

# Macedonia

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

The Government of Macedonia established an Ombudsperson for the Rights of Children in 1999. This office is empowered to take action against public authorities when children's rights are violated, and reports to Parliament on an annual basis.<sup>2163</sup> In 1999, the government also signed a trans-border crime agreement as part of an effort to prevent trafficking and develop an effective transnational database mechanism.<sup>2164</sup> A Trafficking Taskforce was also established to coordinate anti-trafficking efforts with other countries in the region.<sup>2165</sup> In addition, the government is working with international organizations to implement anti-trafficking programs. OSCE and IOM are implementing prevention, protection and law enforcement projects to combat trafficking.<sup>2166</sup> UNICEF is working to increase access to schools by implementing projects that improve the overall quality of education.<sup>2167</sup>

## Incidence and Nature of Child Labor

In 2000, the ILO estimated that less than 1 percent of children ages 10 to 14 years in Macedonia were working.<sup>2168</sup> In rural areas, it has been reported that children leave school early to assist with agricultural duties.<sup>2169</sup> Children work in the informal sector and in illegal or unregistered small businesses,<sup>2170</sup> and are also found working in the streets and markets selling cigarettes and other small items.<sup>2171</sup> Trafficking of girls, especially for prostitution and pornography, is a growing

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<sup>2163</sup> U.S. Embassy- Skopje, *unclassified telegram no. 2616*, November 26, 2001.

<sup>2164</sup> Macedonia ratified the Southeast European Cooperative Initiative "Agreement on Co-operation to Prevent and Combat Transborder Crime," which links regional governments in information-sharing and planning programs. UNICEF: Area Office for the Balkans, *Trafficking in Human Beings in Southeastern Europe*, UNICEF, August 2000, 12, 95.

<sup>2165</sup> *Ibid.*, 95.

<sup>2166</sup> OSCE is the leading agency with regard to trafficking in Macedonia. Its programs include government negotiations, a working group on the subject and, in conjunction with the IOM, the development of a shelter for women. IOM is also establishing repatriation processes for trafficked women. See *Ibid.*, 97.

<sup>2167</sup> UNICEF, *UNICEF'S Priority: Education Objectives*, [online] 2002 [cited September 13, 2002]; available from <http://www.unicef.org/macedonia/education/educationContent.htm>.

<sup>2168</sup> The ILO reported that 0.02 percent of children in this age group were economically active. ILO, *Laborstat Database of Labor Statistics*, [database online] [cited August 13, 2002]; available from <http://laborsta.ilo.org/>.

<sup>2169</sup> UN Committee on the Rights of the Child, *Periodic Reports of States Parties due in 1993*, CRC/C/Add.36, prepared by Government of the Former Yugoslav Republic of Macedonia, pursuant to Article 44 of the Convention on the Rights of the Child, July 1997, para. 202.

<sup>2170</sup> U.S. Embassy- Skopje, *unclassified telegram no. 2616*.

<sup>2171</sup> UN Committee on the Rights of the Child, *Periodic Reports of State Parties: Macedonia*, para. 246.

concern.<sup>2172</sup> Macedonia is a country of destination for women and children trafficked for prostitution from Eastern European countries such as Bulgaria, Moldova, Romania, Ukraine, and Yugoslavia, as well as a transit and source country for trafficking to Greece, Albania, Kosovo, and Western Europe.<sup>2173</sup> The Romanian Embassy and OSCE have indicated that of the 326 foreign women expelled from the town of Tetovo in 1999, many were being held against their will and that at least 20 percent of them were children.<sup>2174</sup> There are indications that children aged 17 have volunteered for military service in Macedonia. Furthermore, children between the ages of 14 and 18 have joined armed groups abroad during regional conflicts, for example in Bosnia and Kosovo.<sup>2175</sup>

The Constitution mandates free and compulsory primary education and all children are guaranteed equal access,<sup>2176</sup> although parents must provide children with books and supplies.<sup>2177</sup> The Law on Primary Education specifies that education is compulsory for eight years, normally between the ages of 7 to 15.<sup>2178</sup> In 1998, the gross primary enrollment rate was 102.9 percent and the net primary enrollment rate was 95.5 percent.<sup>2179</sup> Primary school attendance rates are unavailable for Macedonia. While enrollment rates indicate a level of commitment to education, they do not always reflect children's participation in school.<sup>2180</sup> Dropout rates for girls in primary and secondary school are high, particularly among ethnic Roma or Albanian children.<sup>2181</sup>

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<sup>2172</sup> U.S. Department of State, *Trafficking in Persons Report- 2002: The Former Yugoslav Republic of Macedonia*, Washington D.C., June 5, 2002, 72 [cited December 13, 2002]; available from <http://www.state.gov/g/tip/rls/tiprpt/2002/10680.htm>. See also U.S. Department of State, *Country Reports on Human Rights Practices- 2001: The Former Yugoslav Republic of Macedonia*, Washington D.C., March 4, 2002, 1622-25, Section 5 [cited December 13, 2002]; available from <http://www.state.gov/g/drl/rls/hrrpt/2001/eur/8293.htm>.

<sup>2173</sup> UNICEF: Area Office for the Balkans, *Trafficking in Human Beings in Southeastern Europe*, 94. See also U.S. Department of State, *Country Reports- 2001: Macedonia*, 1625-27, Section 6f.

<sup>2174</sup> UNICEF: Area Office for the Balkans, *Trafficking in Human Beings in Southeastern Europe*, 94.

<sup>2175</sup> Coalition to Stop the Use of Child Soldiers, "Macedonia," in *Global Report 2001*, London, 2001, [cited December 13, 2002]; available from <http://www.child-soldiers.org/cs/childsoldiers.nsf/3f922f75125fc21980256b20003951fc/3b74c32135ce7d2880256b1e0046fe5b?OpenDocument>.

<sup>2176</sup> *Constitution of Macedonia, 1991*, (November 17, 1991), Article 44 [cited September 13, 2002]; available from [http://www.uni-wuerzburg.de/law/mk00000\\_.html](http://www.uni-wuerzburg.de/law/mk00000_.html).

<sup>2177</sup> The Ministry of Education is proposing that the government provide these materials free of charge through primary school. Transportation is also free for students. See U.S. Embassy- Skopje, *unclassified telegram no. 2616*.

<sup>2178</sup> UN Committee on the Rights of the Child, *Periodic Reports of State Parties: Macedonia*, para. 20.

<sup>2179</sup> World Bank, *World Development Indicators* [CD-ROM], Washington, D.C., 2002.

<sup>2180</sup> For a more detailed description on the relationship between education statistics and work, see the preface to this report.

<sup>2181</sup> UN Committee on the Rights of the Child, *Concluding Observations of the Committee on the Rights of the Child: The Former Yugoslav Republic of Macedonia*, CRC/C/15/Add.118, February 23, 2000, [cited December 13, 2002]; available from <http://www.hri.ca/fortherecord2000/documentation/tbodies/crc-c-15-add118.htm>. See also U.S. Embassy- Skopje, *unclassified telegram no. 2616*. See also U.S. Department of State, *Country Reports- 2001: Macedonia*, 1622-25, Section 5.

## Child Labor Laws and Enforcement

The Constitution and Labor Relations Act set the minimum age for employment at 15 years.<sup>2182</sup> The Labor Relations Act prohibits overtime work by children, as well as work between 10 p.m. and 6 a.m., or work that may be harmful or threatening to their health or life.<sup>2183</sup> The Constitution prohibits forced labor.<sup>2184</sup> The Macedonian Criminal Code prohibits various acts of sexual exploitation against children, including the recruitment or solicitation of children for prostitution and/or the procurement of a child for these activities.<sup>2185</sup> Individuals convicted of instigating, recruiting or procuring a child for prostitution shall be punished with imprisonment of one to five years.<sup>2186</sup> The Government of Macedonia has recently adopted a law that criminalizes trafficking and actions associated with trafficking. Since the passage of this new law, there have been several arrests.<sup>2187</sup> Labor Inspectors at the Ministry of Labor and Social Policy are responsible for enforcing the child labor laws; however, they have been reluctant to enforce these laws.<sup>2188</sup>

The Government of Macedonia ratified ILO Convention 138 on November 17, 1991 and ILO Convention 182 on May 30, 2002.<sup>2189</sup>

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<sup>2182</sup> *Constitution of Macedonia, 1991*, Article 42(1). In addition, the minimum age for work in mines is 18. See *Labor Relations Act: Macedonia, 1993*, (December 27, 1993), Section 7 [cited November 2, 2001]; available from <http://www.natlex.ilo.org/txt/E93MKDO2.htm>.

<sup>2183</sup> *Labor Relations Act: Macedonia, 1993*, Sections 63, 66 and 67.

<sup>2184</sup> *Constitution of Macedonia, 1991*, Article 11(2). See also U.S. Department of State, *Country Reports- 2001: Macedonia*, 1162-65, Section 6d.

<sup>2185</sup> UN Committee on the Rights of the Child, *Periodic Reports of State Parties: Macedonia*, para. 259 and 56. See also *Criminal Code of Macedonia, 2001*, (January 2001), 192-93 [cited December 20, 2002]; available from <http://www.protectionproject.org>.

<sup>2186</sup> *Criminal Code of Macedonia, 2001*.

<sup>2187</sup> U.S. Department of State, *Trafficking in Persons Report: Macedonia*, 72.

<sup>2188</sup> *Labor Relations Act: Macedonia, 1993*, Section 139. According to the government, no cases of child labor are filed with the Ministry. See also U.S. Department of State, *Country Reports- 2001: Macedonia*, 1625-27, Section 6d. See also Oliver Krliu, Embassy of the Republic of Macedonia, letter to USDOL official, September 14, 2000.

<sup>2189</sup> ILO, *Ratifications by Country*, in ILOLEX, [database online] [cited September 30, 2002]; available from <http://iloex.ilo.ch:1567/english/newratframeE.htm>.