

Government of Republic of Macedonia

Regular 2011 report on

C182 WORST FORMS OF CHILD LABOUR CONVENTION, 1999

(In response to the Direct Request of the Committee of Experts)

The Law on Amendments and Additions on the Labour Relations Act introduces changes that offer better protection of persons younger than 18. Thus, according to Article 18 of the Labour Relations Act, a person younger than 18 who is in good health may conclude an employment contract. However, a child younger than 15 or a child who has not completed compulsory education is prohibited from working unless doing activities allowed by the law, but not more than four hours per day.

The same Article states that the employer is required to protect young persons from economic exploitation and from any type of work that may be harmful to their safety, health, their physical, mental, moral or social development, or that may undermine their educational prospects. However, there may be an exception to this rule. A child younger than 15, with the payment of remuneration, may take part in activities that by their scope and character do not have an adverse effect on his health, safety, development and education, such as: cultural and artistic activities, sporting events and advertising activities. Such activities are approved by the public administration body in charge of labour inspection, upon the request of the organizer of the aforementioned activities, after the legal representative of the child has given his consent and after the labour inspectors have carried out an assessment of the establishment where the activities will take place.

This Article of the Act also defines the term 'young person'. A young person is any person that can conclude an employment contract, who is at least 15 years of age and younger than 18, who does not have to attend compulsory education, and who carries out activities that do not harm his health and safety. A young person younger than 16 may work 30 hours per week at most, even if he is employed by several employers simultaneously. A young person older than 16 may work 37 hours and 45 minutes per week at most, even if he is employed by several employers. The young person may not work longer than eight hours in a 24 hour-period. The time the young person spends doing vocational qualification as part of the theoretical and practical courses is also considered work. The work that the young person performs at the premises of the employer, and for which the young person is remunerated, is considered participation in training. Thus, the employer may not misuse the possibility for awarding the young person in order to increase the workload to an extent that would endanger the safety and health of the young person.

Article 9 paragraph 2 of the Law on Child Protection bans all types of sexual misuse and sexual abuse of children (child pornography, child prostitution), **forced prostitution**, sale or trafficking in children, psychological or physical

violence and maltreatment, punishment or other type of inhumane actions, all types of exploitation, commercial misuse and abuse of children, thus violating the basic human liberties and rights, as well as the rights of the child.

The state and the institutions of the system are taking all measures necessary to protect children from misuse and other types of abuse of children in the illicit production and trade with opiate drugs, psychotropic substances and precursors.

The misuse of children for political or religious rallying and activities is prohibited.

It is not allowed to involve minors in armed conflicts and recruit them in units that carry out military manoeuvres and other types of activities.

The state and the system institutions are required to take all measures necessary to guarantee the rights of the child and prevent all types of discrimination and misuse, regardless of the location, severity, intensity and duration of such actions.

We believe that this provision encapsulates the content of Article 3 paragraph (c), despite the difference in definitions, i.e. the different way prohibited activities are classified. A fine of the denar equivalent of 500 - 1500 EUR is to be imposed if an child shelter or a physical entity commits any of the aforementioned acts.

The activities related to the harmonization of the national labour legislation included the Labour Relations Act. The amendments and additions to the Labour Relations Act done in October 2009, published in the Official Journal of the Republic of Macedonia no. 130/09, included the transposition of many Directives, such as Directive 94/33/EC for the protection of young people at the workplace.

This Directive, Article 176 paragraph 2 of the Labour Relations Act (Official Journal of the Republic of Macedonia no.62/05) and Article 10 paragraph 1 point 4 of the Law on Amendments and Additions to the Labour Relations Act (Official Journal of the Republic of Macedonia no.124/10) prescribe an obligation for passing a separate Act that would determine the activities that are banned for workers younger than 18. Apart from the aforementioned Directive, the contents of this Act are related to several other Directives, including Directive 90/679/EC; Directive 89/391/EC; Directive 67/548/EC; Directive 88/397/EC; Directive 90/394/EC; Directive 93/679/EC and Directive 93/18/EC.

The rulebook that defines the activities that are prohibited for workers who have not yet turned 18 is in a draft version and is in the process of being enacted. This rulebook defines young workers as the workers who have not yet turned 18. A list of activities that are prohibited for young workers is given as an appendix to this rulebook:

Jobs that include harmful physical factors and their effects

The following types of work are considered to include harmful physical factors and their effects:

1. Work that includes harmful physical factors and their effects, especially during:

- a) activities that cause ionizing radiation;
- b) activities that expose young workers to an atmospheric pressure of more than 20 kPa in comparison to the surrounding atmospheric pressure (in atmospheric containers and during diving, or in a situation of reduced atmospheric pressure, as well as when there is a considerable increase of the pressure in the lungs);
- c) underground activities, such as ore extraction or while digging tunnels and mining shafts;
- d) activities that put undue strain on the limbs and all the related organs and muscles engaged in lifting and moving of loads that exceed the weight limit¹;
- e) activities in which the worker is on his feet longer than 4 hours per shift without being able to change the basic work posture, or when the worker's movement and change of the position of the torso and the limbs are severely limited during the shift;
- f) activities that are physically challenging and done in unsuitable working positions, such as when the worker must bend over, kneel, duck, be prostrate, stretch on his toes, or when he has to stand with his hands behind his head or with his torso twisted at an angle greater than 60 degrees. The ban does not apply to activities that require the body to be positioned in the aforementioned ways only rarely, or for a short period during the shift, and which are necessary during vocational qualification or training for the professions which demand physical effort and extreme body positions (for example: artistic performances);
- g) activities carried out as part of occupations that require excessive effort/strain related to low or high temperatures, whereby:
1. the average temperature measured during the shift using a bulbous thermometer exceeds 28°C.
 2. the activity takes more than 4 hours per shift in an environment where, due to technological reasons, the temperature is lower than 5°C, or more than 1 hour total per shift if the temperature is lower than -5°C. Such activities must be compensated with effective protective measures that ensure physiological thermoregulation of the young worker, especially by providing suitable protective working clothes, maintaining adequate temperature in the working area and the rest area, and, if necessary, by providing hot meals and drinks.
 3. there are considerable shifts in temperature at the workplace, in intervals shorter than 30 minutes, without effective substitute measures and additional measures that provide for physiological thermoregulation of young workers, especially in terms of suitable working clothes, adjustments in the working and rest schedule, a liquid

¹ **Manual Loading and Unloading** Rulebook (Official Journal of the Republic of Macedonia no. 135/2007)

intake schedule, as well as maintaining adequate heat and humidity in the working area and the rest area.

4. there are sources that radiate heat which affect the young worker, and the heat radiation intensity at the workplace that affects the head exceeds 150 W/m³.

5. the relative humidity of the air exceeds 80%.

h) activities where the oxygen content of the air is lower than 20%;

i) activities at workplaces where the noise level limit is exceeded, in line with the special regulation². If such activities are necessary in the course of the vocational training and the preparation for the profession, the exposure to noise must be limited to the shortest period possible, and, at the same time, the measures for reducing the influence of the factors that increase the adverse effect of vibrations (such as low temperature, humidity or static load) must be implemented, and

j) activities that include non-ionizing radiation, where the maximum values for electromagnetic radiation are exceeded and if there are electromagnetic fields at frequencies of 3000 GHz and less, all of which is governed with special regulations³.

Jobs that include harmful biological factors and their effects on the workplace

The jobs that include harmful biological factors and their effects are classified in groups, which are determined with special regulation for health protection at a job that includes biological factors⁴.

Jobs that include harmful chemical factors and their effects on the workplace:

a) jobs that include dangerous chemical materials/substances and dangerous chemical

preparations (T), very toxic substances and preparations (Th), flammable substances or preparations (C) and explosive substances and preparations (E), outlined in a special regulation⁵;

b) jobs that include dangerous chemical substances and chemical preparations, classified as harmful substances and preparations (Xn), outlined

² **Noise** Protection at the Workplace Rulebook (Official Journal of the Republic of Macedonia no. 21/2008)

³ Please specify the regulation that governs protection of health from non-ionizing radiation

⁴ The Rulebook for the minimum health and safety requirements for workers at risk of being exposed to **biological agents** is in the process of being published

⁵ The Rulebook for the minimum health and safety requirements for workers at risk of being exposed to **explosive atmospheres** (Official Journal of the Republic of Macedonia no. 74/09)

in a special regulation⁶ and marked with one or more specific hazard symbols that are defined below, which warn of their dangerous characteristics:

1. danger of severe permanent damage, marked as P39.
2. likely risk of permanent harm, marked as P40.
3. may cause discomfort when inhaling, marked as P42.
4. may cause discomfort when there is contact with the skin, marked with P43.
5. may be cancerogenous, marked as P45.
6. may cause inherited genetic defect, marked as P46.
7. danger of serious damage to health as a result of longer exposure, marked as P48.
8. may adversely affect fertility, marked as P60 and
9. may harm an unborn child, marked as P61.

c) jobs that include chemical substances and chemical preparations classified as irritable substances and preparations (Hi), outlined in a special regulation⁷ and marked with one or more specific hazard symbols that are defined below, which warn of their dangerous characteristics:

1. easily flammable, marked as P12.
2. may cause discomfort when inhaling, marked as P42.
3. may cause discomfort when there is contact with the skin, marked with P43.

d) jobs that include chemical materials/substances and chemical preparations, classified as cancerogenous categories 1 and 2, outlined in a special regulation (6) ;

e) jobs including lead and lead compounds that can be absorbed by the human organism;

f) jobs including asbestos and

e) during production of medications and preparations for human and animal use, if considerable amounts of the biologically effective substances enter the organism, as well as in case of jobs that include exposure to chemical factors that have hallucinogenic and psychotropic effects.

Jobs including various processes and other hazardous jobs

1. The following jobs are considered to be jobs including various processes:

a) production of auramine;

⁶ The Rulebook for the minimum health and safety requirements for workers at risk of being exposed to **cancerogenous, mutagenic substances and substances that may poison the reproductive system** (Official Journal of the Republic of Macedonia, no. 110/2010)

⁷ The Rulebook for the minimum health and safety requirements for workers at risk of being exposed to **chemical substances**, published in the Official Journal of the Republic of Macedonia, no. 46/2010

- b) jobs in which the workers are exposed to polycyclic hydrocarbons found in carbon soot, tar, black resin, vapour and dust;
- c) jobs in which the workers are exposed to dust, vapour and drops released during frying or electrolysis of cupronickel ore;
- d) jobs including production of isopropyl alcohol that releases volatile acids;
- e) jobs that may be cancerogenous, outlined in a special regulation;
- f) during production and handling of various devices, firecrackers and other items that contain explosives;
- g) jobs that include handling bloodthirsty or poisonous animals, outlined in a special regulation;
- h) jobs that include slaughtering animals in industrial slaughterhouses;
- i) jobs that include handling manufacturing and storage equipment or use of compressed, liquid or diluted gasses;
- j) jobs that include working with large bowls, reservoirs, tanks and tubs;
- k) jobs that include handling packaging (such as barrels and canisters holding the chemical substances outlined in point 1.3.);
- l) jobs in which structures or facilities under construction may collapse
- m) jobs that include danger of high voltage;
- n) jobs whose rhythm depends on the machinery that is used and is paid according to the achieved results and
- o) jobs which include danger of structural collapse.

2. Other hazardous jobs

The following jobs are considered 'other hazardous jobs':

- a) classified as hazardous, according to special regulations;
- b) that are associated with an increased risk of injury;
- c) disinfection and rodent control of rooms using gasses and
- d) jobs that are carried out on surfaces higher than 1,5 meters and over deep bodies of water.

In regards to the application of this Convention into practice, we would like to inform you that in line with the competences prescribed in the Law on Labour Inspection and the Labour Relations Act, the State Labour Inspectorate, in the field of labour relations, supervises the application of laws and other employment relations-related regulations, employment, collective agreements and work agreements that define the rights, duties and responsibilities of the worker or employer in the employment relationship.

Activities of the National Committee - subgroup for combating trafficking in children in terms of the implementation of the 2009-2010 National Action Plan (NAP) for combating trafficking in children in 2010 and 2011 January-June

In the course of 2010, the Ministry of Labour and Social Policy continued the activities for preventing human trafficking and protecting trafficking victims, especially children, through the Coordinative Office of the National Referral Mechanism for human trafficking victims (NRM). The NRM has implemented these activities in coordination and collaboration with the Centres for Social Work (CSW), that is the designated social workers from 30 cities and towns throughout the Republic of Macedonia.

The basic role of the NRM

The NRM Coordinative Office, that is the two employees as well as two trained social workers that come from the CSW, are available on their cell phones 24 hours a day and are constantly in touch with the police and the NGOs, in order to provide assistance and protection of trafficking victims by:

- initial assessment of the needs of presumed victims of human trafficking, organization and coordination of appropriate assistance (crisis intervention, psychological and social support and counselling, food, clothing, medical assistance);
- referral to a human trafficking victim shelter in the Otvorena porta (Open Gate) NGO, (a signatory of a memorandum of understanding) or the Foreigners Reception Centre (operated by the police), providing return to the family or suitable accommodation;
- issuing necessary paperwork for the victims, such as personal documents, medical ID etc.;
- coordination of the protection (contact with the family, appointing a special guardian for the minors, assessment of the possibility and conditions for returning to the family);
- informing victims about their rights and status (legal assistance, providing information about legal provisions, legal representation);
- drafting and implementing a customized resocialisation and reintegration programme for the child victims of human trafficking.

The launch of the Child Trafficking Victims Centre

In line with the obligations which stem from the Social Protection Law (Official Journal of the Republic of Macedonia no. 79/09, Articles 26 and 31), a Child Trafficking Victims Centre should provide protection of child trafficking victims. Therefore, The Ministry of Labour and Social Policy has drafted a Guidebook for the Norms and Standards for Space, Equipment, Trained Staff and Funds Necessary for Establishing and Operating a Social Protection Establishment - Child Trafficking Victims Centre (Official Journal of the Republic of Macedonia no.100f/10 of July 23 2010).

For the operation of this Centre, in line with international human rights standards, the following internal documents have also been drafted:

1. A rulebook for the behaviour and working duties of staff
2. Accommodation, care and stay procedures (SOP)
3. House rules
4. Protection protocol
5. Statement for the secrecy of the location/Statements for keeping a business secret, to be signed by staff
6. Evaluation of the assistance and support programme
7. Statement (consent) for accepting the accommodation
8. Records form
9. Leaving Statement

10. Handover Statement

11. Acceptance and referral to the CSW/NRM

In order to finalize the facilities and receive opinion and suggestions from the state and non-governmental institutions that participate in combating human trafficking, the Ministry of Labour and Social Policy, supported by the OSCE observer mission to Skopje, organized an operational meeting entitled Child Trafficking Victims Centre Bylaws on September 23, 2010. There were 25 participants on the round table, including the Social Protection Sector of the Ministry of Labour and Social Policy, the Ministry of Interior, the Ministry of Education, the Centres for Social Work, the Employment Agency, as well as representatives of non-governmental and international organizations that run programmes on combating human trafficking.

Some of the furniture in the shelter was donated by the ILO and the Red Cross of the Republic of Macedonia.

The basic principles in the implementation of the procedures are the respect for human rights and liberties, the protection of the integrity of the victim and the best interest of children.

The accommodation capacity meets present needs and, as prescribed by law, the person may stay 6 months, and during this time the competent CSW is trying to find a long-term solution for the accommodation of this person.

The aim of the temporary accommodation of victims in this Centre is to protect and assist them, including their privacy and physical safety, as well as provide them with an opportunity to recover physically, psychologically and socially.

Training

Between 14 and 16 of December 2010, a training for direct assistance of trafficking victims was held for the benefit of 15 employees of the CSW Skopje, the Foreigners Reception Centre and both NGO's - Za srečno detstvo (For a Happy Childhood) and Otvorena porta. Some of these participants will be selected to work in the Human Trafficking Victims Centre. The training was made possible with the support of the ILO, as part of the IPA project entitled Technical Assistance to Improve the Capacities of the Relevant Parties in the Fights against Organized Crime, with a Focus on Human Trafficking.

Local coordinative meetings

In order to improve coordination and collaboration with the police and CSW's, operational meetings were held in Berovo and Prilep with the police representatives that work on organized crime, the prevention unit and the CSW representatives. The topics included revising the Standard Operational Procedures for dealing with human trafficking victims, the establishment of the state shelter, the legislation dealing with fighting human trafficking, the situation at a local level and the need to act.

Standard Operational Procedures

The Standard Operational Procedures (SOP's) for dealing with human trafficking victims were adopted by the Government of the Republic of Macedonia in 2008. The SOP's provide for assistance and protection of all human trafficking victims by adhering to a comprehensive approach, based on human rights of victims, and they contain special measures for child victims of human trafficking. In order to harmonize the SOP's with the changes in the legislation and in order to successfully tackle the obstacles that appeared in their practical implementation, the National Commission in 2010 established a working group for revising their content. The Ministry of Labour and Social Policy actively participated in the working group, as well as in the three regional meetings with the representatives of all governmental and non-governmental institutions in the country that implement the SOP's.

Representation

The legal representative offers legal advice and represents human trafficking victims in court procedures, namely in the investigative procedure and the main hearing.

In the course of 2010, the legal representative has offered legal advice to 10 presumed minor human trafficking victims.

- 7 (seven) minor human trafficking victims were represented in front of an investigative judge in Skopje Basic Court 1, Skopje.
- One presumed human trafficking victim was represented in front of an investigative judge in Stip.
- Two (2) minor human trafficking victims were represented at main hearings in Skopje 1 Basic Court, Skopje in a case that involved organizing a criminal enterprise and abetting in human trafficking, trafficking with minors and smuggling of migrants as defined in Article 418-c, paragraph 1 of the Criminal Code and for the criminal act trafficking with a minor, as defined in Article 418-d paragraph 2 and Article 22 of the Criminal Code.
- In the case with three presumed minor human trafficking victims, charges were pressed for other types of crimes: abetting in prostitution for 2 persons (the main hearing took place in the Stip Basic Court) and raping a minor (Article 186) in the Prilep Basic Court.

Database

The Office of the National Referral Mechanism for referring human trafficking victims within the Ministry of Labour and Social Policy is the national repository for the human trafficking victim-centred database. The database was donated by the International Centre for Migration Policy Development (ICMPD) as part of an international project, where 11 South Eastern European countries participated, and which aimed at creating a unified national database. The database is using data from the CSW's and the Ministry of Interior (MOI)/Unit for Combating Human Trafficking and Illegal Migration (UCHTIM).

Data chart for identified human trafficking victims

Year they were identified	Adolescents	Minors	Total
2006	7	16	23
2007	9	28	37
2008	0	11	11
2009	2	6	8
2010	1	9	10
Total:	19	70	89

The NRM Office in 2010 was active in 15 cases, and in 10 cases human trafficking victims were identified, whereby:

- there were 9 minor and 1 adolescent domestic victim;
- there were 9 female citizens of the Republic of Macedonia and 1 Albanian citizen;
- the dominant age was 16-18 (in 6 cases), while there were 3 persons aged 13-15 and one person older than 18.
- 7 of the victims have completed primary education and dropped out of further education, while only 3 continued and attended secondary education.
- all of the victims come from dysfunctional families, beset by family violence and lack of parental care.

During 2010, the Otvorena porta shelter housed 9 persons, the NRM office sheltered 1 person, and the others were sheltered by the Unit for Fighting Trafficking in Human Beings (FTHB) at the MOI. CSW's from Skopje, Prilep, Stip, Sveti Nikole, Probistip, Gostivar and Tetovo worked on these cases.

During October and November, in the cases of 6 minors that had to be returned from Belgium and France to Kavadarci, Kriva Palanka, Prilep and Negotino, their families were assessed in order to determine whether they would have the capacity to receive the minors. According to the MOI, only one of these girls, who was in Belgium, was granted human trafficking status, and is still there. Two minors that were not human trafficking victims returned to the Republic of Macedonia, and there is no information about the return of the others.

ILO

1. Specialized trainings for fighting against trafficking in children and other types of exploitation of children.

Within the project Technical Assistance to Improve the Capacities of the Relevant Parties, implemented by the IOM and financed by the EU, two specialized trainings for fighting against trafficking in children and other types of exploitation of children were held in 2010.

The first training was held in Skopje between 2 and 4 of March, 2010, and the second between 29 and 31 of March, 2010, also in Skopje, and they involved

a total of 51 professionals from the Ministry of Interior (prevention inspectors, juvenile justice inspectors, fight against human trafficking inspectors), experts from the Ministry of Labour and Social Policy (social workers, labour inspectors, psychologists that deal with these issues), public prosecutors, judges and representatives of NGO's specialized in assisting human trafficking victims.

The instructors were distinguished experts from the country and some EU member-states (Austria, Romania and France).

2. A comparative analysis that covered unaccompanied minors was carried out

This comparative analysis aimed at examining the existing legislation, practices and mechanisms for protecting unaccompanied minors and draw a comparison with the EU legislation, in order to draft focused recommendation for a suitable harmonisation and adjustment of these aspect towards the EU standards. The analysis was published in Macedonian and Albanian in 200 copies.

Otvorena porta - La Strada NGO

Prevention and education

The activities of NGO Otvorena porta are focused on the prevention and education, which constitute the basic requirements for protecting young people from human trafficking. The January-December 2010 Prevention and Education Programme of the Otvorena porta NGO envisaged implementation of several activities, detailed below. These activities were financially supported mainly by the EU and other donors.

The programme aimed at raising the awareness of the public, and especially of the vulnerable population, about the existence of human trafficking, as well as at training and capacity building of high school students and professionals for implementing preventive measures in their respective environments.

The target groups were: students from primary and secondary schools, universities, professionals (professors, the police, social workers, journalists, nongovernmental organizations, local self-government representatives and the public in general).

Activities within the Prevention and Education Programme, implemented between January and December 2010 by Otvorena porta

- 2000 informational and educational leaflets were distributed (through the educational institutions, student dorms, centres for social work, the police and the border police units, the local

nongovernmental organizations etc.) Area targeted: all municipalities in the Republic of Macedonia and the central city areas.

- On October 18, the EU day for combating trafficking in humans, a public tribune was held in cooperation with the National Commission. 50 participants (NGO's, the local self-government, MOI, NRM, journalists etc.) were informed about the current activities of Otvorena porta, the NRM and the National Commission towards preventing human trafficking. At the same time, a statement of recommendations for better protection of human trafficking victims by allowing them their right to compensation was distributed. The materials for prevention were also distributed on this day by volunteers who covered the city centre, the student dorms and the municipality of Suto Orizari.
- In Kumanovo, Sveti Nikole, Strumica, Struga, Kicevo, Tetovo, Delcevo, Rostuse and Bitola, nine public tribunals were held with the representatives of the local communities on the topic of preventing human trafficking together and not discriminating against human trafficking victims. The tribunals were used to educate 200 representatives of the local self-government, prevention councils, schools, social work centres, the local police, public prosecutors' offices, NGO's and the media. Among other topics, the NAP was presented in detail and their role in its implementation was explained. Finally, the attendants received a copy of the NAP.
- In December 2010, the Ministry of Education and Otvorena porta signed a Cooperation Memorandum on preventing human trafficking and educating the people about this issue.
- In order to communicate with the vulnerable groups, 15 workshops were held in primary and secondary schools and at universities, and as a result 576 students of various nationalities were informed.
- 8 forum theatres were held on the topic human trafficking, and at least 300 young people were informed about this issue
- For the benefit of high school students, 10 trainings on human trafficking were held in 10 cities (Kumanovo, Sveti Nikole, Strumica, Struga, Kicevo, Tetovo, Delcevo, Rostuse, Bitola and Skopje), and in this way 200 high school students were trained to be peer educators
- Educational workshops with the peer educators were held, which helped spread information among approximately 500 young people.
- A coordinative workshop was held with 10 nongovernmental organizations, members of the BUDNOST NGO network.
- Two workshops were held in Kocani, Stip, Strumica and Berovo, where Roma community representatives were educated about their rights and about human trafficking prevention, in cooperation with the NGO called Za pravata na Romite (For the Roma Rights) from the town of Stip.

- A three-month volunteer work at Otvorena porta and training of 15 volunteers who study at the Social Work and Social Policy Institute
 - Human trafficking prevention training was organized,
 - There was a training on how to give advice on the human trafficking assistance telephone helpline,
 - A training was held on direct support of human trafficking victims
- Advanced training for human trafficking, protection of human trafficking victims and implementing preventive measures was organized. A total of 120 students of the faculties of pedagogy in Bitola, Stip, Tetovo and Skopje were trained along with students of the Social Work and Social Policy Institute at the Faculty of Philosophy.
- The National Helpline was operated 24/7 with the help of 5 operators. They provided information on working abroad, crisis intervention, emotional, psychological and social support, legal consultations for (potential) victims, parents, relatives and others. From January until October 31, 2010, 247 people called the Helpline, the majority of which (118) were about additional information.

42 of the callers asked for basic information about the phenomenon, 29 requested information about the operation of the Helpline and the services on offer, and 47 callers requested further information about agencies or advertisements offering job opportunities, mostly abroad.
- Otvorena porta signed a Cooperation Memorandum with HERA in order to get actively involved in the realization of the HERA project aimed at raising the awareness of the young people for the issue of trafficking, which included educational and promotional activities, such as the screening of a short animated film about human trafficking entitled Dve devojcinja (Two Girls). The following workshops were organized as part of the project:
 - A one-day workshop for education and sensitizing about the topic of human trafficking, attended by 20 professionals, such as psychologists/pedagogues, sociology teachers and social workers in secondary schools and social institutions from the Republic of Macedonia. There was also a workshop for journalists and the media aimed at informing them about human trafficking issues.

Otvorena porta joined the celebration of the Human Trafficking Awareness Week (December 2-9, 2010) with the following activities:
(2.3.3)

Activities within the programme for direct support of human trafficking victims

Since the launch of the shelter in 2005, which offers accommodation and assistance of Macedonian victims of human trafficking, it has housed 71 wards that were offered various services. In 2010, 9 Macedonian victims of human traffickers were assisted by Otvorena porta. All wards were minor victims of human trafficking for the purpose of sexual exploitation. The clients

were provided with support and provided with emotional, medical and legal assistance. Apart from short-term assistance and safe return, the social assistance was aimed at a long-term programme for support and social inclusion of the trafficked girls.

Two of the wards re-entered the educational system, which had been interrupted by their predicament. Two of the wards were in need of hospital treatment at a suitable clinic, and Otvorena porta was there for them during the treatment and covered all hospital expenses. After her treatment, one of the wards returned to the shelter, and the work on her resocialization continued.

All wards have given statements in front of an investigative judge. While giving statements, they were accompanied by a representative of Otvorena porta and a legal representative from the Ministry of Labour and Social Policy (MLSP).

After receiving initial assistance and midterm help, as well as the drafting of the reintegration plan which was created by the shelter team and the wards themselves, six wards went back to their families. All SCW's where the victims come from received reports for the work with the ward and suggestions on how to work with the victim.

- Research for the compensation of human trafficking victims in the Republic of Macedonia was carried out, as well as research for the existence of human trafficking in other sectors

KOMPAKT project - research for the compensation of human trafficking victims in the Republic of Macedonia. The report is to be finalized in 2011.

Between January and March, Otvorena porta, with the help of two external consultants, carried out research on the human trafficking victims' access to compensation/damages claims. At the beginning, the existing legislation in the Republic of Macedonia was compared to European legislation. The research was conducted using a structured questionnaire distributed among 30 respondents from different institutions and non-governmental organizations. Interviews were carried out with representatives of the Public Prosecutor's Office of the Republic of Macedonia, the Ministry of Interior, judging judges, lawyers, executive officers, representatives of 5 NGO's that work on preventing human trafficking and supporting human trafficking victims, as well as other entities. The research highlighted the shortcomings in the legal proceedings and yielded recommendations for overcoming those shortcomings. The report is expected to be printed at the end of June.

Activities within the programme for Prevention and Education, carried out between January and April 2011 by Otvorena porta

- Visit of schools, universities and other institutions, and organizing talks on the topic of human trafficking

Between January and April, Otvorena porta organized five workshops on human trafficking prevention with 170 students. Two of the workshops were held in the Straso Pindzur primary school, and the rest in the Boro

Petrusevski-ASUC primary school. First, second and fourth year students attended. The workshops were interactive, embellished with power point presentations, the film *Ti si ziva* (You're alive) was screened, there was group work, role-play etc. Otvorena porta wanted to utilize these workshops in order to show young people how important it is to respect and affirm human rights. This activity directly contributes mainly towards raising the awareness of this vulnerable population, but also towards their strengthening, since they are better protected from human trafficking. The young people are also expected to get more actively involved in the implementation of the preventive measures in future and to share the information they have gained with their peers. After the preventive activities in the educational institutions were carried out, Otvorena porta regularly supplied the people present at the workshop with preventive materials. In the recent past, some 1250 copies of various preventive materials were distributed among high school and university students.

- **Getting volunteers involved in the implementation of the preventive programme and the direct support programme**

On the occasion of the closing of the project entitled *Strengthening Capacities of Future Social Workers and Teachers in a Multi-ethnic Society*, on the 23rd of January, Nikola Todorov, the Minister of Education, personally handed certificates to some 80 students of the Faculty of Philosophy for their volunteering work in the civic sector, including Otvorena porta. The project was funded by the OSCE mission to Skopje. The three-month *Strengthening Capacities of Future Social Workers and Teachers in a Multi-ethnic Society* project enabled 15 students of the Social Work and Social Policy Institute to broaden their knowledge and acquire skills for prevention and immediate work with potential human trafficking victims and human trafficking victims.

The organisation benefitted from this project since it signed a Cooperation Memorandum with the Faculty of Philosophy, Skopje, and thus Otvorena porta has become one of the organisations capable of providing students with high-quality volunteering and traineeship programmes. This novelty gives Otvorena porta the opportunity to expand its programmes in this area.

- **A two-day training for Helpline volunteers that would offer information and support on the Helpline for (potential) human trafficking victims.**

On April 14-15, Otvorena porta held two trainings for ten volunteers, most of whom were students at the Social Work and Social Policy Institute. The trainings covered the process of operating a helpline and immediate work with human trafficking victims. The purpose of these trainings was to strengthen the capacities of student volunteers in terms of offering assistance, information and support to potential human trafficking victims and human trafficking victims. After the training, Otvorena porta provided 5 trained students with the opportunity to volunteer for the helpline, where they will continue to gain knowledge and hone their skills on the topic.

- **Operating the National Helpline 24/7 with 5 operators. Providing safety information about working abroad, crisis intervention and emotional and psychosocial support, legal advice for (potential) victims, family, relatives and others.**

During the reporting period for the Helpline, 89 calls were reported, and they were classified by the nature of the call. Most of the callers dialled the toll-free number 0 800 11111 (a total of 67 calls), 16 persons called 2777-070, and 6 persons asked for information over email.

Activities within the programme for direct support of human trafficking victims

On January 28, 2011, the Ministry of Labour and Social Policy held a press conference in order to launch the State Shelter for Accommodating Human Trafficking Victims in the Republic of Macedonia.

Otvorena porta/La Strada, as a long-term partner and an organisation that was in charge of the human trafficking victims shelter continues to work in the state shelter, and it will continue the implementation of the psycho-social programme for assisting trafficked persons.

The collaboration began with Otvorena porta and the Ministry of Labour and Social Policy signing a Cooperation Memorandum. The Memorandum governs the rights and obligations of the signatories, that is the way the parties will cooperate. According to the Memorandum, Otvorena porta funds all activities that are directly related to human trafficking victims. It also provides staff that will work 24 hours a day, and carries out the activities from the human trafficking victims social programme. According to the Memorandum, the Ministry of Labour and Social Policy is required to reimburse all overheads for the operation of the shelter.

- **Implementing a human trafficking victims protection programme, including emotional and social support**

In the course of the reporting period, Otvorena porta provided social assistance to 5 wards. The shelter housed 3 new wards, who took part in the Social Assistance Programme. The wards were provided with support, as well as emotional, medical, legal assistance etc. Apart from short-term assistance, the main idea was to provide long-term support and social inclusion of the wards. During their stay, 3 wards were included in the educational process, and one completed a course and became a cosmetician.

In regards to forced recruitment of persons younger than 18, Article 9 paragraph 5 prohibits involving minors in armed conflicts and recruiting them in units that carry out military manoeuvres and other activities. A 500-1500 EUR fine is prescribed for such a criminal act.

Street children

The Ministry of Labour and Social Policy, in order to subdue the street children phenomenon, implemented activities and took measures with

the ultimate aim of social inclusion of street children. Thus, the Law on Amendments and Additions to the Law on Social Protection (Official Journal of the Republic of Macedonia no.65/2004) introduced the right to daytime sheltering street children in a daytime centre for street children, thereby providing these children and the members of their families with educational services, counsel, as well as cultural, entertainment and recreational activities.

So far, the Ministry of Labour and Social Policy has launched two daily centres for street children in the Skopje metropolitan area (in Kisela voda and Avtokomanda) and one in the municipality of Bitola.

The Social Inclusion Department of the Ministry of Labour and Social Policy, in cooperation with the UNICEF Office in Skopje and the OSCE mission, implemented a project for better social protection of street children entitled Children-at-risk -- Breaking the Cycle of Social Exclusion of Children in Macedonia, which focused on Roma children.

The project aims at developing services and programmes for children who live and work on the street and their families by promoting their social inclusion using these social services. The project also contributed to the achievement of the goals outlined in the Roma Inclusion Strategy and the 2005-2015 Action Plan drafted by the Ministry of Labour and Social Policy. The project focused on supporting the Government in developing and expanding a network of daytime centres for street children (specifically for Bitola), drafting of standards, procedures and methodological guidelines for working with street children, as well as strengthening institutional and human capacities of the CSW.

Within the project, the protocol that establishes the way the institutions in the Republic of Macedonia will deal with street children was drafted.

Before being made official, the protocol was piloted in three municipalities in the Republic of Macedonia.

Additionally, in cooperation with the Social Activities Bureau, **revised methodological guidelines** that help CSW professionals work with street children were drafted in December 2009.

The Skopje UNICEF office, in cooperation with MLSP, completely furnished a daytime centre for street children in Bitola, which was launched in September 2010. It also supported the work of the mobile teams for street children in the municipalities of Bitola and Prilep, whose main goals were to detect street children in these two municipalities, identify them, talk to their families and prepare them to be referred to a daytime centre for street children. Within the project, a programme for continuous training of the daytime centre for children staff was also implemented with the assistance of an international expert.

Additionally, in cooperation with the UNICEF Office, a counselling office for children and families at risk of family violence is planned to be established. In this context, an international consultant is tasked to draft the operational programme, standards and a financial structure for this counselling office.

The MLSP got involved in the implementation of the Thematic Meetings of the Local Prevention Councils for addressing Roma safety issues programme, which focuses on street children who are potential human

trafficking victims, victims of various types of abuse (physical, psychological, sexual) and are quite frequently exposed to the risk of misuse of drugs and other psychotropic substances. As part of this project, meetings were held in the 17 municipalities in the Republic of Macedonia which have the biggest problem with street children. Municipality mayors attended all meetings, along with representatives of the MOI, MLSP, Ministry of Defence (MoD), the Personal Identification Registry Administration of the Ministry of Justice (MJ), the Ministry of Health, the Public Prosecutor's Office, as well as representatives of civic associations and religious organizations, each of whom analysed the issue from their perspective and offered suggestions for tackling the issue, which would make street children safer.

Additionally, in order to improve the social protection of street children, a project entitled **Street Children and Combating Human Trafficking** was implemented, with the support of the OSCE Mission to the Republic of Macedonia. The project aims at building state social workers' capacities in their efforts to identify and assist street children and combat trafficking in children for the purposes of labour exploitation. In order to achieve this aim, a social work field programme was drafted, promoted and applied in practice.

In order to provide children who are not entered in the personal identification registry with a birth certificate, a task force was established with members of MLSP, MOI and the Personal Identification Registry Administration of the MJ. This task force assesses the lists with children submitted by the CSW and attempts to identify the children and enter them in the personal identification registry.

The street children issue in the Republic of Macedonia is becoming increasingly current. Consequently, the MLSP decided to draft standard procedures and mechanisms for a more comprehensive response to this phenomenon, in order to protect the rights of these children, provide for normal upbringing and development, do everything possible to cater for the best interests of the children, and respect the children's rights to life, survival and development, non-discrimination and equality of opportunity. According to the MLSP data, there are approximately 1000 street children, 95% of which are Roma. Labour exploitation and begging are among the main reasons for this phenomenon.

The MLSP works in coordination with the MOI and continuously implements field activities for preventing the street children phenomenon, and the CSW staff directly assesses and keeps record of the family situation of these children. In this context, the teams of experts offer expert advice on the care and upbringing of those children. The CSW also furnishes them with personal documents for the street children and ensure their right to health protection, education etc. It is also very important that the parents are advised about the consequences of the lack of care and the neglect of their own children, as well as the sanctions for such behaviour. During the direct assessments and the discussions with the parents of the children who have ID, they are informed that they have the obligation to enrol their children into the regular educational system. The children without ID are moved to the daytime centres for street children (two such centres in Skopje, and one in

Bitola), where street children get socially involved and are assisted in the process of getting their ID. The MLSP also coordinates all activities aimed at including Roma children in preschool education, and by the end of 2011 it is expected that the number will raise to 700, so 700 state-funded children will go to kindergarten. The project so far has been tremendously successful.

In the future, the professionals base in the CSW's will be reinforced, and they are expected continuously and actively to supervise and revoke the right to parenthood of parents who neglect or abuse their children (so far, the right to parenthood has been revoked for two parents, and a total of 10 children have been taken away).

The strengthening of capacities of expert services for field work in the local community, i.e. the place where the children live, is another point of focus.

The MLSP also drafted a **Multidisciplinary Protocol for Treating Street Children in the Republic of Macedonia**. By enacting this protocol, the Government of the Republic of Macedonia introduced a unified, standardised and unique concept for treating street children on the territory of the Republic of Macedonia. The concept, through a multidisciplinary and multi-sartorial approach, creates the foundation for taking these children off the streets, protecting them and getting them completely involved in society. Promotional activities were carried out in order to present the protocol and make it available to all stakeholders, as well as in order to sensitize the public for its existence. Thematic Meetings of the Local Prevention Councils for addressing Roma safety issues were held in order to promote trust among the Roma community, police, the local community, social services, as well as all ethnic-Roma related issues. The meetings were focused on the issue of street children, and meetings were held in the 17 municipalities which have the biggest problem with street children. Meetings were held in the local prevention councils of the municipalities of Vinica, Kocani, Kicevo, Kumanovo, Kriva Palanka, Cair, Bitola, Suto Orizari, Pehcevo, Delcevo, Stip, Struga and Center. Municipality mayors attended all meetings, along with representatives of the MOI, MLSP, Ministry of Defence (MoD), the Personal Identification Registry Administration of the Ministry of Justice (MJ), the Ministry of Health, the Public Prosecutor's Office, as well as representatives of civic associations and religious organizations, each of whom analysed the issue from their perspective and offered suggestions for tackling the issue, which would make street children safer.

In support of these activities, all Roma associations that want to help in the tackling of this issue were invited. Also, meetings were held with the universities, so that students could do traineeships in the daytime centres for street children in Skopje and assist in the identification and treatment of street children.

In the near future, the MLSP plans to launch a 24-hour transit centre that would provide shelter for children at social risk on the territory of Skopje, thus reinforcing the capacities for protecting and sheltering street children. Other daytime centres in the municipalities throughout the Republic of Macedonia where this is a major issue will also be launched. The patrolling social workers programme will also be implemented, and this programme is expected to prevent and reduce the risks that cause this atrocious phenomenon.

In academic 2009/10, the Ministry of Education and Science (MES), in line with the National Roma Strategy and the Action Plan for Education, continued the trend of allowing Roma ethnic community students to enrol into a public secondary school if they have up to 10% points less than the points prescribed by the public announcement for the appropriate curricula and if they meet the additional criteria such as passing the exam and demonstrating possession of the skills appropriate for the secondary school.

This measure is aimed at motivating Roma students to continue their education, and thus they are given a chance to enrol into the more attractive public secondary schools in the Republic of Macedonia.

This year, through the Sector for Promotion of Primary and Secondary Education, as well as the Development and Promotion of Education in the Languages of the Communities Administration, and in cooperation with the Ministry of Health, the MES relieved these students from paying the administrative fee for immunisation, one of the required documents for enrolment into primary school. This relief was extremely beneficial for the Roma families, which found this expense a serious hindrance to enrolling their children into primary education.

The Development and Promotion of Education in the Languages of the Communities Administration, in cooperation with the Nacionalen romski centar (National Roma Center) NGO from Kumanovo and the other sectors in the MES, drafted a guidebook for protection and prevention of discrimination in the educational system of the Republic of Macedonia.

The main aim of this guidebook is to achieve cooperation and coordination between all competent institutions and individuals who participate in the educational system, in order to provide equal conditions and opportunities for high-quality education of all children, regardless of religious, national, or any other background, and establish a monitoring system that would enable uninterrupted teaching of high quality for all children by cooperation and inclusion of all interested parties.

The project was funded in its entirety from the Roma Educational Fund from Budapest, Hungary.

The scholarship system, that began in 2008/2009, was a motivation for the Roma students to continue and successfully complete their education.

Bearing in mind the positive experiences from these programs, as of academic 2009/10 the MES, in cooperation with the Roma Educational Fund, launched the project for scholarship and mentoring 800 Roma students and tutoring all 1606 Roma high school students, in order to provide additional impetus to improving the results of all students.

The main aim of the Roma high school student scholarship, mentoring and tutoring project is to use positive measures to increase the pass rate and academic success of 1st, 2nd and 3rd year Roma students in all state and private secondary schools in the Republic of Macedonia.

The project includes 444 high school scholarship recipients, 84 schools and 28 municipalities.

Current academic year 2009/10	I Year			II Year			III Year			Total		
	Total	M	F	Total	M	F	Total	M	F	Total	M	F
Number of selected candidates	250	106	144	106	58	48	88	35	53	444	199	245

The project is implemented in three stages:

1. Providing scholarship – financial support of nine monthly payments of 2,200 MKD to 444 high school Roma students that have an average grade of at least 3.00, for the academic year 2009/10.

2. Mentorship – 93 high school maths teachers are involved in working with Roma high school students who receive scholarships, but also with all the other Roma students who do not have a scholarship but who have the right to mentor and tutor assistance. In order for the students to gain mastery of the subject, a mentor works with a group of 15-20 students for additional 16 hours, monitors the progress and their attendance rate of all students, informs them about the studying system and the conditions for studying, about the chance to get involved in extracurricular activities and use the student services, establishes contact with the parents of the mentored students, and informs the project team of their progress.

3. Tutorship - 68 professors of various vocational and social subjects are engaged to help the Roma students in the subjects that the Roma themselves identified as being the most difficult.

All Roma high school students are entitled to mentor and tutor assistance, no matter whether they are receiving a scholarship or not.

Project results from Academic 2009/10:

1. As a result of the scholarship, the pass rate of students who successfully progressed towards the next year without failing the year or dropping out, expressed in numbers, is 437 out of a total of 444 beneficiaries of the high school scholarship.

- 5 students repeated a year
- 2 students dropped out

2. Helped by the mentor and tutor assistance, out of a total of 444 students, 349 students completed the academic year with an average

grade of more than 3.00, whereas the average grade fell in the case of 88 student beneficiaries of the scholarship.

3. 10 students who were not part of the programme because they had repeated the previous year, but who benefitted from the mentorship and tutorship, completed this academic year and achieved very good or excellent results, and the average grade of some of them was 5.00.

The following are the other significant results of the project, apart from the increased pass rate, improved average grade and the easier learning of the lessons:

- Increased attendance rate of students
- Improved communication between the school, the parents and the children
- Improved socialisation and increased participation in extracurricular activities
- Easier access to textbooks, transportation and the other necessary didactic aids.

The other stage of the project started immediately after the end of the first, that is officially on November 1, 2010.

In December 2010, MES published 3 public competitions:

- A scholarship competition for 700 high school Roma students in two categories, studying in the 1st, 2nd, 3rd and 4th year of public secondary schools in the Republic of Macedonia
- A competition for 200 high school tutors/professors who would work with Roma secondary school students that have received the scholarship, as well as with all other Roma students who have not won a scholarship, but who are entitled to tutor assistance.

The Roma community high school students had the opportunity to apply for two new categories of scholarship, awarded by the MES within the project for awarding scholarships to Roma high school students.

- The first category encompasses students who have an average grade of 3.50 - 5.00, and they will receive 9 monthly payments of 2,200 MKD.
- The second category encompasses high school students who have an average grade of 3.00 - 3.49, and they will receive 9 monthly payments of 1,500 MKD.

The scholarship and tutorship project for the Roma high school students is implemented in 3 stages:

Giving scholarship – financial support of 613 students in academic 2010/11, 412 of which are in the first category, and 201 student is in the second category.

School 2010/11	year	I year			II year			III year			IV year			Total		
		total	male	female	total	male	female	total	male	female	total	male	female	total	male	female

1. Total number of applicants for scholarship	268	131	137	207	113	94	154	95	59	78	35	43	707	374	333
2. Total number of awarded scholarships	215	106	109	188	104	84	138	83	55	72	33	39	613	326	287
3. Total number of applicants who meet the criterion from first group (GPA 3.50 – 5.00)	160	77	83	126	72	54	81	46	35	45	21	24	412	216	196
4. Total number of applicants who meet the criterion from second group (GPA 3.00 – 3.49)	55	29	26	62	32	30	57	37	20	27	12	15	201	110	91
5. Number of rejected candidates	53	25	28	20	10	10	16	12	4	5	2	3	94	49	45

Tutorship – the committee established within the MES and encompassing 160 professors teaching various vocational and social subjects that the Roma themselves identified as being subjects they need additional help with.

Assistance for passing the matriculation exam to 4th year students.

Lowered criteria for enrolment of Roma students into the public secondary schools.

The MES, according to the National Roma Strategy and the Action Plan for Education, in the competition for enrolment into the public secondary school for the academic 2009/2010, outlined that Roma students may enrol into a public secondary school if they have up to 10% points less than the points prescribed by the public announcement for the appropriate curricula and if they meet the additional criteria such as passing the exam and demonstrating possession of the skills appropriate for the secondary school.

This measure is aimed at motivating Roma students to continue their education, and thus they are given a chance to enrol into the more attractive public secondary schools in the Republic of Macedonia.

At the moment, a secondary school that combines gymnasium and vocational courses is being built in the municipality of Suto Orizari, where the majority of the population is Roma, and according to schedule, the school should be completed by the beginning of the next academic year, 2010/11.

Through the MES, the Government of the Republic of Macedonia already began the free textbook project, which is to be followed by the provision of free transportation and accommodation in student dorms. All of these measures greatly help Roma students continue their education and achieve positive results.

The other activities which took place last year are also ongoing.

The State Labour Inspectorate has not received any appeals for protection of the employment rights of persons younger than 18. Of course, this can be explained by the fact that the Republic of Macedonia is beset by a high unemployment rate, and there are unemployed persons of various educational levels and qualifications, so in such a situation neither the employers are keen on employing young people nor the young people are interested in being employed.