recommendations on the professional grounds for drafting of laws and other regulations in this area.

In according with Article 4 of the Law on Occupational Safety and Health, the Government of the Republic of Macedonia adopts an Occupational Safety and Health Program. This Program regulates the Strategy for Development of the Safety and Health at Work in relation to protection of the life, well-being, health and working capacity of the employees, including prevention of job-related injuries and professional and other disease related to the work.

The **2020 Occupational Safety and Health Strategy**, adopted in September 2017, shows the current state of the occupational safety and health system, the anticipated results in 2020, the action areas, the intervention approach, the national priorities, the key challenges, the monitoring, evaluation, reporting and financing of the same. An integral part of the Strategy is the Action Plan for the Strategy's implementation.

Article 3§3

With a view to ensuring the effective exercise of the right to safe and healthy working conditions, the Parties undertake, in consultation with employers' and workers' organisations to provide for the enforcement of such regulations by measures of supervision.

The **State Labor Inspectorate (SLI)** monitors the implementation and the practical enforcement of the occupational safety and health legislation.

The Sector for inspection supervision in the area of occupational safety and health at the SLI is organized in three regions nationwide and includes 37 occupational safety and health inspectors, where 29 of them carry out inspections in the field i.e. in the companies.

The state labor inspectors in the area of occupational safety and health determine, when doing inspections at the employers, whether occupational health and safety measures are met by the employers. In accordance with their mandate, the inspector issue resolutions that order the employer to remove the detected irregularities within a certain period, otherwise a misdemeanor procedure will follow.

The SLI gives preventive measures, educational measures, executive measures, instructing employers and employees on their duties, and introduces an occupation safety and health management system.

According to the SLI's reports in the last three years (2014-2016), inspections were carried out in a significant number of companies with an average annual coverage of around 200,000 employees.

A challenge for the Inspectorate is the small number of occupational safety and health inspectors – insufficient to carry out the existing duties in terms of the inspection supervision in all companies in the country.

Priority for the State remains strengthening the SLI's capacities in terms of human resources and from technical and professional aspect, in order to improve the national occupational safety and health system.

The data on occupational injuries, in accordance with the existing legislation, are received from two sources: the Institute for Public Health and the State Labor Inspectorate.

According to the Institute for Public Health data, in 2016 a total of 894 work-related injuries have been recorded, compared to 1,222 in 2015 (reduction of 27%), with the largest number of injuries happening in the industry and mining.

When compared with the number of registered work injuries in the EU (on 100,000 employees), these indicators show tens of times lower values, which is an indicator of serious insufficiency in the system for registering, reporting, collecting and processing

of work injuries in our country. This requires urgent resolution of this problem by involving all key and relevant partners in the society.

According to the Law on Occupational Health and Safety, the employer must inform the inspectors immediately, or over a 48 hours period, about a death, collective accident and work injuries that cause temporary inability to work longer than 3 working days. According to the Annual Report for Completed Inspections in Occupational Safety and Health for 2015 and 2016, there have been 1,461 work injuries in 2015, and 1,486 in 2016.

Most injuries are recorded in the processing industry, in the construction and in the agriculture. According to this Report, there were 24 registered deaths in 2015, and 15 in 2016, mostly in the construction industry.

According to the inspection findings and the documentation pertaining to the occupational safety and health, the most common causes for injuries are the irresponsible attitude by the employers and the management when it comes to consistent enforcement of the occupational safety and health requirements. This includes lack of safety training for employees, no health examinations for employees, lack of a safe work space, no safety equipment, no safety checks of work equipment, disregarding procedures, etc.

The differences in data on work injuries published in the SLI's Report, and the data from the Institute for Public Health, are due to the different methodologies for data collection (different legal grounds), and should be deeply analyzed in order to come up with single data that will give a realistic picture of the state of work injuries and deaths.

Article 4 – The right to a fair remuneration

Article 4§1

With a view to ensuring the effective exercise of the right to a fair remuneration, the Parties undertake to recognise the right of workers to a remuneration such as will give them and their families a decent standard of living.

The Constitution of the Republic of Macedonia guarantees each individual the right to an adequate wage.

As a result of the agreement between the Government of the Republic of Macedonia and its social partners, at the beginning of 2012, the right to minimal wage and its amount was regulated for the first time in Macedonia, as well as the authorities in charge of determining and publishing the minimal wage. The law has undergone several changes, and the last one was with the Law on Amending the Law on Minimum Wage in the Republic of Macedonia (Official Gazette of the Republic of Macedonia, No. 132/17), adopted in September 2017.

The goal of these last changes was to increase the minimum wage in Macedonia, to standardize the level of the minimum wage for everyone, and to provide financial assistance for the employers for payment of the minimum wage in a period of 12 months after the adoption of the Law.

With these changes, the minimum wage for each employee in the country is 17,130 denars in gross amount or 12,000 denars in net amount (53.7% of the average net wage paid in the Republic of Macedonia for 2016).

The changes defined several parameters for harmonization of minimum wage: salary growth, the rise of living costs and rise of the GDP.

Article 4§4

With a view to ensuring the effective exercise of the right to a fair remuneration, the Parties undertake to recognise the right of all workers to a reasonable period of notice for termination of employment.

The employee can terminate his/ her labor contract by written request; and the employer can terminate the contract if there is justified reason for firing the workers, related to the employee's behavior, due to the violation of the working order and discipline, or of the working obligations, or because of business reasons.

The employer can terminate the contract immediately, without termination notice, in cases when the employee disrupts the work order and the discipline or fails to do his/ her working duties established by law, collective agreement, rules of the working order and discipline and the employment contract, and especially if the employee:

- 1) is unjustifiably absent from work three consecutive working days or five working days in a year;
- 2) misuses sick leave;
- 3) fails to adhere to the regulations for health protection, occupational protection, fire, explosion, harmful effects of poisons and other hazardous materials, and ignores regulations for environmental protection;
- 4) uses or is under the influence of alcohol and narcotics;
- 5) is guilty of theft or causes harm to the employer, intentionally or due to significant negligence, and
- 6) discloses business or state secrets.

Other cases of disrupting work order and discipline can be determined by law or by collective agreement for which the employer can terminate the employment contract with immediate effect.

Termination notices

The employee and employer can terminate the employment contract within the agreed effective date of termination or within a termination date that was mutually agreed by them. When deciding, the parties must respect the minimum duration of the termination notice, as defined by this Law, the collective agreement at the level of the activity i.e. at employer level.

Minimum termination deadlines

If the employee terminates the employment contract, the date of termination is one month. A longer date of termination can be agreed with the employment contract or with collective agreement, but not longer than three months.

If the employer terminates the employment contract of a single employee or a small number of employees, the date of termination is one month; while for more than 150 employees or 5% of the total number of employees, the date of termination is two months.

If the employer terminates the employment contract of a seasonal worker, the date of termination is seven working days.

The date of termination begins the following day from the day at which the decision for termination of the employment contract was properly served.

During the date of termination, the employer must allow the employee a four-hour leave during the working week for the purpose of seeking other job; and the employee has the right to a wage, according to the collective agreement.

The employer can terminate the employment contract of the employee due to personal reasons on the side of the employee with a deadline of three months after learning about the facts that are basis for the termination, or six months from the day of learning about the facts that are basis for the termination.

The employer can terminate the employment contract of the employee due to fault on the side of the employee six months after learning about the facts that are basis for the termination, or 12 months from the day of occurrence of the facts that are the basis for the termination.

The employer can terminate the employment contract of the employee due to a criminal offence by the employee at work or in relation to the work, but before the statute of limitations expire for the particular criminal offense.

By law, other regulation or by collective agreement at the level of the activity, can be determined, concluded an employment agreement as an apprentice, who begins to work for the first time according to his/ her level of vocational education, for the purpose of self qualifying for independent performing of tasks at the workplace.

The apprenticeship period can last maximum one year unless stated otherwise by law. During this period, the employer cannot terminate the apprentice's agreement, except in the case of initiation of a procedure for termination of the employer's business, in a case of violation of the work order and discipline, or of the work obligations, in accordance with a law.

The employer can terminate the probationary employment contract for seasonal work within three days from the date of its signing.

During their probation period, the employee can terminate the employment contract with a termination notice of three working days. On the basis of unsuccessful performance assessment during the probation period, the employer can also terminate the probation agreement after the probation work has been done.

ARTICLE 7 – The right of children and young persons to protection

Article 7§5

With a view to ensuring the effective exercise of the right of children and young persons to protection, the Parties undertake to recognise the right of young workers and apprentices to a fair wage or other appropriate allowances.

The Law on Labor Relations regulates the ability to sign an employment contract with a young person under 18 years of age.

An employment contract can be signed by young person under 18 years of age and who has general healthy ability. A young person is an individual between the ages of 15 and 18, who is not covered by the compulsory education, for execution of works that are not dangerous for his/her health and safety, can sign an employment contract. It is forbidden for a child under the age of 15 or a child without compulsory education, except for activities allowed by law but no longer than four hours daily.

The law further regulates the exceptions to these provisions, introduces protection of minors from exploitation, the maximum number of working hours, according to age, etc.

However, there are no special provisions in the Law that would regulate the wages of the young people, meaning that the general regulations on labor relations, applicable to all other persons, would also apply to these persons as well.

ARTICLE 22 – The right to take part in the determination and improvement of the working conditions and working environment

Article 22

With a view to ensuring the effective exercise of the right of workers to take part in the determination and improvement of the working conditions and working environment in the undertaking, the Parties undertake to adopt or encourage measures enabling workers or their representatives, in accordance with national legislation and practice, to contribute:

- a. to the determination and the improvement of the working conditions, work organisation and working environment;
- b. to the protection of health and safety within the undertaking;
- c. to the organisation of social and socio-cultural services and facilities within the undertaking;
- d. to the supervision of the observance of regulations on these matters.

The employee must respect the work safety regulations to protect their own life and safety as well as the life and safety of others. It is the duty and right of each employee to look after their own security and the security of their coworkers according to the employer's instructions, and to be informed and trained about the work safety measures. The employee has the right to refuse work if their health or life is endangered, when no safety measures are implemented, and to request removal of such danger.

The employee must inform their employer immediately through their superior or through other authorized person (hereinafter: workers' representatives), verbally or in written form, about material damage, or any other incident or omission, danger to safety and health or about any other incident that could endanger his/ her health and safety as well as the health and safety of the other employees, in accordance with the occupational health and safety regulations.

The employer must provide safe working conditions for their employees in accordance with special occupational health and safety regulations and to undertake the relevant measures that guarantee that each employee was provided with sufficient training relevant to the particular characteristics of the work, in the same time paying attention to his/ her professional background and experience.

The employer must do risk assessment in a sense of systematic overview of all work-related aspects, in order to identify the potential reasons for injuries or health damage for their employees.

The employer must ensure occupation health and safety for their employees for each work-related aspect. In the frames of this obligation, the employer must undertake measures necessary for the health and safety at work of the employees, including protection from professional risks, obtaining information and training, and providing

adequate organization and the required means. The employer must introduce safety measures and production methods that will improve occupational safety and work on all levels of the organization.

Each employer must provide and implement a safety statement for every job position, detailing the required measures. The safety statement is based on the identification of the danger and the assessment of risks to the occupational safety and health.

The employer must also receive opinion from the labor union or the workers' representative if there are no unions present. If there is change in the conditions or there is new hazard to the job position and in the working environment for which there was a prior statement prepared, the employer must create a new hazard statement. The employer is obliged by the collective agreement to ensure the exercising of the right of the employees, directly or through the President of the labor union, or the representative of the representative labor union, or the representative of employees where there is no labor union, and the representative of the employees for occupational health and safety, to get involved in the assessment of the gaps and in the improvement of the conditions for work and of the working environment at the employer – this will include all activities of the company or the institution and at all levels.

When planning and ordering work equipment, and when introducing new technology, the employer must consult and cooperate with the employees and the labor union's president or the representative of the representative labor union, or the representative of employees where there is no labor union, and the representative of the employees for occupational health and safety with regards to the consequences and hazards that might occur from the selected work equipment, and identify what would be the influence of the same on the occupational health and safety, on the working conditions and the working environment.

The employer must allow their employees, labor union's president or the representative of the representative labor union, or the representative of employees where there is no labor union, and the representative of the employees for occupational health and safety, to participate in the discussions on all occupational safety and health issues in accordance with this law and with other regulations pertaining to occupational safety and health. They must be presented with the safety statement, the occupational safety report and the introduced safety measures. The labor union or the workers' assembly must be consulted on all measures that would impact the occupational safety and health, the appointment of an expert or an authorized individual or legal entity for safety, the appointment of an authorized health institution, about the safety statement, the planning and organizing of training, and about the informing the employees.

The workers' representative has the right:

- to inspect the work places in order to identify the situation in terms of safety at work at least twice or more times per year;
- to demand from the employer certain measures and to submit suggestions to lower and/or remove the risks of hazard to the employees;

- to inform the labor inspection about the need for its mediation, to be present, to provide its opinion and to have insight in the minutes made by the inspector;
- to demand information from the employer and to have access to the safety evaluation reports and to other documents for which the employer is obliged, in relation to planning and arrangement of the occupational safety and health, and
- to be compulsory informed in written form by the employer, immediately or within 48 hours, about a death, collective accident and work injury that causes inability to perform work for period that is longer than three working days, as well as any phenomenon that is direct hazard and threat for the safety of the employees at work.

The employer must allow the representative to carry out his/her duty by providing the adequate time and resources, without a wage decrease, and he/ she must never put the representative in a less favorable situation because of his/her activities.

The above mentioned rights of the representative of the employees are also applicable to the labor union's president or the labor representative of the representative labor union, or the representative of employees where there is no labor union.

Each employee has the right and duty to take care of his/her own safety and health as well as of the safety and health of his/her coworkers and of the persons concerned by his/ her activities, in accordance with the trainings and instructions provided by the employer; to be informed of the occupational safety and health measures and to be trained on their implementation.

Each employee has the right and duty to provide opinions, proposals and comments on the occupational safety and health to the expert person and to the authorized health institution.

In accordance with the Law on Labor Relations, the employer must, when introducing a night shift and if the night work is usually done by workers working at night, at least once a year to consult with the representative labor union of the employer, and if there is no such representative labor union, with the representative of the workers for setting of the time that will be considered as time for work during a night shift, about the forms of organizing of the night work, about the measures for protection at work and about the social protection measures.

ARTICLE 25 – The right of workers to the protection of their claims in the event of the insolvency of their employer

Article 25

With a view to ensuring the effective exercise of the right of workers to the protection of their claims in the event of the insolvency of their employer, the Parties undertake to provide that workers' claims arising from contracts of employment or employment relationships be guaranteed by a guarantee institution or by any other effective form of protection.

The issue of the protection of workers' rights in case of the employer's insolvency is not regulated in the country, and therefore, having in mind the complexity of this problem, a specific Law on Protection of Workers' Rights in Case of Insolvency of their Employer is planned to be adopted in the period ahead.

During the drafting of the law, the Directive for Protection of Workers in Case of Insolvency of the Employer 2008/94/EC will be transposed.

ARTICLE 27 – The right of workers with family responsibilities to equal opportunities and equal treatment

Article 27§1

With a view to ensuring the exercise of the right to equality of opportunity and treatment for men and women workers with family responsibilities and between such workers and other workers, the Parties undertake to take appropriate measures:

- a. to enable workers with family responsibilities to enter and remain in employment, as well as to re-enter employment after an absence due to those responsibilities, including measures in the field of vocational guidance and training;
- b. to take account of their needs in terms of conditions of employment and social security;
- c. to develop or promote services, public or private, in particular child day care services and other childcare arrangements;

The Law on Labor Relations contains such provisions, which prohibits all forms of discrimination at the work place due to pregnancy, birth or parenthood, regardless of the duration and type of the labor relation entered into according to law.

The prohibition of the discrimination includes access to employment, working conditions and all labor relations rights, including termination of the employment contract for employees who are pregnant or exercise birth and parenthood rights.

Hence, the employer can ask the potential employee, during the recruitment process, to submit only the proofs that show that the requirements are met by the candidate, in relation to future work duties, and not information on the employee's family or marital status and family planning – in other words, to request from the candidate provision of other documents and proofs that are unrelated to the labor relation. This prohibition includes demanding pregnancy tests or proof of such a test when signing an employment contract with female employee, regardless of the job position for which the labor contract is signed.

Among the unjustified reasons for employment contract termination, the Law also includes absence due to pregnancy, birth and parenthood, for care for a family member and unpaid parental leave.

At the end of the parental leave, the employee has the right to return to the same work place or, if that is not possible, to an adequate work place in accordance with the employment contract.

Possibility for part time work

The Law allows part time work for parents of a child with development problems and special educational needs. In other words, one of the parents of a child with development problems and special educational problems has the right to only half of the full working hours, if both parents work, or in a case of single parent on the basis of findings

established by a relevant doctors' commission, if the child is not placed in a institution for social-health care. The part time working hours, for the given reason, are actually considered full time working hours and the salary is paid according to social protection regulations.

Article 27§2

With a view to ensuring the exercise of the right to equality of opportunity and treatment for men and women workers with family responsibilities and between such workers and other workers, the Parties undertake to provide a possibility for either parent to obtain, during a period after maternity leave, parental leave to take care of a child, the duration and conditions of which should be determined by national legislation, collective agreements or practice.

The Law on Labor Relations provides the right to unpaid parental leave. In other words, after the end of the leave due to pregnancy, birth and parenthood, the female worker is entitled to unpaid parental leave of up to three months, in the period until her child turns three, in maximum three parts, for the purpose of care for the child. It is unpaid leave during which all rights of labor relations of the mother are put on hold, except the payment of the health insurance contributions.

ARTICLE 14 – The right to benefit from social welfare services

Article 14§1

With a view to ensuring the effective exercise of the right to benefit from social welfare services, the Parties undertake to promote or provide services which, by using methods of social work, would contribute to the welfare and development of both individuals and groups in the community, and to their adjustment to the social environment.

The social protection in the Republic of Macedonia is regulated by the Law on Social Protection, as a system of measures, activities and policies to prevent and overcome the basic social risks to which the citizen is exposed to during his/her life, for reduction of the poverty and the social exclusion, and for strengthening of the citizen's own capacity for protection.

Social risk includes:

- health risks (illness, injury and disability);
- risks of aging;
- risks of single parent family;
- risks of unemployment, loss of income and sustenance on the basis of work, etc.;
- risks of poverty and
- risks of other types of social exclusion.

The social protection system includes institutions, measures, activities and forms that are part of citizen's right to social protection which is exercised through:

- professional work in the institutions for social protection and implementation of development programs;
- professional development of the workers according to the needs of the users and the international standards;
- keeping up with the developments and planning of the work;
- keeping of records;
- monitoring and research in this area.

Measures in the social protection system are grouped as follows: social prevention, protection outside institutions, institutional protection and rights to financial assistance for social protection, regulated by the Law on Social Protection.

Financial rights from social protection are: social financial assistance (meant for those able to work but unable to afford bare minimum for existence), constant financial assistance (for those who are unable to work and have no financial means), financial allowance for care and assistance from another person (for those who cannot function independently and meet their basic life needs), financial allowance for easier social integration (for blindness, mobility and deafness). The system of financial allowances from social protection provides financial assistance for parentless children who had status until their 18th-year, until they are 26 years of age and who have no own income

nor property, in order to better integrate them into the community after the end of the fostering; financial assistance for a foster parent (a person who fostered a child for at least 5 years, when they reach a pension age and have no other source of income); financial assistance for a mother with a disabled child (a mother who takes care of a child with development problems for at least 15 years has the right the right to allowance when she reaches a pension age, if she has not met the right for personal pension); a one-off financial assistance and assistance in kind (related to unpredicted situation or catastrophe that will endanger the family); allowance for part-time working hours for a person who cares for a child with physical and mental disability (as compensation for the reduced salary of the person caring for the child); financial assistance for social housing (for beneficiaries of permanent financial assistance or for persons that had the status of parentless children and without parental care after they turn 18 and until they are 26 have no place to live).

The network of institutions for social protection consists of:

- 30 Centers for Social Work that solve the issues related to financial rights from social protection, fostering in adequate institution and referral to relevant extra-institutional form of protection. The Centers for social work include experts that use the multidisciplinary method and cover all municipalities in the country.
- Institution for fostering of children without parents or parental care for infants and children up to 3 years of age.
- Institution for fostering of children without parents or parental care children between the ages of 3 and 18.
- Institution for fostering of children with disrupted cognitive development.
- Institution for fostering of children with physical disability.
- Institution for fostering of people with mental disability.
- Institution for fostering of children with behavior and social problems, including children having problems with the law.
- Care homes for the elderly.

In order to improve the capacities of the professional employees in the institutions for social protection, a licensing process began in 2012, together with continuous professional education according to modules that were developed for delivery of professional work in the institutions. Until September 2017 a total of 907 professional employees of the Institutions for Social protection received their license. Due to its validity of 5 years, 427 employees renewed their license by passing the professional exam.

The public institution - Institute for Social Activities – Skopje monitors the professional work of the employees in the institutions for social protection, in order to monitor, control and improve the delivery and quality of work of the professional work and efficiency in the delivery of the functions in the institutions for social protection established by this Law and other regulations. The monitoring/supervision of the

professional work is accompanied by provision of professional assistance in the work of the institution for social protection and its staff.

In accordance with the Work Program of the Institute for Social Activities, the employees from the Institute monitor the work of the Centers for Social Work and the Institutions for Social Protection, in order to ensure quality in the work of the employees that is adequate to the established organization of work, professional development for the staff and increase of their competency, towards achieving better quality of the services and ensuring the best interest of the beneficiaries.

The monitoring provided professional assistance by the Institute for Social Activities staff for the center/institution employees in order to deliver, with the application of the standards, the professional tasks and activities in the mandate of the center/ institution, and in that way the professional staff of the center/ institution to develop knowledge and competences and undertaken the responsibility for their own practice, thus raising the quality of the services towards the beneficiaries. Another form of professional development are the coordinative meetings where experts from the Institute for Social Activities and the centers/institutions discuss problems, and where adequate legal and professional solutions are offered for specific problems. These coordinative meetings are like supervisory group work.

The monitoring of the social protection legislation is carried out as inspection supervision by inspectors for social and child protection.

The extra-institutional protection in the Republic of Macedonia is provided through an established network of Day Centers for the especially vulnerable groups of children and adults (12 for the elderly, 3 for home care for elderly persons at home, 30 for children with disabilities, 6 for adults with disabilities, 3 for street children, 1 for drug addicts, 4 shelters for victims of domestic violence, 2 centers for the homeless).

In the Republic of Macedonia, the development of this kind of extra-institutional care and assistance for children with moderate and severe mental disabilities and their families began in the year of 2000, with the opening of **day centers** for the children with mental disability between the ages of 5 and 18, who live with their biological families. Furthermore, a day center for children with cerebral palsy and a day center for children with autism have also been opened. They provide day care, meals, psycho-social rehabilitation and education, advisory work services related to organized and structured time in the frames of the center. This form of extra-institutional social protection significantly makes easier the life of these children and the life of the families, and they are geographically distributed in a way to ensure easier access for the citizens.

The Ministry of Labor and Social Policy partially finances the NGO Republic Center for Support of People with Intellectual Disabilities PORAKA Skopje, to manage 3 day centers for adults with mental disability; and the Regional Center for People with Intellectual Disability PORAKA NASHA Kumanovo, to provide services in a day center in Kumanovo.

Placing parentless children in a foster family has been present in Macedonia since 1960. This form of protection, as closest to a biological family, has been developing and improving continuously through a network of foster families and by raising the capacity of these families to provide relevant care for the beneficiaries. The network consists of 217 foster families who care for 287 children without parents and parental care. In order to strengthen the capacities of the foster families, as the best form for protection and care of children, the Government began implementing the PRIDE program, globally-recognized and adopted methodology that improves the support and care for children placed with foster families. It is designed to strengthen the care quality for the children in foster families and development of services by providing professional training and ongoing professional development of everyone involved in the process of support for the foster families, as well as the fosterers.

The development of the social protection is carried out strategically according to the **Program for Development of the Social Protection 2011-2021**, which includes measures and activities to improve social protection in several key areas: the structure of the social protection system; organizing of the work of the institutions for social protection; capacities of institutions for social protection; cooperation between the social protection system and other relevant systems (labor market, education, healthcare); social function of municipalities; approaches, forms, interventions and techniques for professional work in the institutions for social protection; measures, activities and forms of the social services provided by the State; a public-private partnership in creating and implementing social protection policies; the institutions for professional and inspection supervision; continuous professional education for the employees in the institutions for social protection; system for licensing and standardization. The reform of the social protection system is guided by several basic principles: rule of law, openness and transparency, responsibility and accountability, predictability and sustainability, continuity, efficiency, effective and cost-efficiency, accessibility and availability, inclusion and equal treatment and non-discrimination.

The Ministry of Labor and Social Policy, as main carrier of the reform, began the implementation of activities for introduction of structured and operational partnership relations with the relevant stakeholders for implementation of the Program for Development of Social Protection 2011-2021. In that regard, mechanisms for coordination of the strategic activities, bargaining and cooperation were established in the Ministry of Labor and Social Policy. More specifically, at the beginning of 2011, a Coordination Body for Monitoring and Evaluation of the Implementation of the Program was created, consisting of representatives from: the Ministry of Labor and Social Policy, the Ministry of Local Self-Government, the Ministry of Finance, ZELS, institutions for social protection, the Institute for Social Activities, the Institute for Social Work and Social Policy and the relevant associations.

According to the strategic directions in the Program for Development of Social Protection 2011-2021, and the analyses of the effects of the social protection system, it is shown that the social protection system in the Republic of Macedonia is in a phase that requires essential reforms to be undertaken, mainly to improve the effectiveness of the

use of finances and the efficiency of the benefits and the social services delivered to the final beneficiaries. The current design of the social transfers is quite inadequate and, as such, leads to bigger inequality in society. In terms of services for social protection, it was established that they do not follow the individual needs of the final beneficiaries, thus they need to be provided in the community through further implementation of the process of deinstitutionalization, decentralization and pluralization.

In this regard, **a significant and comprehensive reform of the social protection system is planned**, that will be implemented in the following period, in order to create opportunities for efficient response and dealing with the challenges identified in the social protection, poverty and the social inclusion. The social protection system will be redesigned by separating the tangible (financial) rights from the provision of the social services.

Article 14§2

With a view to ensuring the effective exercise of the right to benefit from social welfare services, the Parties undertake to encourage the participation of individuals and voluntary or other organisations in the establishment and maintenance of such services.

The Law on Social Protection allows the establishment of extra-institutional forms of protection as alternative forms of care in the community, as follows:

- Day centers (drug addicts, alcoholics, people with cognitive disability or physical disability, street children, the elderly);
- Centers for temporary sheltering (the homeless, victims of domestic violence);
- Advisory centers for psycho-social support (domestic violence offenders, victims of domestic violence, family and children);
- Small group home;
- Housing units (apartments) for organized living, with support;
- Foster families;
- Therapeutic communities;
- Day centers for the elderly and Centers for home care.

The development of the social services in the community is carried out with partial financing of NGOs, and the following services have been established:

- The City of Skopje supported the establishment of the First Family Center where psycho-social support and professional treatment is delivered by the NGO HERA;
- The national SOS helpline for domestic violence works with financial support by the MLSP, and several civic organizations provide the services;
- Based on the Memorandum of Cooperation between the MLSP and the Private Institution - SOS Detsko Selo (Children's Village), this private institution will receive funding for accommodation of children without parents and parental care;
- 17 housing units (apartments) are provided for organized living, with support for adults with mental disability house. These accommodate 81 beneficiaries and the service is provided by the NGO Poraka Negotino via a public call;
- Two Small group homes have been established (for children without parental care and children at risk);
- Advisory centers for psycho-social support have been established (30 for marriage and family, 2 for psycho-social treatment of the domestic violence offenders).

Since 2012, the so-called Program for Community Works has been running successfully with more than 40 municipalities implementing employment projects for the least employable individuals, helping to develop social services in the community.

In order to improve the conditions for the people with disabilities in performing daily tasks, the Government will continue to implement the project for building access ramps,

elevators and mobile platforms for the disabled in buildings of the state institutions, the local self-government units and other bodies and institutions.

For this purpose, an Action Plan was drawn up and will soon be implemented. The Ministry of Labor and Social Policy provides information on the implementation of the projects for building access ramps to the Government of the Republic of Macedonia, continuously updating the data on the access for the disabled people, and on the activities planned by the state institutions and local self-government units to build ramps, elevators and/or mobile platforms.

The Ministry of Labor and Social Policy began an initiative to improve the social life of the children with special needs and of the possibilities for their proper growth and development, by building inclusive playgrounds all over Macedonia.

The project on Inclusive Playgrounds provides establishment of space with equipment/accessories that will be also accessible to the children with special needs. Having in mind that these children have different needs, it is important to predict the space (children playground) needed for these children to play in a safe environment, to socialize and to enable them a stimulating environment for proper growth and development. The project is implemented in partnership with the National Union of People with Physical Disabilities of Macedonia “Mobilnost Makedonija/Mobility Macedonia”, and with support by the business sector and the local municipalities. The implementation of the Action Plan for equipping playgrounds for children with special needs began in 2015 (City Park – Skopje, municipalities Gjorche Petrov, Kisela Voda, Kavadarci, Prilep, Bitola, Novo Selo, the Center for Cerebral Palsy – Skopje and Center for Autism – Skopje).

The Ministry of Labor and Social Policy, having in mind the needs of the blind people (pupils, students, members of the National Union of Blind People of the Republic of Macedonia), in June 2016 published a tender to record 400 audio books (world classics and novels) for the needs of the blind people. In July, a contract was signed with a provider for development of audio books for blind and persons with damaged eyesight. The books are editions of the Ministry of Culture (world classics and novels), and they will be distributed in the National University Library “St. Clement of Ohrid”, the National Union of Blind People of the Republic of Macedonia and the State School for Rehabilitation of Children and Youths with Damaged Eyesight. The process of recording audio books applies the technical requirements of the National Union of Blind People that would facilitate the listening of the books and choice of titles.

The current regulation allows different service providers to offer social services in the community. However, this process is insufficiently developed, is not used enough and most of the social services are provided from a central level.

In order to improve the quality and the efficiency of the services towards the citizens, more stakeholders need to be involved in the provision of the social services, such as the private sector, civic organizations, local self-government units, etc. The further development of the diversity process in the social protection system will result in provision of services in a more effective manner, in accordance with the specific needs of the citizens in the local communities.

Furthermore, a need was identified, and there is ongoing work on that, for further development and improvement of the existing services, as well as introduction of new, innovative social services that will be easily accessible and adjusted as much as possible to the needs of certain vulnerable groups of the population, providing integrated and multidimensional support to these people, services that will use the positive and proven European practices and experiences, etc.

ARTICLE 15 – The right of persons with disabilities to independence, social integration and participation in the life of the community

Article 15§3

With a view to ensuring to persons with disabilities, irrespective of age and the nature and origin of their disabilities, the effective exercise of the right to independence, social integration and participation in the life of the community, the Parties undertake, in particular to promote their full social integration and participation in the life of the community in particular through measures, including technical aids, aiming to overcome barriers to communication and mobility and enabling access to transport, housing, cultural activities and leisure.

The rights of people with disabilities are regulated by a number of legal acts, as follows:

- The Constitution of the Republic of Macedonia
- Law on Social Protection
- Law on Employment of People with Disabilities
- Law on the Use of Sign Language
- Law on Public Roads
- Law on Road Transport
- Law on Construction
- Law on Physical and Urban Planning
- Law on Housing
- National Strategy for Equalization of the Rights of the People with Disabilities 2010-2018
- National Strategy for Deinstitutionalization 2008-2018

The Constitution of the Republic of Macedonia guarantees the rights of the people with disabilities and free access to information, freedom of receiving and transfer of information as well.

The Law on Road Transport regulates the right to free transport for a person with damaged eyesight of over 90%, and his/her companion, based on membership card and a transport card issued by the Union of Blind People; and for a person with physical disability of 100% and his/her companion, based on membership card and a transport card issued by the Union of Disabled People. The blind person with a damaged eyesight of over 90% and his/ her companion, and the disabled person and his/ her companion can receive maximum six annual return travel tickets to use in national transport of passengers, at transporter's expense.

According to the Law on Public Roads, vehicles exempt from paying road tax are those of: persons suffering of dystrophy, multiple sclerosis, cerebral paralysis, paraplegia, hemiplegia, quadriplegia, poliomyelitis, the blind persons with a damaged eyesight of over 90%, persons on dialysis, persons with amputated arm or leg with a recognized

physical damage of over 80% confirmed with an act by the authorized committee of the Pension and Disability Insurance Fund of Macedonia.

In the Law on Construction, is prescribed building intended for business and public use, and buildings intended for residence, including buildings with mixed business and residential purpose, must be designed and constructed in a way that will allow free access, movement, stay and work near and inside the building for disabled people. Furthermore, on the basis of this Law, the Ministry of Transport and Communication has issued a Rulebook for Providing Uninterrupted Access, Movement, Stay and Work for Disabled People and Reduced Mobility Near or Inside the Buildings intended for public, business, residential or mixed residential-business purpose, with ten or more apartments. This Rulebook introduced contemporary standards on accessibility. However, this is very little or almost never applied in practice, both in terms of adapting the existing buildings and in the construction of new ones. This also includes the non-adapted public spaces with high curbstones, inadequate crosswalks, sidewalks, parking places, access to bus stops, adapted toilets for people with wheelchairs, etc.

In the Law on Physical and Urban Planning, a basic principle in the physical planning and arranging of the space is the overcoming of the urban barriers for the disabled people.

Furthermore, the Law on Housing states that the maintenance plan for a residential buildings can also include the activities related to improvement of the access in the existing buildings, and the building manager should be familiar with the standards and norms for access of disabled people in the residential building.

The Ministry of Labor and Social Policy together with the Institute for Social Activities – Skopje, carried out training on *Accessible Administration for People with Disabilities* for the representatives from the administration. The goal is to create better conditions in the state institutions, including their regional offices and the local self-government units, for persons with disabilities. In these trainings, the participants are familiarized with the rights of the people with disabilities in accordance with the national and international legislative, the ways to overcome stereotypes, prejudices and discrimination of the persons with disabilities, types of barriers persons with disabilities are facing, basic characteristics of the persons with disabilities and ways of communication according to the level and type of disability. Each institution publishes and makes available data on the appointed person and his/her deputy at the institution on their website and on the bulletin board of the institution. The appointed persons and their deputies must be available always, at any time of the day and, depending on the needs of the person with disability, his/ her abilities and capacities, to undertake all the activities to implement their demands in the institution.

There are many activities that started during this period to intensify the **deinstitutionalization** process in the Republic of Macedonia, in the frames of which the existing National Strategy on Deinstitutionalization in the system for social protection will be revised. In order to intensify this process, in March 2017, together with the

General Directorate for Employment, Social Affairs and Inclusion of the European Commission, a TAIEX Workshop for Deinstitutionalization took place. Its goal was to raise awareness and begin discussions for the process of deinstitutionalization of different categories of people, to allow an exchange of ideas among the representatives of the European Commission, EU member states, and representatives from national and local governments, NGOs and other relevant stakeholders involved in the process.

The deinstitutionalization process is supported by the political goals of the EU and the Council of Europe, which aim to ensure active inclusion and participation in the society of the people with disability. For this purpose, the Ministry of Labor and Social Policy, together with the Delegation of the European Union, in April 2017 began implementing the one-year project *Technical Assistance for Support of the Process of Deinstitutionalization in the Social Sector*. The implementation of this project focuses on revising the National Strategy for Deinstitutionalization in the Social Protection System (2008-2018), through continuous activities. This project is financed by IPA 2 as part of the Mechanism for EU integration.

The project's overall objective is to promote the social inclusion and support for the transition from institutional care to support of social services in the community, as well as improving the quality of social care for children and adults with disabilities, and children and youths at social risk.

A Managing Committee is created, with representatives from all relevant ministries (Ministry of Labor and Social Policy, Ministry of Health, Ministry of Education and Science, Ministry of Transport and Communications, Ministry of Local Self-Government, Ministry of Finance), national associations, international organizations, the Public Institution – Inter-Municipal Center for Social Work - Skopje and the Public Institution - Institute for Social Activities. This body has an active role in creating, implementing and monitoring the deinstitutionalization process in the Republic of Macedonia. Members of the Steering Committee participate in 5 work groups on the following issues: analysis of context, evaluation of needs, evaluation of institutions, assessment of the possibility of extraction and assessment of policies and services.

In the frames of the project, a situational analysis according to the methodology of quick assessment and response is currently in the works, which includes analysis of the context, assessment of the needs, assessment of the institutionalization, assessment of the possibilities for transfer from institutions and assessment of the policies and services. The working groups consisted of different stakeholders are involved in the preparation of the situational analysis. Furthermore, a draft version of the **revised strategy for deinstitutionalization** is currently being prepared. One component of the project focuses on improving of the work methods in the Special Institution in Demir Kapija. A series of workshops were carried out to introduce the methodology of personal planning in this and other institutions for social protection, where a number of experts from institutions for social protection, centers for social work, NGO's and students take part.

In order to assist this transition, since 22.08.2017, UNICEF is implementing the project on *Providing Specialized Support for Children with Disability in the Special Institution in*

Demir Kapija, employing an expert for intensive interactive therapy to help a team of professionals to prepare the children for the life they deserve – outside of the institution, in an environment similar to a family one, and in the meantime to spend that the short time during which they are under the care of the state with dignity. The goal of the intensive interaction with children with disability, currently implemented in the Public Institution - Special Institution in Demir Kapija is, instead of treating them as medical problem that has no potential for development, the intensive interaction among these children to uncover their potential and to open up their personality.

In the past 10 months, the Ministry of Labor and Social Policy, together with the United Nations Development Program, the Municipality of Strumica and other social partners, worked on a pilot project for professionally-oriented rehabilitation directed toward people with disability accommodated at the Public Institution for Protection and Rehabilitation *Banja Bansko* in Strumica, where they are being prepared to enter the labor market. Twenty three people took part in the project, for whom a renowned Austrian company for rehabilitation BBRZ created individual plans with the goal to guide their personal affinities, wishes and capabilities, and also to increase their work capacities. This project provides small but important contribution towards provision of conditions and environment for fundamental changes in the treatment of people with disability who wish and can be employed. The 15 professionals who completed the training for *case managers* are pioneers and the driving force for change in these types of institutions.

The Ministry of Labor and Social Policy began introducing the personal assistance service. In final development phase is the Program for Personal Assistance of People with Physical Disability. With this service, in the first year of its introduction, we shall cover a limited number of users (from 70 to 100 people) with severe and most severe physical disabilities who will be involved over a period of two months in order to see the effects and the barriers for implementation of the personal assistance service.

ARTICLE 23 – The right of elderly persons to social protection

Article 23

With a view to ensuring the effective exercise of the right of elderly persons to social protection, the Parties undertake to adopt or encourage, either directly or in co-operation with public or private organisations, appropriate measures designed in particular:

– to enable elderly persons to remain full members of society for as long as possible, by means of:

a. adequate resources enabling them to lead a decent life and play an active part in public, social and cultural life;

b. provision of information about services and facilities available for elderly persons and their opportunities to make use of them;

– to enable elderly persons to choose their lifestyle freely and to lead independent lives in their familiar surroundings for as long as they wish and are able, by means of:

a. provision of housing suited to their needs and their state of health or of adequate support for adapting their housing;

b. the health care and the services necessitated by their state;

– to guarantee elderly persons living in institutions appropriate support, while respecting their privacy, and participation in decisions concerning living conditions in the institution.

The Law on Social Protection regulates the rights to financial assistance for the elderly persons, who have no financial means or require additional assistance for the basic life needs.

The National Strategy for the Elderly 2010-2020 aims to create an integral and coordinated policy for protection of the elderly, improvement of the quality of their life, the social and economic status, strengthening of the social cohesion, encouraging and supporting their independence, preventing their marginalization, and developing and strengthening of the system for social and health protection. In order to ensure full and successful implementation of the same, a National Coordinative Body to monitor and evaluate the implementation of the Strategy was established, where representatives from all relevant ministries, institutions and NGOs are members. In order to successfully implement the Strategy, the relevant ministries prepare their own Operational Plans, on annual level, for implementation of the measures foreseen by the Strategy, which are later incorporated in an Operational Plan by the Ministry of Labor and Social Policy which is the presiding institution.

Institutional protection gives accommodation for the elderly in an institution for social protection, for those who lack adequate living conditions with their families, or require accommodation in a social protection institution for other reasons. Institutions for social protection of the elderly are care homes for old people, where an elderly person, an adult with physical disability or a person with disrupted cognitive development who cannot look after themselves or for family reasons cannot receive another form of protection, can find accommodation. These care homes for elderly persons provide accommodation,

meals, aid and care, health protection, entertainment and recreational activities, social work services and other services depending on the needs and abilities of the elderly. The homes can also organize extra-institutional forms of protection, by providing care in the home and day stay for pensioners and elderly people.

There are five public institutions – care homes for the elderly persons in the Republic of Macedonia:

- Public Institution - Gerontology Institute “13 Noemvri” – “Mother Theresa” Unit in Skopje (capacity – 111 beds);
- Public Municipal Institution - Care home for the elderly “Sue Rider” in Bitola (capacity – 150 beds);
- Public Municipal Institution - Care home for the elderly “Zafir Sajto” in Kumanovo (capacity – 197 beds);
- Public Municipal Institution - Care home for the elderly “Kiro Krsteski-Platnik” in Prilep (capacity – 151 beds), and
- Care home for the elderly “Dr. Ivan Vlashki” in Berovo (capacity – 15 beds)

In order to ensure continuous improvement of the institutional protection for the elderly people in the Republic of Macedonia, **The Government of the Republic of Macedonia created a package of benefits** in order to increase the interest for new investments i.e. construction of institutions for social protection by local and foreign investors, such as:

- Sale of construction land with a starting price of 1 euro per m² intended for construction of institutions for social protection of the elderly persons;
- Lowering of the price of land development taxes by 95%;
- Providing credits with an interest rate of 5.5% through the Macedonian Bank for Development Promotion for the construction of institutions for the elderly persons;
- Benefits offered by the Employment Service Agency of the Republic of Macedonia, as part of the active policies for employment and incentivizing of the entrepreneurship;
- Legal framework in place which enables foreign nationals to use the national accommodation capacities i.e. to regulate their residence status on the basis of stay in a care home for elderly persons.

Based on the Operational Plan for Active Programs and Measures for Employment and Services in the Labor Market for 2016, for the program for Financial assistance for Opening Private Care Homes for the Elderly People, single grants of 750,000 denars were provided to ten legal entities and unemployed registered persons for purchase of equipment, opening of new jobs and increase of the capacity for accommodations for the elderly persons.

As a result of the above-mentioned benefits, apart from the five public institutions for elderly persons, in the Republic of Macedonia there are also 25 private institutions for accommodation of elderly persons – 22 are in Skopje, 1 in Negotino, Bitola, and 1 in

Radovish. Their total capacity is 793 beds. With the construction of new institutions and with increased competition in this sector, we shall be seeing improved quality of the services delivered, and the price for accommodation will drop.

Apart for the public institutions for accommodation of elderly persons (care homes), there are also 28 pensioner homes (these are apartments for accommodation of pensioners) in the Republic of Macedonia. Only pensioners who have housing problems are accommodated here, and they are able to meet all their needs by themselves. The 19 pensioner homes are managed by the associations of pensioners - members of the UAPM.

Protection for the elderly persons outside institutions is offered through **Day Centers for Elderly Persons and Centers for home care**. In the recent years there is intensive work on the development of the extra-institutional social protection for the elderly persons. There are by-laws for the development of these services: Rulebook on Norms and Standards for Establishing a Day Center for Elderly Persons and a Rulebook on Norms and Standards for establishing a Center for Home Care.

Currently there are 12 Day Centers for elderly persons in the Republic of Macedonia (nine Day Centers in cooperation with the local municipalities and three combined Day Centers and Centers for Home Care, in cooperation with the City of Skopje and NGOs).

As part of the program activities for provision of social protection and social security of the elderly persons, in the recent years the *Spa Climate Recreation of Pensioners* project was carried. A total of 32,600 pensioners took advantage of the opportunity for a free 6-day spa i.e. 6 day full board stay. In 2015, the *Free Tourist Weekend for Pensioners for 2015* Project began which covered 3,000 pensioners i.e. persons beneficiaries of age, disability and family pension. The free tourist weekend includes a 3-day service: 2 full board nights, arriving on Friday afternoon and departing on Sunday afternoon, with a bus transport to the hotel.

ARTICLE 30 – The right to protection against poverty and social exclusion

Article 30

With a view to ensuring the effective exercise of the right to protection against poverty and social exclusion, the Parties undertake:

- a. to take measures within the framework of an overall and co-ordinated approach to promote the effective access of persons who live or risk living in a situation of social exclusion or poverty, as well as their families, to, in particular, employment, housing, training, education, culture and social and medical assistance;
- b. to review these measures with a view to their adaptation if necessary.

The Republic of Macedonia is witnessing a trend of slight continuous reduction of the poverty and inequality; however the level of poverty remains high, thus addressing these issues and challenges and improvement of the situations that directly contribute to the poverty remain one of the key priorities of the Government of the Republic of Macedonia.

According to the latest published statistical data (Laeken indicators on poverty) by the State Statistical Office, obtained on the basis of the Survey on Revenues and Living Conditions (SILC), the poverty rate in the Republic of Macedonia in 2015 amounted 21.5%. According to the most frequent status of economic activity, the rate of poor employed persons is 8.9%, and the rate of poor pensioners is 7.3%. The Gini coefficient (measure of unequal distribution of the revenues) is 33.7%.

Laeken indicators of poverty in 2015:

T-01: Poverty and social exclusion indicators, 2013-2015

	2013	2014	2015
At-risk-of-poverty rate, % of population	24,2	22,1	21,5
Number of persons below at-risk-of-poverty threshold, in thousand persons	500,4	457,2	445,2
At-risk-of-poverty threshold of single-person household - annual equivalent income in denars	70 275	71 925	78 362
At-risk-of-poverty threshold of four-person household (2 adults and 2 children aged less than 14) - annual equivalent income in denars	147 578	151 043	164 560
At-risk-of-poverty rate before social transfers and before pensions, % of population	41,0	41,7	40,5
Inequality of income distribution, S80/S20, %	8,4	7,2	6,6
Inequality of income distribution, Gini coefficient, %	37,0	35,2	33,7

Source: State Statistical Office (SSO)

The main strategic objective of the **National Strategy for Reduction of Poverty and Social Exclusion 2010-2020 (revised)** is reduction of the poverty and the social exclusion in the Republic of Macedonia by better utilization and strengthening of the available human and material resources, improvement of the conditions for life, work and of the social conditions for all citizens, systematic and institutional cooperation for faster development and a higher living standard, better quality of life and development of mechanisms for social inclusion of the vulnerable categories of citizens in local context.

This strategic document includes measures and activities for reduction of poverty and of social exclusion in the following areas:

- Employment and strengthening of the entrepreneurship
- Adaptation of the education to the labor market
- Social and child protection, establishment of a new social model
- Promotion of health care and long-term care
- Transport, communication and housing
- Activation and strengthening of local governments
- Support for vulnerable groups

A mechanism for monitoring of the implementation via the National Coordinative Body for monitoring and evaluation of the implementation of the Strategy is established, where representatives from all relevant ministries, institutions and NGOs are members. In order to successfully implement the Strategy, the relevant ministries prepare their own Operational Plans for implementation of the measures foreseen by the Strategy, which are later incorporated into an Operational Plan by the Ministry of Labor and Social Policy as a presiding institution.

In terms of reduction of poverty and social exclusion, one of the measures that was implemented until recently in order to provide better social security for the poorest families is the continuous increase of the amount of the financial assistance (social financial assistance and permanent financial assistance) by 5% in 2013, 2014 and 2016; and 10% in 2015. Additional measures are also undertaken for better protection against social exclusions by introducing new financial rights to social protection and continuous development of the social services in the community.

Poverty and social exclusion are directly impacted by the situation on the labor market, employment policies, the support for creating jobs, inclusion of vulnerable categories of citizens in the labor market, policies and measures in education, strengthening of the human capital and skills etc. As a result of the activities implemented in this regard, in the recent period the percentage of the population living in poverty was reduced from 27% in 2010 to 21.5% in 2015.

However, despite these results in the reduction of the poverty and social exclusion in the country, significant reforms are needed, *inter alia*, to redesign the types and adequacy of the financial assistance, as well as assistance and support for the most vulnerable categories of citizen and dealing with the poverty, especially in the light of the objective

set by the Government of the Republic of Macedonia – reduce the poverty below 16% in 2020.

The social inclusion, as process of integration of the individuals in the society, is based on activities for building of a modern concept of behavior towards the socially-excluded people and the establishment of a new social model that puts the individual on the first place but also respects and makes efforts to resolve the reason for the exclusion, the belonging, the diagnosis, the disability or any other grounds for social exclusion of the citizen. In this regard, it is important to intensify efforts for strengthening and better and efficient use of the available human and material resources, joint actions, coordination and cooperation of all relevant stakeholders in order to achieve faster development, higher living standard, better quality of life and development of the mechanism for social inclusion of the vulnerable categories of citizens in local context.

However, as main challenge in this regard is still the insufficient coordination and inter-institutional cooperation on both central and local level, as well as the insufficient means for implementation of the National Strategy for Reduction of Poverty and Social Exclusion.

ARTICLE 31 – The right to housing

Article 31§1

With a view to ensuring the effective exercise of the right to housing, the Parties undertake to take measures designed to promote access to housing of an adequate standard.

The approach to housing of vulnerable groups is regulated by a number of legal acts:

- Law on Social Protection
- Law on Local Self-Government
- Law on Housing
- Program for Construction and Maintenance of Apartments Owned by the Republic of Macedonia
- Resolution for Allocation of Social Apartments and the Conditions for their Use, built in accordance with the Program for Construction and Maintenance of Apartments Owned by the Republic of Macedonia
- Resolution on Conditions and Criteria for Allocation of Housings, Built in accordance with the Project for Construction of Apartments That Will be Rented to People with Low Income

The Law on Social Protection Regulates the right to financial allowance for social housing for a person that, until 18 years of age, had a status of child without parents and parental care, while this right for the beneficiaries of financial assistance is vested in the municipalities and they are supposed to regulate it with their acts and implement it using their own funds.

The Law on Local Self-Government regulates the municipalities' duty for provision of housing for the low-income citizens (Article 22, item 1, sub-item 7 of the Law on Local Self-Government, Official Gazette of the Republic of Macedonia No.5/2002).

The Law on Housing regulates the allocation of apartments owned by the Republic of Macedonia for social housing purpose, with rent that makes no profit.

According to the Resolution on allocation of social housings and conditions of their use according to the Program for construction and maintenance of housings, owned by the Republic of Macedonia, **categories of citizens that have no dwelling for nonprofit housing and housing in protected conditions include:**

- Children without parents and parental care
- Beneficiaries of social and permanent financial assistance
- Victims of natural disasters and calamities
- People with disability or people who require assistance and care from other persons
- Socially disadvantaged Roma (in accordance with the Strategy for the Roma in the Republic of Macedonia)
- Single parents with underage children

- People with low incomes
- Young married couples
- Pensioners over 60 years of age
- Other categories

As a main challenge to fully regulate the right to access to housing for vulnerable groups of citizens is the adoption of a Law on Social Housing. This will make accessible the social and non-profit housing as well as the housing in protected conditions (occasional or permanent support for families faced with particular social risk).

Article 31§2

With a view to ensuring the effective exercise of the right to housing, the Parties undertake to take measures designed to prevent and reduce homelessness with a view to its gradual elimination.

As one of the forms of the extra-institutional social protection, with a view to prevent the negative consequences for the people and families left without a home due to different reasons, a Center for Homeless Persons “Chichino Selo” was established, as unit of the Public Institution - ICSW of the City of Skopje that, in accordance with the Law on Social Protection, provides daily and temporary acceptance and accommodation of these persons by offering them advisory services, meals, day stay, maintenance of hygiene, health protection and education for children accommodated within.

In order to protect the homeless persons during winter months, the Ministry of Labor and Social Policy, acting in accordance with the draft-minutes from the Twenty Sixth Session of the Government of the Republic of Macedonia held on 5.10.2017, and the Thirty Eighth Session held on 15.10.2017, in the past period were implemented measures for urgent and temporary accommodation in a building used by the Public Institution for Fostering of Children with Upbringing and Social Problems and with Problematic Behavior in Skopje. In more details, around 120 persons (Roma) that were found under the “Pod Kale” location in Skopje were accommodated in the buildings of this Institution.

On the territory of the City of Skopje there is also a Center for Urgent Sheltering of Homeless Persons located in in Momin Potok and is managed by the Red Cross of the City of Skopje. It offers accommodation for homeless people on the territory of the City of Skopje during extremely low temperatures in Skopje.

The Ministry of Labor and Social Policy is presently implementing procedure for provision of additional space for urgent sheltering of homeless persons or intervention centers on regional level that will function in cooperation with the Macedonian Red Cross in Bitola, Strumica, Skopje and Struga.

The implementation of the right to housing is faced with following challenges:

- Adoption of the Program for Social and Professional Reintegration of the Homeless Persons
- Inclusion of the homeless people in the labor market
- Involvement of all relevant stakeholders on a central and local level for provision of conditions for housing

Article 31§3

With a view to ensuring the effective exercise of the right to housing, the Parties undertake to take measures designed to make the price of housing accessible to those without adequate resources.

The social and non-profit housing, as well as the housing in protected conditions for families faced with particular social risk, is carried out in the Republic of Macedonia mainly through government measures by building apartments for citizens with low incomes and vulnerable social groups (non-profit housing).

In the social protection system the right to housing is arranged as financial assistance for social housing for persons who had status of child without parents and parental care until they turned 18 or after the guardianship status has ended, but no later than 26 years of age (Article 83). This right to housing is exercised in a way that will enable:

- Rent an individual apartment or its part;
- Renovation, adaptation or reconstruction of own real estate; and
- Covering of costs for accommodation in a student dormitory.

The amount of the right to *rent an individual residential apartment or its part*, according to the Rulebook on the Manner of Exercising of the Right to Financial Assistance for Social Housing for persons who had status of child without parents and parental care until they turned 18 or after the guardianship status has ended, but no later than 26 years of age, is as follows:

- For a single person, up to 4,000 denars monthly;
- For a family of 2 to 4 members, up to 6,000 denars monthly;
- For a family of 5 or more members, up to 8,000 denars monthly.

The amount of the financial assistance for social housing is determined by the Center for Social Work, on the basis of the average amount of rent in its region.

In addition to the financial assistance, funds are also provided for communal (utility) expenses, as follows:

- Up to 1,500 denars for a single person;
- Up to 2,000 denars for a family of 2 to 4 members;
- Up to 2,500 denars for a family of 5 or more members.

Financial assistance for renovation, adaptation and reconstruction of own real estate is given to a child/person that has its own property, on the basis of a survey prepared by expert person showing the actual costs for the necessary construction works.

The right to financial assistance for compensation of the costs for accommodation expenses in a student dormitory is provided to the person who is accommodated in a student dormitory and if he/she is attending the regular educational process. The financial amount of this right equals the actual amount of costs for accommodation in a student dormitory.

ARTICLE 18 – The right to engage in a gainful occupation in the territory of other Parties

Article 18§1

With a view to ensuring the effective exercise of the right to engage in a gainful occupation in the territory of any other Party, the Parties undertake to apply existing regulations in a spirit of liberality.

The Law on Employment of Foreigners (LEF) regulates the conditions and the manner of employment of foreign nationals (Official Gazette of the Republic of Macedonia, No. 70/2007, 5/2009, 35/2010, 148/11, 84/2012, 148/13, 38/14 and 217/15)

A quota for work permits for foreign nationals to work in Macedonia is recommended to the Government by the ministers in charge of the relevant areas, on the recommendation by the ESARM, on the basis of the existing legislation that pertains to determination of the quota for working permits for foreigners that can work in the Republic of Macedonia for 2017. The quota in the amount of 3,250 work permits is allocated per group of permits to foreigners that can work in the Republic of Macedonia, as following:

- 2,150 permits for employment of foreign nationals in Macedonia;
- 700 permits for referred foreign nationals in Macedonia (assigned to work in Macedonia);
- 200 work permits for seasonal work for foreign nationals; and
- 200 work permits for individual services by foreign nationals.

From 1.1.2016 to 31.12.2016, a total of 2,121 applications for work permits were submitted to the Employment Service Agency of the Republic of Macedonia on all grounds, as well as 1,681 applications for provision of opinion by the Ministry of Interior whether the requirements for issuing of a temporary resident permit for a foreign national for work have been met.

Член 18§2

With a view to ensuring the effective exercise of the right to engage in a gainful occupation in the territory of any other Party, the Parties undertake to simplify existing formalities and to reduce or abolish chancery dues and other charges payable by foreign workers or their employers.

According to Article 58 of the Law on Foreigners (Official Gazette of the Republic of Macedonia, no.35/06, 66/07, 117/08, 92/09,156/10,158/11, 84/12, 13/13, 147/13, 148/15 and 217/15), temporary resident permit for work purposes will be issued to a foreign national after that foreign national filed an application to the Macedonian Ministry of Interior, or the legal entity where the foreigner is supposed to be employed, or by person authorized by the entity. This application can be also filed to the Ministry of Interior of the Republic of Macedonia

If the foreign national fulfils the conditions for temporary residence permit, in accordance with this Law, the Ministry of Interior issues a decision on granting of temporary stay with duration of 30 days. In accordance with article 58 of this Law, the Ministry of Interior issues this decision within 15 days from the day of receiving the application and if the request is submitted to the Ministry of Interior at a diplomatic and consular mission of the Republic of Macedonia abroad or external service providers within 30 days from the day of receiving the request, in accordance with Article 51, paragraph 3 of this Law.”

We consider that the provisions from Article 18/paragraph 2 are acceptable for ratification since they are partially incorporated in the existing legislation.

Article 18§3

With a view to ensuring the effective exercise of the right to engage in a gainful occupation in the territory of any other Party, the Parties undertake to liberalise, individually or collectively, regulations governing the employment of foreign workers.

According to the Law on Employment of Foreigners, the Government of the Republic of Macedonia determines a yearly quota of work permits which limits the number of foreigners on the labor market. The yearly quota cannot exceed 5% of Macedonia's population that is legally employed, according to the State Statistical Office.

The Law on Foreigners (Official Gazette of the Republic of Macedonia, No.35/06, 66/07, 117/08, 92/09, 156/10, 158/11, 84/12, 13/13, 147/13, 148/15 and 217/15) regulates the reasons for depriving of the right to temporary residence. This is done in Article 84:

“ A foreigner who stays up to three months or holds a temporary residence permit, in addition to temporary residence permit issued to human trafficking victims, can be also deprived of the right to temporary residence if he/ she:

- Is granted temporary residence due to work but failed to sign an employment contract with the legal entity or his/her employment contract was terminated prior to the end of validity of the temporary residence permit, or if the foreigner began work different to the one for which the permit had been issued. The Employment Service Agency submits an opinion on this.

Foreigners' access to public administration is limited, in accordance with the Law on Civil Servants (Official Gazette of the Republic of Macedonia, No.27 from 05.02.2014).

Considering the above mentioned, there is a reservation regarding the ratification of paragraph 3, Article 18.

Article 18§4

With a view to ensuring the effective exercise of the right to engage in a gainful occupation in the territory of any other Party, the Parties undertake and recognise the right of their nationals to leave the country to engage in a gainful occupation in the territories of the other Parties.

This issue is regulated by the Law on the conditions and manner of sending workers from the Republic of Macedonia in other countries for performing of construction work via Project Contracts and for implementation of other seasonal work.

The provisions from Article 18, paragraph 4 are acceptable for ratification because they are partially incorporated in the existing legislation.

ARTICLE 19 – The right of migrant workers and their families to protection and assistance

Article 19§2

With a view to ensuring the effective exercise of the right of migrant workers and their families to protection and assistance in the territory of any other Party, the Parties undertake to adopt appropriate measures within their own jurisdiction to facilitate the departure, journey and reception of such workers and their families, and to provide, within their own jurisdiction, appropriate services for health, medical attention and good hygienic conditions during the journey.

The Republic of Macedonia adopted a set of documents and carried out a number of activities about the migration policy in the country, as follows:

- Resolution on the Migration Policy of the Republic of Macedonia 2008-2014 with National Action Plan
- Migrant Profile of the Republic of Macedonia for 2007
- Migrant Profile of the Republic of Macedonia for 2008
- Migrant Profile of the Republic of Macedonia for 2009
- Migrant Profile of the Republic of Macedonia for 2010
- Resolution on the Migration Policy in the Republic of Macedonia 2015-2020 with National Action Plan

These documents provide the guidelines for effective and comprehensive dealing with these migrant movements. They separately analyze the legal migrant flows (emigration and immigration of the population and the labor force); the illegal migrations and the smuggling of migrants; human trafficking; asylum and protection of refugees.

However, there is a reservation regarding the ratification of the provisions from Article 19/ paragraph 2.

Article 19§3

With a view to ensuring the effective exercise of the right of migrant workers and their families to protection and assistance in the territory of any other Party, the Parties undertake to promote co-operation, as appropriate, between social services, public and private, in emigration and immigration countries.

In terms of cooperation between the social services (public and private) between the countries of emigration and immigration, that it is necessary to introduce and ensure contacts and exchange of information between the two countries (the country of origin and the destination country), we inform that the Republic of Macedonia has no bodies established that would collect data on the overall emigration and immigration that could be exchanged between the country of origin and the destination country.

There is a reservation about the ratification of the provisions from Article 19/paragraph 2.

Article 19§4

With a view to ensuring the effective exercise of the right of migrant workers and their families to protection and assistance in the territory of any other Party, the Parties undertake to secure for such workers lawfully within their territories, insofar as such matters are regulated by law or regulations or are subject to the control of administrative authorities, treatment not less favourable than that of their own nationals in respect of the following matters:

- a. remuneration and other employment and working conditions;
- b. membership of trade unions and enjoyment of the benefits of collective bargaining;
- c. accommodation.

Article 4 of the Law on Employment and Work of Foreigners (Official Gazette of the Republic of Macedonia No.217 from 11.12.2015) provides the following guarantees:

“When employing a foreigner, the employer cannot put the candidate in unequal position due to his/her race, skin color, gender, age, health, religion, disability, political orientation, labor union membership, national or social origin, family status, wealth, sexual orientation or other personal circumstances. The prohibition for direct or indirect discrimination in these cases pertains to discrimination of the candidate for employment and the actual employee, in accordance with the Law on Labor Relations.”

Having in mind the complexity of the rights guaranteed to the migrant workers with Article 19/paragraph 4 (on job training, collective agreement benefits, access to public and private housing, subsidized housing, loans, etc.), we express a reservation on the implementation of this Article because certain legal solutions include some limitations of the foreigners’ access to certain national programs and employments in the public sector.

Article 19§7

With a view to ensuring the effective exercise of the right of migrant workers and their families to protection and assistance in the territory of any other Party, the Parties undertake to secure for such workers lawfully within their territories treatment not less favourable than that of their own nationals in respect of legal proceedings relating to matters referred to in this article.

We ask for clarification by the experts of the provisions from paragraph 7, as we indicated on the working meeting (seminar), on how is this implemented in practice in other countries, which in this provision has been ratified.

Article 19§9

With a view to ensuring the effective exercise of the right of migrant workers and their families to protection and assistance in the territory of any other Party, the Parties undertake to permit, within legal limits, the transfer of such parts of the earnings and savings of such workers as they may desire.

Articles 19 and 20 of the Law on Provision of Services and Fast Money Transfer regulate the following:

“The transfer of money must be done in effective foreign currencies that can be bought and sold on the foreign currency market in the Republic of Macedonia. The payment amounts in fast money transfer from the Republic of Macedonia towards outside cannot exceed 2,500 euros monthly per person; and payment amounts in fast money transfer into the Republic of Macedonia cannot exceed 5,000 euros daily per person”.

The providers of the fast money transfer server and the subagents are obliged to adhere to the limits from paragraph 1 of this article.”

There is a reservation about the ratification of the provisions from paragraph 9 of Article 19.

Article 19§10

With a view to ensuring the effective exercise of the right of migrant workers and their families to protection and assistance in the territory of any other Party, the Parties undertake to extend the protection and assistance provided for in this article to self-employed migrants insofar as such measures apply.

For the paragraph 10 of the Article 19, as we indicated on the working meeting, we ask for clarification by the experts, on how is this implemented in practice in other countries where this provision has been ratified.

Article 19§11

With a view to ensuring the effective exercise of the right of migrant workers and their families to protection and assistance in the territory of any other Party, the Parties undertake to promote and facilitate the teaching of the national language of the receiving state or, if there are several, one of these languages, to migrant workers and members of their families.

Currently there is no national program for learning of the Macedonian language which is available free of charge for foreigners.

There is a reservation for ratification of the provisions from paragraph 11 of Article 19.

Article 19§12

With a view to ensuring the effective exercise of the right of migrant workers and their families to protection and assistance in the territory of any other Party, the Parties undertake to promote and facilitate as far as practicable, the teaching of the migrant worker's mother tongue to the children of the migrant worker.

Here we are referring to the Law on Elementary Education, where Article 8 stipulates the following:

“(1) Children with foreign citizenship or no citizenship who are staying in the Republic of Macedonia have the right to elementary education under equal conditions as the children who are citizens of the Republic of Macedonia.

(2) For the children from paragraph (1) of this Article, teaching is delivered in their native language, in accordance with international agreements ratified in accordance with the Constitution of the Republic of Macedonia”.

In reality, we face problems with the implementation of this provision because it requires to be further regulated by bylaws.

Because of these reasons, there is a reservation for ratification of the provisions from paragraph 12 of Article 19.
